

An appeal

- by -

AMR Management Inc.  
("Appellant")

- of a Determination issued by -

The Director of Employment Standards  
(the "Director")

pursuant to Section 112 of the  
*Employment Standards Act*, R.S.B.C. 1996, C.113 (as amended)

**TRIBUNAL MEMBER:** Rajiv K. Gandhi

**FILE No.:** 2016A/68

**DATE OF DECISION:** October 19, 2016

## DECISION

### SUBMISSIONS

Megan Roberts

on behalf of the Director of Employment Standards

### OVERVIEW

1. On April 20, 2016, a delegate of the Director of Employment Standards (the “Director”) issued a determination (the “Determination”) in which AMR Management Inc. (the “Appellant”) was found to have contravened sections 18 and 63 of the *Employment Standards Act* (the “Act”). The Director ordered the Appellant to pay the aggregate sum of \$10,494.98 to Yao (Lewis) Liu, the complainant, representing outstanding wages, compensation for length of service, vacation pay, and interest. The Appellant was also required to pay administrative penalties in the amount of \$1,000.00.
2. In a decision issued on August 31, 2016, and reported at BC EST # D111/16, I dismissed the bulk of the Appellant’s appeal of the Determination, but noted a small error in the Director’s math. I allowed the appeal to proceed on a limited basis in order to permit all parties to make submissions with respect to the Director’s calculation of monies payable to the complainant.
3. On September 12, 2016, the Director provided a fresh accounting of outstanding wages, vacation pay, and compensation for length of service owed by the Appellant. The Appellant has not provided any further submissions.
4. Having reviewed the Director’s recalculation, I accept that the revised amounts are correct.

### ORDER

5. Accordingly, the Determination as it relates to the amount to be paid to the complainant is varied pursuant to section 115(1)(a) of the *Act*, and I order the Appellant to pay to Yao (Lewis) Liu the sum of \$10,174.85, being:
  - (a) wages, in the amount of \$5,017.39, according to section 18 of the *Act*;
  - (b) compensation for length of service, in the amount of \$4,766.12, according to section 63; and
  - (c) vacation pay, in the amount of \$391.34, according to section 58,plus interest calculated according to section 88(1) of the *Act*.
6. The balance of the Determination, including the \$1,000.00 administrative penalty, is confirmed.

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**Rajiv K. Gandhi**  
Member  
Employment Standards Tribunal