

An appeal

- by -

Digital Commerce Canada Ltd.

- 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: Norma Edelman

FILE No.: 2002/451

DATE OF DECISION: September 24, 2002

DECISION

This matter arises out of a referral back to the Director of Employment Standards (the "Director") in Tribunal Decision BCEST #D365/02. In that decision I concluded that Chelsea Greene ("Greene") was owed the amount of wages set out in the Determination but Tony Lee's wages had to be adjusted to reflect a \$1000.00 payment made to him by his former employer, Digital Commerce Canada Ltd. I ordered that the Determination be confirmed as it related to Greene and that it be referred back to the Director's delegate to recalculate the amount of wages owed to Lee.

On August 16, 2002, the Tribunal received a report from the delegate stating that the recalculated amount of wages owed to Lee was \$8881.20. He stated that the parties agreed with that figure.

The Tribunal forwarded the delegate's report to the parties and they were invited to reply to the report. The Tribunal received no replies.

This matter has been decided based on the written submission of the delegate.

I have reviewed the delegate's calculations and I find no reason to conclude that they are in error. The delegate has complied with my direction to deduct \$1000.00 from the amount of wages owed to Lee. Accordingly, I accept that Lee is owed the amount calculated by the delegate in his August 16, 2002 report.

ORDER

Pursuant to Section 115 of the Employment Standards Act and further to Tribunal Decision BCEST #D365/02 I order that the Determination dated May 14, 2002 be varied to show Greene is owed \$8540.24 and Lee is owed \$8881.20.

Norma Edelman
Vice-Chair
Employment Standards Tribunal