

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-

Marie Culleton operating as Better Care Home Support

(“Culleton”)

- of a Determination issued by -

The Director of Employment Standards

(the “Director”)

ADJUDICATOR: Kenneth Wm. Thornicroft

FILE No.: 96/730

DATE OF HEARING: April 2nd, 1997

DATE OF DECISION: April 2nd, 1997

DECISION

APPEARANCES

No appearance for Marie Culleton
Deanna L. Sillars on her own behalf
Gerry Omstead for the Director of Employment Standards

OVERVIEW

This is an appeal brought by Marie Culleton operating as Better Care Home Support (“Culleton”) pursuant to section 112 of the *Employment Standards Act* (the “Act”) from Determination No. CDET 004719 issued by the Director of Employment Standards (the “Director”) on November 18th, 1996. The Director determined that Culleton owed her former employee, Deanna L. Sillars (“Sillars”), the sum of \$867.05 on account of unpaid statutory holiday pay (section 45), vacation pay (section 58) and compensation for length of service (section 63).

The appeal hearing in this matter was scheduled to be heard in Victoria on April 2nd, 1997 at 9:00 A.M. By 9:15 A.M. the appellant had not yet arrived for the hearing and, accordingly, I telephoned the appellant at the number provided on her notice of appeal. Ms. Culleton advised me that she had written a letter to the Tribunal requesting the withdrawal of her appeal and enclosing a cheque for the full amount due under the Determination. I subsequently verified this information with the Tribunal staff.

ORDER

I order that the appeal of Marie Culleton with respect to Determination No. CDET 004719 be withdrawn, by consent.

Kenneth Wm. Thornicroft, *Adjudicator*
Employment Standards Tribunal