

An appeal

- by -

Associated Services & Management Ltd.
(the "Employer")

- 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

ADJUDICATOR: Ib S. Petersen

FILE No.: 2002/105

DATE OF DECISION: May 15, 2002

otherwise, Section 4 of the *Act* provides that “an agreement to waive any of [the minimum] requirements is of no effect.”

One final point needs to be addressed. The Employer alleges that the Delegate approached the investigation with “preset mind” and that he was not allowed an opportunity to support his position. There is nothing to support the contention that the Delegate did not approach the task before him with anything but an open mind. As to the second charge, the Delegate’s submission to the Tribunal states that the Employer was provided with his preliminary findings and allowed to present additional evidence. The Employer did not respond and the Delegate issued his Determination. Based on the evidence before me, I reject this argument.

In my view, the appeal must fail.

ORDER

Pursuant to Section 115 of the *Act*, I order that the Determination in this matter, dated February 8, 2002 be confirmed.

Ib S. Petersen
Adjudicator
Employment Standards Tribunal