

DIRECTOR'S ORDER UNDER SECTION 157 OF THE FAIR TRADING ACT
TO
MARCUS GRAEBER
AND
ALEXANDER BLIFERNETZ
OPERATING AS A PARTNERSHIP UNDER
ISC CANPORT
AND ANY EMPLOYEE, REPRESENTATIVE, OR AGENT

ISSUE

Marcus Graeber and Alexander Blifernetz are operating a partnership under the name ISC CanPort and engaged in the activities of an employment agency business in the Province of Alberta. Service Alberta has investigated allegations related to these employment agency activities and has evidence that, in the opinion of the Director, demonstrates the following breach of the legislation:

- Marcus Graeber and Alexander Blifernetz, operating the partnership ISC CanPort have demanded and collected fees from a person seeking employment, in violation of section 9 of the *Employment Agency Business Licensing Regulation*.

LEGISLATION

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 1(c):

Employment agency business means the business designated as the employment agency business under the Designation of Trades and Businesses Regulation.

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

- Marcus Graeber and Alexander Blifernetz, individually, through their partnership ISC CanPort 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, or from a person for securing or endeavoring to secure employment for the person.

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)
APRIL 15, 2009