

July 15, 1998

BC EST #D325/98

TO INTERESTED PARTIES (see attached)

**Re: Employment Standards Act - Part 13
Appeal of Director's Determination CDET dated June 9, 1998
Sidson Farms Ltd. -and- Director of Employment Standards
Tribunal File No. 98/429**

DECISION

Sidson Farms Ltd. ("Sidson") appealed, under Section 112 of the *Employment Standards Act*, against a Determination dated June 9, 1998 in which a delegate of the Director of Employment Standards refused to issue Sidson a Farm Labour Contractor License for the 1998 harvest season. Counsel for Sidson requested that the appeal be heard "on an urgent basis" in his appeal application dated July 3, 1998. A hearing was held in the Tribunal's offices on July 13, 1998 at which time evidence was given under oath or affirmation. The Tribunal undertook to render a decision expeditiously and to schedule another date to address other matters which are the subject of appeals by Sidson and which it may wish to pursue.

We were persuaded by the submissions made by Sidson that this appeal should be decided "on an urgent basis" because agricultural harvest seasons are of limited duration and harvests will soon be completed for this year. For that reason, we are issuing this decision expeditiously, without reasons, and will publish full reasons for our decision promptly.

ORDER

We order, under Section 115 of the *Act*, that the Determination dated June 9, 1998 be confirmed.

**Mark Thompson
Adjudicator**

**Richard Longpre
Adjudicator**

**Geoffrey Crampton
Chair**

Interested Parties:

Sidson Farms Ltd. Attention: Mr. B. Sidhu

MacMillan Tucker & MacKay, Barristers Solicitors Notaries, Attention: Tarseam S. Bhuller

Director of Employment Standards (Officer: Jim Walton)

Ministry of Attorney General, Legal Services Branch, Attention: Adele Adamic