

**EMPLOYMENT STANDARDS TRIBUNAL**

In the matter of an appeal pursuant to Section 112 of the  
*Employment Standards Act S.B.C. 1995, C. 38*

- by -

Sanghera Trucking  
("Sanghera")

- of a Determination issued by -

The Director Of Employment Standards  
(the "Director")

**ADJUDICATOR:** Geoffrey Crampton

**FILE NO.:** 96/326

**DATE OF DECISION:** May 4, 2001

**DECISION**

**OVERVIEW**

This is an appeal by Sanghera Trucking Ltd. (“Sanghera”), under Section 112 of the *Employment Standards Act* (the “*Act*”), against Determination CDET# 002134 which was issued by a delegate of the Director of Employment Standards on May 1, 1996.

The Determination found that Sanghera owed wages and vacation pay to Harjit Sahota for the period August 27, 1995 to October 15, 1995.

**FACTS**

The Reason Schedule attached to the Determination sets out at length the positions of both Sanghera and Sahota. It also sets out in detail the calculations supporting the total amount payable (\$1,804.76).

The only reasons given by Sanghera for its appeal are:

It is not correct that the other party last worked on October 15, 1995. He last worked on October 20, 1995 and at that time he damaged the property of BC Hydro. BC Hydro has sent a bill to Har Enterprises, Attention Harjit Sahota. I had mentioned about this at the hearing but there seems to be no mention of it in the determination. When I received the invoice from BC Hydro, I brought that to his notice but he did not respond. Enclosed herewith is a copy of the letter dated May 8, 1996 from BC Hydro.

**ANALYSIS**

Sanghera’s appeal does not challenge any of the substantive facts or reasoning that are set out in the Determination.

Section 21 of the *Act* states, in part:

- (1) Except as permitted or required by this Act or any other enactment of British Columbia or Canada, an employer must not, directly or indirectly, withhold, deduct or require payment of all or part of an employee's wages for any purpose.
- (2) An employer must not require an employee to pay any of the employer's business costs except as permitted by the regulations.

As noted on page 3 of the Reason Schedule, Section 21 prohibits Sanghera from withholding wages owed to Sahota **for any purpose** (my emphasis). Thus, Sanghera's appeal is without merit.

**ORDER**

I order, pursuant to Section 115 of the *Act*, that Determination CDET# 002134 be confirmed.

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**Geoffrey Crampton**  
**Chair**  
**Employment Standards Tribunal**

GC:sf