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PER-SECOND BILLING

Details



Student lifeguards owed thousands

Twice-bankrupt businessman has failed to pay at least 68 youths hired to work at highrise pools

June 20, 2009

BRETT POPPLEWELL
STAFF REPORTER

Student lifeguards from across the GTA are owed thousands of dollars by a twice-bankrupt businessman who promises summer jobs then routinely fails to pay part of their wages.

The businessman, Peter Check, has been doing this for years, changing the name of his pool supply company each summer.

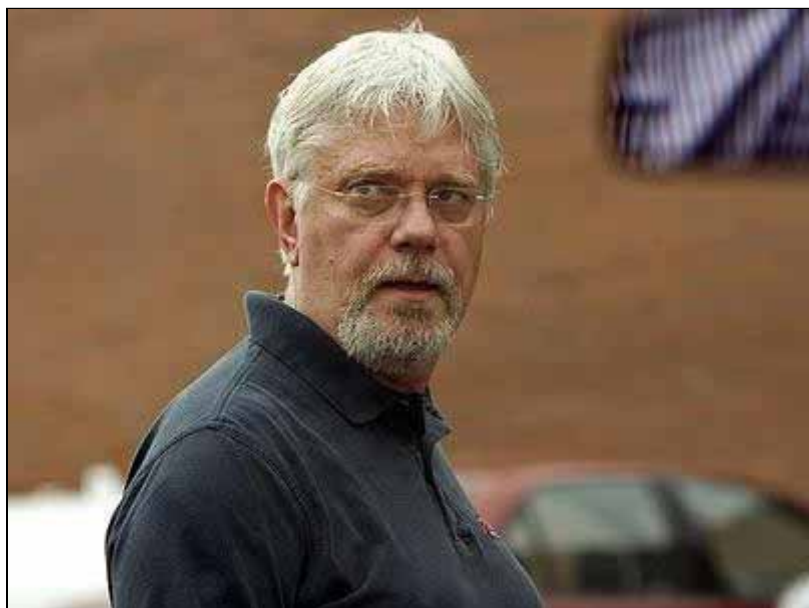
Check "hired me to keep people safe at pools and then didn't pay me," said 19-year-old Jessica Machado, one of at least 68 lifeguards owed wages.

As students head out looking for summer jobs, people such as Machado are warning them to beware of Pools Anatomy Inc., the latest incarnation of Check's company.

A Ministry of Labour spokesman said the province has orders against Check and his companies to pay former lifeguards \$63,573.91 for the 2007 and 2008 summer season.

Here's how Check's scheme works:

Condominiums and apartments from Brampton to



TARA WALTON/TORONTO STAR

Peter Check, 61, of Acton, seen outside a car dealership in Mississauga June 17, 2009, owes about \$65,000 in unpaid wages to former employees, mostly teenage lifeguards who worked in summer jobs.

SOME OF THE LIFEGUARDS STILL WAITING FOR THEIR WAGES

JESSICA MACHADO

Age: 19

Worked for Check:

Summer 2008

Still owed: \$562.07
from Aug. 2008

ANDREI SHEVCHUK

Age: 20

Worked for Check:

Summer 2007

Scarborough hire Check's company to supply them with lifeguards. Check advertises in local newspapers and hires guards with the proper life-saving credentials. Typically they are students, aged 16-22, earning tuition money.

Check gets numerous contracts by undercutting the competition, say competitors.

The *Star* found that Check can charge lower rates because he hires students for the full summer, then fails to pay their last month's wages.

Those who have worked for him say when the summer's out he withholds wages from his young staff and when they complain he goes out of business.

The *Star* caught up with the 61-year-old bespectacled Acton resident in the parking lot of a Mississauga auto parts shop.

When asked why the lifeguards hadn't been paid, Check replied: "It's being looked after."

When asked if that meant the lifeguards would soon be paid, he said: "Apparently that's the story," adding later, "be careful what you print because you may not be up to speed. My concern for you (the *Star*) is don't make a mistake.

"You'll have to talk to the lawyers. Anyways, I gotta go."

Check is advertising for lifeguards for this summer. Check's current company, Pools Anatomy Inc., is registered to his son, Jesse, a recent graduate of Acton District High School.

The *Star* found that Check is operating Pools Anatomy Inc., dealing directly with property managers and soliciting new employees through ads in local media.

Last year Machado, who worked for Check, said she fished a struggling 11-year-old boy out of the deep end of a pool.

Check owes her \$562.07.

STUDENTS IN NEED

Andrei Shevchuk, a 20-year-old student at the University of Western Ontario, worked for Check's company in 2007 when it was called Aquatic Pool Solutions. He has been

Still owed: \$1,479.68
from Aug. 2007

LAURA MEGRAW

Age: 20

Worked for Check:
2006-2008

Still owed: More than
\$1,585.16 from Aug.
2008

MANDY SIDHU

Age: 19

Worked for Check:
Summers 2007 and
2008

Still owed: \$240 for
2007 and \$100 for
2008

ERICA BARBAZZA

Age: 20

Worked for Check:
Summer 2007

Still owed: \$800.96
from Aug. 2007

FARZAD REFAHI

Age: 23

Worked for Check:
Summers 2006 and
2007

Still owed: \$1,327.04
from Aug. 2007

FRANCES LAMANNA

Age: 20

Worked for Check:
Nov. 2004-Sept. 2008

Still owed: \$697.07
from Aug. 2008

TRAVIS BAILEY

Age: 20

Worked for Check:
Summer 2008

Still owed: \$897 from
Aug. 2008

Ads by Google

waiting almost two years for the \$1,479.68 he's owed for 108 hours of work at \$9.50 per hour plus vacation pay.

