



Director of Employment Standards

## Determination

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File # 162-868

### ***Employment Agency Licence***

**Matrixvisa Inc.**

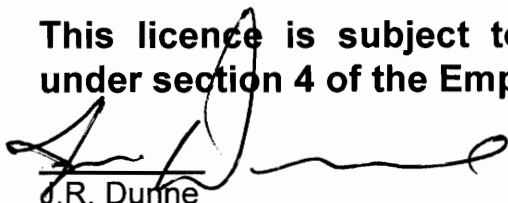
**Suite 1500 – 701 West Georgia Street  
Vancouver, British Columbia  
V7Y 1C6**

**THIS IS TO CERTIFY that the above named person is licensed under the *Employment Standards Act* to operate an employment agency.**

**Effective date: October 20, 2009**

**Expiry date: October 20, 2010**

**This licence is subject to cancellation or suspension at any time under section 4 of the Employment Standards Regulation.**



**J.R. Dunne**  
Delegate of the Director of Employment Standards

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**Ministry of Labour**

Employment Standards  
Branch

Mailing Address:

Deer Lake Centre  
210, 4946 Canada Way  
Burnaby, B.C. V5G 4J6

Telephone: (604) 660-4946  
Facsimile: (604) 660-7047



October 20, 2009

File # 162-868

Matrixvisa Inc.  
#1500 – 701 West Georgia Street  
Vancouver, BC V7Y 1C6

Dear Mr. Cobus Kriek:

**Re: Employment Agency Licence**

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Your application for an employment agency licence has been approved. Your licence is enclosed with this letter.

For your information and reference, a copy of the relevant sections of the *Employment Standards Act* and Regulation, which cover the registration and operation of Employment Agencies, is enclosed. For more information on these sections, you may find it helpful to refer to our Interpretation Guidelines Manual, which you will find on our website.

Your licence will expire on October 20, 2010. The Employment Standards Branch does not send out renewal notices. Please ensure that you submit your application to have your licence renewed at least 30 days before your licence expires.

Please call our information line at 1-800-663-3316 should you have any questions. Employment Standards Branch publications and forms can be requested at any branch office or obtained online at [www.labour.gov.bc.ca/esb](http://www.labour.gov.bc.ca/esb).

Sincerely,

J.R. Dunne  
Delegate of the Director of Employment Standards

Enclosure

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**Ministry of Labour**      Employment Standards  
Branch

**ESB Address:**  
**#210 -4946 Canada Way,**  
**Burnaby, BC**  
**Tel: 604 660-4946**  
**Fax: 604 660-7047**



BRITISH  
COLUMBIA  
Province of British Columbia  
Ministry of Labour

## Employment Standards Act

### Part 2 Hiring Employees

#### Section 10 No charge for hiring or providing information

- (1) A person must not request, charge or receive, directly or indirectly, from a person seeking employment a payment for
  - (a) employing or obtaining employment for the person seeking employment, or
  - (b) providing information about employers seeking employees.
- (2) A person does not contravene this section by requesting, charging or receiving payment for any form of advertisement from the person who placed the advertisement.
- (3) A payment received by a person in contravention of this section is deemed to be wages owing and this Act applies to the recovery of the payment.

#### Section 11 No fees to other persons

- (1) An employment agency must not make a payment, directly or indirectly, to a person for obtaining or assisting in obtaining employment for someone else.
- (2) A farm labour contractor must not make a payment, directly or indirectly, to a person for whom the farm labour contractor's employees work.
- (3) A person does not contravene this section by paying for any form of advertisement placed by that person.

#### Section 12 Employment and talent agencies must be licensed

- (1) A person must not operate an employment agency or a talent agency unless the person is licensed under this Act.
- (2) Subsection (1) does not apply to a person operating an employment agency for the sole purpose of hiring employees exclusively for one employer.

#### Section 14 Written employment contract required for domestics

- (1) On employing a domestic, the employer must provide the domestic with a copy of the employment contract.
- (2) The copy of the employment contract provided to the domestic must clearly state the conditions of employment, including
  - (a) the duties the domestic is to perform,
  - (b) the hours of work,
  - (c) the wages, and
  - (d) the charges for room and board.
- (3) If an employer requires a domestic to work during any pay period any hours other than those stated in the employment contract, the employer must add those hours to the hours worked during that pay period under the employment contract.

#### Section 15 Register of employees working in residences

An employer must provide to the director, in accordance with the regulations, any information required for establishing and maintaining a register of employees working in private residences.

