

**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 -

Absolute Router & Sign Solutions Ltd.  
("Absolute Router" or the "Employer")

- of a Determination issued by -

The Director Of Employment Standards  
(the "Director")

**ADJUDICATOR:** Ib S. Petersen

**FILE NO.:** 1999/252

**HEARING DATE:** August 30, 1999

**DECISION DATE:** September 9, 1999

**DECISION**

**APPEARANCE**

Ms. Lori Sutherland

on behalf of herself

This is an appeal by the Employer pursuant to Section 112 of the *Employment Standards Act* (the “*Act*”), against a Determination of the Director of Employment Standards (the “Director”) issued on April 6, 1999. The Determination found that Ms. Sutherland was laid off on October 9, 1998, and not recalled within 13 weeks, was terminated on that date, and, in the result, entitled to compensation for length of service. The Determination also awarded compensation for 13.5 hours of training time, for a total of \$489.06.

The Employer claims that the Determination is wrong. The Employer says that the training occurred on Sutherland’s days off work and was entirely voluntary. The Employer also says that Sutherland, and other employees, had been warned of impending layoff and, therefore, had ample warning.

A hearing was scheduled for August 27, 1999. This hearing was adjourned due to the Employer representative’s illness. A hearing was rescheduled for August 30, 1999. The Employer, who is the appellant in this matter, has the burden to prove the Determination wrong. Although duly notified, the Employer did not appear at the hearing. In the result, I consider that the appeal has been abandoned and dismiss it.

**ORDER**

Pursuant to Section 115 of the *Act*, I order that Determination in this matter, dated April 6, 1999 be confirmed.

**Ib Skov Petersen**  
**Adjudicator**  
**Employment Standards Tribunal**