



Scarborough Auto Company Fined \$10,000 for Failure to Comply with Order to Pay

May 16, 2017 4:30 P.M.

TORONTO, ON - Failure to comply with an order to pay amounting to \$6,492.39 has resulted in a fine of \$10,000 for a Scarborough business.

The company, 1685831 Ontario Inc. operating as Golden Mile Auto Collision, operates an auto repair and paint shop at 31 Comstock Road in Scarborough. It failed to comply with an order to pay issued in November 2015 by a Ministry of Labour employment standards officer that required the company to pay termination pay to an employee.

Under the Employment Standards Act (ESA), an employment standards officer who finds that an employer owes wages to an employee may order that employer to pay the amount owed. A person who contravenes the ESA or its regulations, or fails to comply with an order under the act, is guilty of an offence.

On May 11, 2017, the company pleaded guilty in Toronto court. Justice of the Peace Patrick Deacon imposed a fine of \$10,000, noting that the entire amount of the order to pay remained outstanding. The court also ordered the company to pay the amounts owing the employee.

In addition to the fine, the court imposed a 25-per-cent victim fine surcharge as required by the Provincial Offences Act. The surcharge is credited to a special provincial government fund to assist victims of crime.

An individual convicted under the ESA may be fined up to \$50,000 or imprisonment of up to 12 months, or both. A corporation can be fined up to \$100,000 for a first conviction, \$250,000 for a second conviction, and \$500,000 for a third or more convictions.

Court Information at a Glance

Location:

Provincial Offences Court/Ontario Court of Justice

70 Centre Street

Courtroom C6

Toronto, Ontario

Judge:

Justice of the Peace Patrick Deacon

Date of Sentencing:

May 11, 2017

Defendant:

1685831 Ontario Inc., operating as Golden Mile Auto Collision

31 Comstock Road

Scarborough, Ontario

Matter:

Employment standards

Convictions:

Employment Standards Act

Section 103(8)

Section 132

Crown Counsel, Student-at-Law:

Terry Wong, Alessandra Hollands

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