

DIRECTOR'S ORDER UNDER SECTION 157 OF THE FAIR TRADING ACT
TO
EDGAR DANNUG
AND
JANICE SCHNEIDER
AND
ENERGY MANPOWER SERVICES, INC.
AND
ALBERTA ENERGY MANPOWER SERVICES INC.
AND ANY EMPLOYEE, REPRESENTATIVE, OR AGENT

ISSUE

Edgar Dannug conducted employment agency activities in Alberta under the name Energy Manpower Services, Inc. Service Alberta has investigated allegations related to these employment agency activities and has evidence that, in the opinion of the Director, demonstrates the following breaches of the legislation:

1. Edgar Dannug has engaged in employment agency business in Alberta under Energy Manpower Services, Inc. without obtaining a business licence, contrary to s. 104 of the *Fair Trading Act* and s. 3 of the *Employment Agency Business Licensing Regulation*.
2. Edgar Dannug and Energy Manpower Services, Inc. demanded and collected fees from a person for the securing of employment, in violation of s. 9 of the *Employment Agency Business Licensing Regulation*.
3. Janice Schneider is identified as the authorized Canadian representative of Energy Manpower Services, Inc. Janice Schneider and Edgar Dannug are the Directors of Alberta Energy Manpower Services Inc.

LEGISLATION

The *Fair Trading Act* RSA 2000 states:

Section 104 No person may engage in a designated business unless the person holds a licence under this Act that authorizes the person to engage in that business.

The *Designation of Trade and Business Regulation* AR8/2006 states:

Section 4(2):

In this section, "employment agency business" means the activities of securing persons for employment, securing employment for person or evaluating or testing persons for employers who are seeking employees.

The *Employment Agency Business Licensing Regulation* AR 189/99 states:

Section 3 A person who engages in the employment agency business under more than one name is, for the purposes of this Regulation, considered to be operating a separate employment agency business under each name and must obtain a licence for each name.

Section 9 (1) No business operator may directly or indirectly demand or collect a fee, reward or other compensation

- (a) from a person who is seeking
 - (i) employment, or
 - (ii) Information respecting employers seeking employees

or

- (b) from a person
 - (i) for securing or endeavoring to secure employment for the person, or
 - (ii) for providing the person with information respecting any employer seeking an employee.

ORDER

- Edgar Dannug, Energy Manpower Services, Inc., individually or through any employee, representative, agent or associate, must immediately stop engaging in the activities of an employment agency business until properly licensed as an Employment Agency Business in Alberta.
- Edgar Dannug, Janice Schneider, Energy Manpower Services, Inc. and Alberta Energy Manpower Services Inc., individually or through any employee, representative, agent or associate, must immediately stop demanding or indirectly demanding or collecting any fee, reward or other compensation from a person who is seeking employment in Alberta, or from a person for securing or endeavoring to secure employment for the person in Alberta.

NON COMPLIANCE WITH ORDER

ANY PERSON WHO FAILS TO COMPLY WITH AN ORDER OF THE DIRECTOR UNDER SECTION 157 OF THE FAIR TRADING ACT CONTRAVENES THIS ACT AND IS GUILTY OF AN OFFENCE AND MAY BE PROSECUTED PURSUANT TO SECTION 163 OF THE FAIR TRADING ACT.



Darren Thomas
Director of Fair Trading (as delegated)

August 18, 2009