

**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 -

Mind Vision Enterprises Ltd.  
( "Mind Vision" )

- of a Determination issued by -

The Director of Employment Standards  
(the "Director")

**ADJUDICATOR:** David B. Stevenson

**FILE No.:** 2000/529

**DATE OF HEARING:** November 16, 2000

**DATE OF DECISION:** December 6, 2000

**DECISION**

**APPEARANCES:**

on behalf of Mind Vision Enterprises Ltd.

Richard MacDonald

Dave Wournell

on behalf of the individual

in person

**OVERVIEW**

This is an appeal pursuant to Section 112 of the *Employment Standards Act* (the “*Act*”) by Mind Vision Enterprises Ltd. (“Mind Vision”) of a Determination which was issued on July 10, 2000 by a delegate of the Director of Employment Standards (the “Director”). The Determination concluded that Mind Vision had contravened Part 3, Section 18 of the *Act* in respect of the employment of Ken Ivens (“Ivens”), and ordered Mind Vision to cease contravening and to comply with the *Act* and to pay an amount of \$3254.10.

As the hearing commenced, Mr. MacDonald, representing Mind Vision, advised that the parties were close to achieving a settlement of the appeal and of the complaint. The hearing was adjourned to allow discussions to continue. The parties were able to achieve a settlement. The terms were conveyed to me and I am satisfied the settlement is consistent with the purposes of the *Act*.

**ORDER**

Pursuant to Section 115 of the *Act*, I order the Determination, dated July 10, 2000, be cancelled. I have advised the parties that the Tribunal retains jurisdiction over the appeal in the event that the terms of the settlement, as they were outlined to me, are not completed. The Tribunal has this authority under subsection 116(1) of the *Act*.

Upon receipt of this decision, the Tribunal requests the parties to confirm, or otherwise, the completion of the terms of the settlement.

**David B. Stevenson**

**David B. Stevenson**  
**Adjudicator**  
**Employment Standards Tribunal**