

06-60

For Immediate Release
May 31, 2006

COULTEN RADIATOR INC. AND COMPANY DIRECTOR FINED FOR EMPLOYMENT STANDARDS VIOLATIONS

NEWMARKET, Ont. – Coultlen Radiator Inc., a former Toronto-based company that sold and repaired industrial radiators, was fined \$5,000 on May 26, 2006 and a company director was fined \$3,000 for violations of the Employment Standards Act, 2000 in connection with wages and termination pay owed to a former employee.

The worker filed a claim with the Ontario Ministry of Labour for unpaid wages and termination pay. The ministry found the wages and termination pay were owing and issued the company an order to pay, plus a 10-per-cent administrative fee. The order was issued on June 19, 2003. On August 26, 2003 the ministry issued company director Heinz Bergmeier with an order to pay related to the claim. After numerous failed attempts, the orders for the company and Bergmeier were served personally to Bergmeier on May 13, 2004. The company and Bergmeier did not appeal or promptly pay the orders. The amounts owing were eventually paid prior to sentencing. The workplace was located at 180 Doughton Road in Concord, Ont.

Coultlen Radiator Inc. pleaded guilty to failing to comply with an order to pay issued on June 19, 2003, as required by Section 103(8) of the act. This was contrary to Section 132 of the act.

Heinz Bergmeier pleaded guilty to:

1. failing to comply with an order to pay issued to the company on June 19, 2003, as required by Section 103(8) of the act. This was contrary to Section 137(1) of the act; and
2. failing to comply with an order to pay issued to the director on August 26, 2003, as required by Section 106 of the act. This was contrary to Section 136 of the act

Bergmeier was fined \$1,500 on each count.

The fines were imposed by Justice of the Peace Karen Walker of Ontario Court of Justice in Newmarket. In addition, 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.

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Court Information at a Glance

Location: Ontario Court of Justice
465 Davis Drive, Courtroom T2
Newmarket, Ontario

Judge: Justice of the Peace Karen Walker

Date / Time: May 26, 2006, 1:30 p.m.

Defendant: Coulten Radiator Inc.; and
Heinz Bergmeier

Matter: Employment Standards

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