

July 15, 1998

BC EST #D358/98

TO INTERESTED PARTIES (see attached)

**Re: Employment Standards Act - Part 13
Appeal of Determinations issued by the Director of Employment Standards on
July 15, 1998 and July 27, 1998
Junior Contracting Ltd. -and- Director of Employment Standards
Tribunal File Nos. 98/505, 98/506, 98/507, 98/508**

DECISION

Junior Contracting Ltd. ("Junior") appealed, under Section 112 of the *Employment Standards Act* (the "Act"), against four Determinations dated July 15, 1998 and July 27, 1998 in which a delegate of the Director of Employment Standards cancelled its Farm Labour Contractor License for the 1998 harvest season and imposed penalties for violations of Section 6(4) of the *Employment Standards Regulation* (the "Regulation") and 17(1) of the *Act*. Counsel for Junior requested that the appeals be heard on an urgent basis in his appeal applications dated August 2, 1998. A hearing was held in the Tribunal's offices on August 13, 1998 at which time evidence was given under oath or affirmation. The Tribunal undertook to render a decision expeditiously on the appeals. For that reason, I am issuing this decision expeditiously, without reasons, and will publish full reasons for my decision promptly.

ORDER

I order, under Section 115 of the *Act*, that:

1. The Determination dated July 27, 1998, cancelling the Farm Labour Contractor Licence be confirmed.
2. The Determination dated July 27, 1998, imposing a penalty for a contravention of Section 6(4) of the *Regulation* be varied such that the penalty is \$0.00.
3. The Determination dated July 27, 1998, imposing a penalty of \$1,050.00 for a contravention of Section 17(1) of the *Act* be confirmed.
4. The Determination dated July 15, 1998, imposing a penalty of \$0.00 for a contravention of Section 6(4) of the *Regulation* be varied such that the penalty is struck out.

**Ib Petersen
Adjudicator
Employment Standards Tribunal**

Interested Parties:

MacMillan Tucker & MacKay Barristers Solicitors Notaries Attention: Tarseam Bhullar
Director of Employment Standards (Officer: Jim Walton)
Ministry of Attorney General, Legal Services Branch, Attention: Heidi Hughes