

IN THE SMALL CLAIMS COURT OF NOVA SCOTIA
Cite as: Gillis v. Innova Medical, 2013 NSSM 3

BETWEEN:

Kevin Gillis

Claimant

- and -

Innova Medical

Defendant

DECISION AND ORDER

Adjudicator: David T.R. Parker

Heard: January 10, 2013

Decision: January 10, 2013

Counsel:

The claimant was a self-represented
The defendant did not appear

Oral decision -This matter came before the Small Claims Court January 10, 2013 at Halifax, in the Province of Nova Scotia.

This was a claim for unpaid commissions, unused vacation days and severance pay. The claimant appeared and provided sworn testimony including service of the claim on the defendant company. The claimant was asked specifically to confirm service which he did indicating that he also contacted the head office respecting the claim and they said they were not prepared to pay.

The claimant provided information on sales he performed while working for the defendant and the commission that was due to him on those sales. He also provided information as to commissions he was to receive when he took over the territory in which he served, and for which he was not paid commission. The commissions amounted to \$7058.00 and \$5196.00 respectively.

With respect to the unused vacation days the claimant indicated that the company has promised him his unused vacation days as he could not take them due to training commitments or convention commitments required of him by the company. The amount that he provided was \$3470.00 based on his earnings.

The defendant had offered 4 weeks severance and as it is not being contested I shall allow same.

IT IS THEREFORE ORDERED that the Defendant pay the Claimant the following Sums:

\$7058.00 commissions
\$5196.00 commissions
\$3470.00 unused vacation days for 2011
\$6313.00 for weeks severance
\$ 182 94 Cents Court costs
\$ 75.00 service costs
\$22,294.94

DATED at Halifax, this 14 day of January 2013

David T.R. Parker