

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-

International Metals Research Management Ltd.

-and-

Global Business Ventures Ltd.

(the “employer”)

- of a Determination issued by -

The Director of Employment Standards

(the “Director”)

ADJUDICATOR: Kenneth Wm. Thornicroft

FILE No.: 1999/452

DATE OF HEARING: November 12th, 1999

DATE OF DECISION: November 16th, 1999

DECISION

APPEARANCES

Maureen S. Boyd for International Metals Research Management Ltd.
and Global Business Ventures Ltd.

Martha Rans &
Rod Bianchini for the Director of Employment Standards

No one appearing for Bob Bashon and Nancy Bashon

OVERVIEW

This is an appeal brought by International Metals Research Management Ltd. and Global Business Ventures Ltd. (the “employer”) pursuant to section 112 of the *Employment Standards Act* (the “Act”) from a Determination issued by a delegate of the Director of Employment Standards (the “Director”) on June 24th, 1999 under file number ER 41570 (the “Determination”).

The Director’s delegate determined that the employer owed its former employees, Colin Giles, Bob Bashon, Nancy Bashon and Samuel Oliva, the total sum of \$26,206.68 on account of unpaid wages and interest.

The employer did not appeal the award in favour of Mr. Giles and I understand that Mr. Giles has now been paid the full amount of his claim as set out in the Determination. I further understand that a settlement has now been concluded between the employer and Mr. Oliva with respect to the latter’s unpaid wage claim.

The Director, through her counsel, advises me that the amounts found to be owing to Bob Bashon and Nancy Bashon are, in the Director’s view, incorrect. The Director has come to this conclusion after reviewing information that was not available at the time the Determination was issued.

ORDER

Accordingly, and with the consent of counsel for both the employer and the Director, pursuant to section 115 of the *Act*, I order that the Determination be cancelled as it relates to Bob Bashon and Nancy Bashon and that the matter of their respective entitlements under the *Act* be referred back to the Director for further investigation and, if appropriate, issuance of a new determination.

Kenneth Wm. Thornicroft
Adjudicator
Employment Standards Tribunal