

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-

TopChoice Systems Inc.
("TopChoice")

- of a Determination issued by -

The Director of Employment Standards
(the "Director")

ADJUDICATOR: C. L. Roberts

FILE NO.: 1999/570

DATE OF HEARING: November 15, 1999

DATE OF DECISION: November 22, 1999

DECISION

APPEARANCES

For the Director:	K. Lutmer, Ray Stea
For TopChoice:	No one appeared
Dave Clark	On his own behalf

OVERVIEW

This is an appeal by TopChoice Systems Inc. ("TopChoice"), pursuant to Section 112 of the *Employment Standards Act* ("the *Act*"), against a Determination of the Director of Employment Standards ("the Director") issued August 30, 1999. The Director's delegate found that TopChoice had contravened Sections 17, 18, 21, 44 and 46 of the *Act* in failing to pay David Clarke ("Clark") wages, statutory holiday pay, vacation pay and his final pay. TopChoice was ordered to pay \$2,316.35 to the Director on behalf of Clark.

TopChoice was not represented at the hearing, and when contacted by R. Stea, indicated it was not pursuing the matter. Having no evidence or submissions to controvert the findings of the delegate, I dismiss the appeal.

ORDER

I Order, pursuant to Section 115 of the *Act*, that the Determination, dated August 30, 1999, be confirmed in the amount of \$2,316.35, together with whatever interest that has accrued since the date of Determination, pursuant to Section 88.

C. L. Roberts
Adjudicator
Employment Standards Tribunal