## Employment Standards Regulation

### Part 2 – Employment Agencies

#### Section 2 Licensing of employment agencies

- (1) An application for a licence to operate an employment agency must
  - (a) be made to the director, and
  - (b) be accompanied by a fee of \$100.
- (2) The director may issue an employment agency licence only if the applicant has
  - (a) completed a written application in a form required by the director,
  - (b) paid the licence fee, and
  - (c) satisfied the director that the applicant will operate an employment agency in the best interests of employers and persons seeking employment.
- (3) The director may refuse to issue a licence to an applicant who has had a previous licence cancelled.

#### Section 3 Employment agency records

- (1) An employment agency must keep a record of the following:
  - (a) the name and address of each employer for whom the employment agency provides a service;
  - (b) the name, occupation and address of each person who is directed to an employer for the purpose of being hired or who is provided with information about employers seeking employees.
- (2) The record must
  - (a) be in English,
  - (b) be kept at the employment agency's principal place of business in British Columbia, and
  - (c) be retained by the employment agency for 2 years.

#### Section 4 Cancellation or suspension of employment agency licence

The director may cancel or suspend an employment agency's licence if the employment agency

- (a) makes a false or misleading statement in an application for a licence,
- (b) contravenes the Act or this regulation,
- (c) is operating or has operated the employment agency contrary to the best interests of employers and persons seeking employment, or
- (d) is placing a domestic with an employer and does not inform the employer of the requirement to register the domestic with the Employment Standards Branch in accordance with section 15 of the Act and section 13 of this regulation.

#### Section 9 Rules about licences

- (1) A licence issued under this regulation
  - (a) is valid for one year after the date on which it was issued, and
  - (b) is not transferable or assignable.
- (2) Despite subsection (1) (a), effective January 1, 2000, the director may issue a licence under this regulation for a 3 year term if the farm labour contractor
  - (a) renews its irrevocable letter of credit for each year of the term, and
  - (b) has not had a licence under this regulation cancelled by the director.

#### Section 10 If a licence is refused, cancelled or suspended

On making a determination to refuse to issue, or to cancel or suspend, a licence under this regulation, the director must serve the person who applied for or held the licence with a copy of the determination that includes

- (a) the reasons for the determination, and
- (b) the time limit and process for appealing the determination to the tribunal.

### **Section 11 Surrender of licence**

When served with a copy of a determination cancelling or suspending a licence issued under this regulation, the licence holder must immediately surrender the licence to the director.

### **Section 12 Appeals from the refusal, cancellation and suspension of a licence**

- (1) A person who is served with a determination under section 10 may appeal the determination to the tribunal by delivering to its office a written request that includes the reasons for the appeal.
- (2) The request must be delivered to the tribunal within
  - (a) 30 days after the date of service, if the person was served by registered mail, and
  - (b) 21 days after the date of service, if the person was personally served or served under section 122 (3) of the Act.
- (3) For an appeal under this section,
  - (a) the tribunal has the same powers as under sections 114 to 116 of the Act, and
  - (b) sections 108, 109 (b) to (h) and 111 of the Act apply.

## **Part 3 — Employees Working in Residences**

### **Section 13 Registry information**

- (1) An employer of a domestic or a textile worker must provide the director with the following information:
  - (a) the employer's name, address, telephone number and fax number;
  - (b) the employee's name, address and telephone number;
  - (c) whether the employee is a domestic or a textile worker.
- (2) The employer must provide the information required under subsection (1) in writing to the director
  - (a) within 30 days after the date the employee was hired,
  - (b) in the case of an employee hired before November 1, 1995, by January 1, 1996, or
  - (c) in the case of an employee who is to be employed as a domestic and who is coming to Canada from another country, before the employee is hired and before making an application to bring the employee to Canada.
- (3) An employer who is aware of any change in the information provided under subsection (1) must, each 6 months after January 1, 1996, provide the director with a written list of the changes.

### **Section 14 Maximum room and board rates for domestics**

An employer must not charge a domestic more than \$325 per month for room and board.

## **Part 4 – Minimum Wages**

### **Section 15 Minimum Wage**

- (1) Subject to sections 16 to 18, the minimum wage is \$8.00 an hour.
- (2) Despite subsection (1), the minimum wage is \$6.00 an hour for an employee who
  - (a) has no paid employment experience before November 15, 2001, and
  - (b) has 500 or fewer hours of cumulative paid employment experience with one or more employers.