
Scarborough Garment Manufacturer's Failure to Pay Termination to Workers Results in \$49,000 Fine

August 22, 2017 5:59 P.M.

TORONTO, ON - An employer that went out of business and failed to provide termination pay to some of its workers after being ordered to do so has been fined \$49,000 in court.

The business, Winli Apparel Manufacturing Inc., operated at 80 Rolark Drive in Scarborough. Claims were filed under the Employment Standards Act (ESA) by the Chinese and Southeast Asian Legal Clinic (CSALC) on behalf of the workers, many of whom were vulnerable garment workers and not fluent in English.

The Ministry of Labour issued Orders to Pay amounting to about \$26,000, which the company failed to pay. Winli was charged with 14 counts of failing to comply with the orders to pay.

Justice of the Peace Alice Napier handed down the sentence in Toronto court on August 21, 2017.

A person who contravenes the ESA or its regulations, or fails to comply with an order under the act, is guilty of an offence. An individual convicted under the ESA may be fined up to \$50,000 or imprisonment of up to 12 months, or both; if a corporation, the fine may be up to \$100,000. For a person with a previous conviction, the fine may be up to \$250,000; if there is more than one previous conviction the fine may be up to \$500,000.

The court also 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.

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 Alice Napier

Date of Sentencing:

August 21, 2017

Defendant:

Winli Apparel Manufacturing Inc.

Corporate address:

80 Rolark Avenue

Scarborough, Ontario

Matter:

Employment standards

Conviction:

Employment Standards Act

Section 132 (14 counts)

Crown Counsel:

Catherine Glaister

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