

EMPLOYMENT STANDARDS TRIBUNAL

In the matter of an appeal pursuant to Section 112 of the
Employment Standards Act R.S.B.C. 1996, C.113

- by -

555088 Ontario Limited operating as Harvey's Restaurant
(“ Harvey's ”)

- of a Determination issued by -

The Director of Employment Standards
(the "Director")

ADJUDICATOR: C.L. Roberts

FILE No.: 2000/016

DATE OF HEARING: April 25, 2000

DATE OF DECISION: May 2, 2000

DECISION

APPEARANCES

For the Director	D. Oliver
For Harvey's	H. Mohammed
Lee Hart	On his own behalf

OVERVIEW

This is an appeal by 555088 Ontario Limited operating as Harvey's Restaurant ("Harvey's"), pursuant to Section 112 of the Employment Standards Act ("the Act"), against a Determination issued by the Director of Employment Standards ("the Director") December 16, 1999. The Director's delegate found that Harvey's owed Angeleen Charpentier, Cheryl Clifford, Wayne Clifford and Lee Hart (collectively, the "employees") \$2,013.01 in unpaid wages, statutory holiday pay, minimum daily hours and vacation pay. No appeal was taken with respect to the determination as it related to Charpentier. The amount found to be owing to Charpentier was received by the Director, and disbursed to her.

Following the filing of the appeal, which claimed that calculation errors were made, the delegate recalculated the amount owing by Harvey's, and issued an amendment to the amounts owing. The new amount determined owing to Wayne Clifford was \$284.70, and to Cheryl Clifford was \$395.86. The delegate declined to issue an amendment to the amount found owing to Lee Hart as no evidence was presented establishing the material points in the determination.

At the hearing, Harvey's did not object to the recalculations, and issued cheques in the amounts determined.

I consider that the matter has been resolved.

C. L. Roberts
Adjudicator
Employment Standards Tribunal