

DIRECTOR'S ORDER UNDER SECTION 157 OF THE FAIR TRADING ACT
TO
KEVIN LEGGETT AND DAISY LEGGETT,
OPERATING UNDER THE NAMES
PHILIPPINE OVERSEAS EMPLOYMENT SERVICES, INC. AND
POSES, INC.

Kevin and Daisy Leggett, are directors of Philippine Overseas Employment Services, Inc., which was registered under the Canada Business Corporations Act on June 11, 2004. Philippine Overseas Employment Services, Inc. and POSES, Inc., have not been registered as corporations in the Province of Alberta.

Kevin Leggett and Daisy Leggett have been advised of the licensing and operating requirements for an employment agency in Alberta on several occasions by Service Alberta staff members and have failed to obtain a licence and have continued demanding fees prohibited by legislation.

Service Alberta has received evidence from Mr. _____, a resident of South Korea, that:

1. Philippine Overseas Employment Services, Inc. (Placement Agency) placed Job Advertisement Number 3368587 on the Service Canada Job Bank web site for two Renovation Carpenter Helpers in Medicine Hat. This job advertisement was to run until December 23, 2007.
2. Kevin Leggett of Philippine Overseas Employment Services, Inc. sent e-mails to Mr. _____ between December 12, 2007 and December 20, 2007, in which he offered to assist Mr. _____ in finding employment in Alberta. Mr. Leggett asked Mr. _____ to pay \$2000.00 in advance and an additional \$2000.00 after he arrived in Canada and had started his work. Mr. _____ did not send any money to Mr. Leggett. These activities represent a breach of s. 104 of the *Fair Trading Act*. The fees represent a breach of s. 9 of the *Employment Agency Business Licensing Regulation*.
3. Mr. Leggett sent an e-mail to Mr. _____, dated December 14, 2007, in which he stated he will find out the wages paid to Moduline employees and encouraged Mr. _____ to find other interested individuals. Mr. Leggett advised Mr. Shin that after the fee is received, the employer will be interviewed, resumes provided and contact information sent to Mr. _____.
4. Kevin Leggett sent an e-mail to Mr. _____, dated December 17, 2007, in which he promises to take care of him and the other nine new clients that paid their fees before Christmas and indicated that the employers were eager for POSES to process everyone

before Christmas. Fees charged to individuals seeking employment or for securing or endeavouring to secure employment represent a breach of s. 9 of the *Employment Agency Business Licensing Regulation*.

5. Service Alberta spoke to the Human Resources Manager at Moduline, and were advised they were not approached formally and had no agreement to hire employees through Kevin Leggett or Daisy Leggett or Philippine Overseas Employment Services, Inc. and have no plans to hire temporary foreign workers.

LEGISLATION

The *Fair Trading Act* states:

s. 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 Trades and Businesses Regulation* AR 178/1999 states:

s. 4 (1) Part 10 of the Fair Trading Act applies to the employment agency business.
s. 4 (2) In this section, "employment agency business" means the activities of securing persons for employment securing employment for persons or evaluating or testing persons for employers who are seeking employees.

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

s. 1 (c) "employment agency business" means the business designated as the employment agency business under the *Designation of Trades and Businesses Regulation*.

s. 9 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 endeavouring to secure employment for the person, or
 - (ii) for providing the person with information respecting any employer seeking an employee.

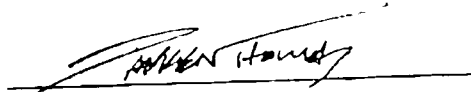
Order:

1. Kevin Leggett, Daisy Leggett, Philippine Overseas Employment Services, Inc. or POSES, Inc. individually or through any employee, representative, agent or associate, must immediately stop demanding or indirectly demanding or collecting a fee, reward or other compensation from a person who is seeking employment in Alberta or from a person for securing or endeavouring to secure employment for a person in Alberta.

2. Kevin Leggett, Daisy Leggett, Philippine Overseas Employment Services, Inc. or POSES, 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.

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)
Feb 13, 2007