

DECISION OF ADJUDICATOR  
IN THE MATTER OF AN ADJUDICATION  
PURSUANT TO SECTION 2-75 and 4-6 OF  
***THE SASKATCHEWAN EMPLOYMENT ACT***

Garry Gettis  
Represented by Ron Byers,  
Labour Standards Officer

COMPLAINANT

-AND-

1594783 Alberta Inc. o/a Southern Plains Energy Inc.

RESPONDENT

DATE OF HEARING: October 21, 2015

PLACE OF HEARING: Board Room @ Comfort Inn & Suites  
155 Thatcher Drive W  
Moose Jaw, SK

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## **I. INTRODUCTION**

This matter was heard before me on October 21<sup>st</sup>, 2015 in Moose Jaw, Saskatchewan. Mr. Ron Byers, Labour Standards Officer represented the Complainant, Gary Gettis. Mr. Gary Gettis was present.

The Respondent, 1594783 Alberta Inc. o/a Southern Plains Energy Inc. was represented by Kurtis Jans, a director of the Corporation.

The Corporation and Mr Jans were represented at the hearing by Joel Friesen, Barrister and Solicitor with Anderson & Company in Swift Current.

The Wage Assessment that was prepared pursuant to the Saskatchewan Employment Act is for \$13,717.41.

## **II. PRELIMINARY OBJECTIONS**

There were no preliminary objections from any of the parties

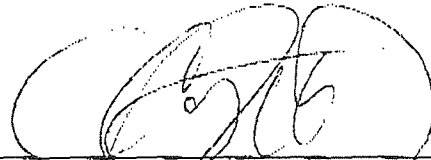
The Hearing commenced on October 21<sup>st</sup>, 2015 and the Respondent Corporation offered the sum of \$7,500.00 as full and final settlement of Mr. Gettis' claim. The sum of \$7,500.00 was accepted by Mr. Gettis.

The Hearing was concluded.

**III. CONCLUSION**

The Wage Assessment is varied to the sum of \$7,500.00

Dated at Moose Jaw, in the Province of Saskatchewan, this 9<sup>th</sup> of  
November, 2015.



**Clifford B. Wheatley**  
Adjudicator

The Parties are hereby notified of their right to appeal this decision pursuant to Sections 4-8, 4-9 and 4-10 of *The Saskatchewan Employment Act* (the "Act").

The information below has been modified and is applicable only to Part II and Part IV of the Act. To view the entire sections of the legislation, the Act can be accessed at <http://www.saskatchewan.ca/>.

#### **Right to appeal adjudicator's decision to board**

- 4-8(1)** An employer, employee or corporate director who is directly affected by a decision of an adjudicator on an appeal or hearing pursuant to Part II may appeal the decision to the board on a question of law.
- (3) A person who intends to appeal pursuant to this section shall:
- (a) file a notice of appeal with the board within 15 business days after the date of service of the decision of the adjudicator; and
  - (b) serve the notice of appeal on all persons mentioned in clause 4-4(1)(b) who received the notice setting the appeal or hearing.
- (4) The record of an appeal is to consist of the following:
- (a) in the case of an appeal pursuant to Part II, the wage assessment or the notice of hearing;
  - (c) the notice of appeal filed with the director of employment standards pursuant to Part II;
  - (d) any exhibits filed before the adjudicator;
  - (e) the written decision of the adjudicator;
  - (f) the notice of appeal to the board;
  - (g) any other material that the board may require to properly consider the appeal.
- (5) The commencement of an appeal pursuant to this section does not stay the effect of the decision or order being appealed unless the board orders otherwise.
- (6) The board may:
- (a) affirm, amend or cancel the decision or order of the adjudicator; or
  - (b) remit the matter back to the adjudicator for amendment of the adjudicator's decision or order with any directions that the board

#### **Appeal to Court of Appeal**

- 4-9(1)** With leave of a judge of the Court of Appeal, an appeal may be made to the Court of Appeal from a decision of the board pursuant to section 4-8 on a question of law.
- (2) A person, including the director of employment standards, intending to make an appeal to the Court of Appeal shall apply for leave to appeal within 15 business days after the date of service of the decision of the board.
- (3) Unless a judge of the Court of Appeal orders otherwise, an appeal to the Court of Appeal does not stay the effect of the decision being appealed.

#### **Right of director to appeal**

- 4-10** The director of employment standards has the right:
- (a) to appear and make representations on:
    - (i) any appeal or hearing heard by an adjudicator; and
    - (ii) any appeal of an adjudicator's decision before the board or the Court of Appeal; and
  - (b) to appeal any decision of an adjudicator or the board.