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 -

Darryl Powell ("Powell" or the "Employee")

- of a Determination issued by -

The Director Of Employment Standards (the "Director")

ADJUDICATOR: Ib S. Petersen

FILE NO.: 1999/478

HEARING DATE: September 22, 1999

DECISION DATE: October 19, 1999

DECISION

APPEARANCE

Ms. Jennifer Catalano

on behalf of Southland Canada Inc.

This is an appeal by Powell pursuant to Section 112 of the *Employment Standards Act* (the "Act"), against a Determination of the Director of Employment Standards (the "Director") issued on July 10, 1999. The Determination dismissed Dubbin's claim for compensation for length of service against his employer Southland Canada Inc. (The "Employer"). The delegate also concluded that Powell was not entitled to a bonus. Powell says that he is entitled to the bonus.

A hearing was held on September 22, 1999. Powell, as the appellant in this matter, has the burden to prove the Determination wrong. Although duly notified, he 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 July 10, 1999 be confirmed.

Ib Skov Petersen Adjudicator Employment Standards Tribunal