He says he didn't notice any irregularities in his pay until early August 2007, when his paycheque arrived late. And yet he kept working until Labour Day. His last paycheque never arrived.

Then he found out that Aquatic Pool Solutions had been replaced by All Pool Solutions, a new company operating out of the same address on Timberlea Blvd. in Mississauga.

Laura McGraw, 20, began working for Check at his Timberlea office writing up schedules for the lifeguards in 2007.

While there she remembers seeing sweatshirts embroidered with the monikers of the company's former incarnations.

"I didn't know why they had changed their name," she says.

McGraw's last paycheque bounced and she moved back to Kingston to study nursing at Queen's University. She chased Check for her money and eventually she was paid in full.

McGraw returned to work for Check for the summer of 2008.

In the Timberlea office, McGraw says the phone line for the old company would ring off the hook.

"We were told (by Check) `Don't ever pick up that line.'"

As the summer dragged on, McGraw says the phone calls stopped. But unfortunately, so did her pay.

She's now owed \$1,585.16. "That kind of money goes a long way when you're a student," she says.

"I had to scramble for a job making pitas at a Pita Pit in the middle of winter. I was working 30-40 hours a week making pitas just to make ends meet. You don't think that affected my marks?"

HELP ON THE WAY?

The Ministry of Labour has issued Check with three separate orders to pay. Each order is addressed to Check and Aquatic Pool Solutions, All Ontario Snow Services Inc., All Ontario Recreational Supplies Limited, All Pool Solutions, Snow Check, Ontario Recreation Services Inc., The Pool Operators Inc. and six other numbered

HARRY GULOIEN-OLMSTED

Age: 17

Worked for Check:
Summer 2008

Still owed: \$233.22
from Aug. 2008

PAVLO OKHOTA

Age: 17

Worked for Check:
Summer 2008

Still owed: \$717.06
from Aug. 2008

companies – all of 5359 Timberlea Blvd., Unit 47.

The ministry placed writs on property owned and registered to Check and his numerous corporate identities in March. Problem is, aside from a 2001 Ford F250 pickup truck, the *Star* could not locate anything registered to Check or to his companies. Five of the six cars parked in Check's driveway are in his wife's name, as is the family residence – a two-storey brick home with detached garage, outdoor pool, and five acres of land in Acton. Even the Timberlea Blvd. property was listed in Check's wife's name. As such, the ministry was not able to stop the sale of that property for \$215,000 on May 7.

According to Bruce Skeaff, spokesman for the Ministry of Labour, the ministry is considering prosecuting Check for violations of the Employment Standards Act.

"You get these cases, like (Bernie) Madoff down in the United States, you know the Ponzi guy, he put all the stuff in the wife's name," Skeaff says.

"If we do prosecute, that's going to end up being evidence in court."

PROFILE OF THE POOL GUY

Check has declared personal bankruptcy twice. In 1996 he claimed \$600 in assets and \$262,388 in liabilities. In 2002, he owed a combined \$178,500 to Canada Customs and Revenue Agency and the Ontario Ministry of Finance and claimed to have just \$2,000 in assets.

He has been servicing Toronto-area pools since the early 1980s.

His pool companies have received grant funding from Human Resources Development Canada. Documents obtained from HRDC's website show that Ontario Recreation Services Inc. (which formerly operated out of the Timberlea Blvd. address) received \$34,256 in grants for employing youth in the 1990s.

In 1987, Check testified in a court case involving his former partner in a Mississauga pool maintenance company. During the trial, Check said he frequently gambled at a local hotel where he admitted to having lost about \$90,000.

Check began operating out of his Timberlea Blvd. address as early as 1989 when it was purchased by a Luba Check. It was later transferred into Check's wife's name – Nancy Check.

When approached by the *Star*, Nancy refused to comment, saying: "You have to speak to Peter."

The Ministry of Labour says all of the companies alleged to have violated the Employment Standards Act trace directly to Check and that he is a sole proprietor.

"We're all over this guy in terms of what he's already done," says Skeaff.

THE CURRENT COMPANY

Check's pool company is now registered to his son, Jesse.

The *Star* spoke with Jesse in a Mississauga parking lot where he arrived in a souped-up black GMC truck with the vanity plate "Hot Fun." As with most of the Check family's assets, "Hot Fun" actually belongs to Nancy.

When asked by the *Star* whether he planned to pay the 68 lifeguards, Jesse declined to comment.

The Ministry of Labour is aware that Check is recruiting lifeguards for this summer.

"We're going to be monitoring the employer's activity really closely," says Skeaff.

But don't count on the ministry releasing an official warning. "We can't presume that they're going to do it all over again," says Skeaff. "If I start going down that way then the guy can (come after us for) libel."

bpopplewell@thestar.ca