

ASAHI INTERNATIONAL MANPOWER CORPORATION INC.

AND TO

ANY EMPLOYEE, REPRESENTATIVE, OR AGENT OR ASSOCIATE OF

ASAHI INTERNATIONAL MANPOWER CORPORATION INC.

This Director's Order was issued under s. 157.1 of the *Fair Trading Act* in response to, in the opinion of the Director, contraventions of the Act. As mandated by s. 157.1 of the *Fair Trading Act*, this Director's Order is part of the public record.

For more information on the Fair Trading Act, business licensing in Alberta or to search for a licensed business, please click here:

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Consumer Programs

Commerce Place
10155 - 102 Street
Edmonton, Alberta
Canada T5J 4L4

Telephone (780) 427 5210
Fax (780) 427 3033

DIRECTOR'S ORDER UNDER SECTION 157 OF THE FAIR TRADING ACT
TO
ASAHI INTERNATIONAL MANPOWER CORPORATION INC.
AND
AND ANY EMPLOYEE, REPRESENTATIVE, AGENT OR ASSOCIATE
OF ASAHI INTERNATIONAL MANPOWER CORPORATION INC.

ISSUES

Service Alberta has investigated allegations related to employment agency activities engaged in by Asahi International Manpower Corporation Inc. and determined that:

1. Asahi International Manpower Corporation Inc. has engaged in employment agency business in Alberta without obtaining a business licence, contrary to s. 104 of the *Fair Trading Act*.
2. Asahi International Manpower Corporation 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. Asahi International Manpower Corporation Inc. has made representations that consumer transactions involve obligations that are contrary to Canadian legislation and policy.

Based on the issues, the Director has concluded that Asahi International Manpower Corporation Inc. and representatives and agents thereof have operated an employment agency business without a licence and have demanded and collected prohibited fees.

LEGISLATION

The *Fair Trading Act* RSA 2000 states:

Section 6 It is an unfair practice for a supplier

- (d) to make a representation that a consumer transaction involves or does not involve rights, remedies or obligations that is different from the fact.

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.

Alberta ■

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 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

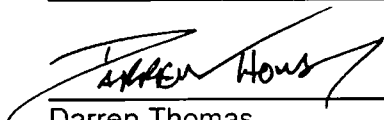
(ii) for providing the person with information respecting any employer seeking an employee.

ORDER

- Asahi International Manpower Corporation Inc. and any employee, representative, agent or associate thereof, must immediately stop engaging in the activities of an employment agency business while not licensed as an Employment Agency Business in Alberta.
- Asahi International Manpower Corporation Inc. and 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.
- Asahi International Manpower Corporation Inc. and any employee, representative, agent or associate, must immediately stop misrepresenting the rights, remedies and obligations of individuals seeking employment 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)
November 30, 2011