



An appeal

- by -

Lucky Labour Contractors Ltd.
("Lucky")

- 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: Mark Thompson

FILE No.: 2001/458

DATE OF HEARING: September 4, 2001

DATE OF DECISION: September 12, 2001

DECISION

OVERVIEW

This is an appeal by Lucky Labour Contractors Ltd. (“Lucky”) under Section 112 of the *Employment Standards Act* (the “*Act*”) against a Determination by a delegate of the Director of Employment Standards (the “Director”), dated June 1, 2001. The Determination found that Lucky had violated Part 2, Section 6(5) of the *Employment Standard Regulation* on May 18, 2001, by failing to maintain a daily log on site. Previously, a delegate of the Director had issued a Determination for the same offense. Because the May 18, 2001 incident was a second offense, the Determination imposed a penalty of \$150.00.

In her appeal, Ziada alleged that the Director’s delegate made several errors in the Determination.

The Tribunal scheduled a hearing for this appeal to take place on December 4, 2000 at 9:00 a.m. at its offices in Library Square, 8th Floor, 360 West Georgia St., Vancouver. Said was duly notified of the time and place of the hearing, but did not attend and offered no explanation for her failure to attend.

The onus in this appeal was on the appellant, Lucky. The Director’s delegate attended the hearing. In the absence of oral evidence provided by Lucky, I am unable to find any grounds to vary or cancel the Determination.

ORDER

Pursuant to Section 115 of the *Act*, I order that the Determination dated June 1, 2001 be confirmed.

Mark Thompson
Adjudicator
Employment Standards Tribunal