

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



Allen Wiltse

COMPLAINANT/EMPLOYEE

-AND-

Shep Consulting Ltd., Douglas Harlick and Bradley Harlick

RESPONDENT/EMPLOYER

DATE OF HEARING: April 27<sup>th</sup>, 2017

PLACE OF HEARING: Swift Current, SK

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## **INTRODUCTION**

This matter was heard before me on April 27<sup>th</sup>, 2017 in Swift Current, Saskatchewan.

Mr. Ron Byers, Employment Standards Officer represented the Employment Standards Department.

Allen Wiltse was present and represented himself. Mr. Wiltse's wife, Anica Wiltse was also present.

The Respondent Shep Consulting Ltd. and the Directors Doulgas Harlick and Bradley Harlick were represented by Douglas Harlick.

The Wage Assessment was prepared pursuant to the Saskatchewan Employment Act s.s.2014 c.s-15.1, herein after referred to as "The Act" is for \$6,383.23.

## **I. PRELIMINARY MATTERS**

There were no preliminary objections from any of the parties.

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The hearing commenced on April 27<sup>th</sup>, 2017 and the Respondent Corporation offered the sum of \$5,000.00 as full and final settlement of Mr. Wiltse's claim. The sum of \$5,000.00 was accepted by Mr. Allen Wiltse.

A cheque in the amount of \$5,000.00 from Harlick Construction Ltd. payable to Allen Wiltse was completed and given to Mr. Allen Wiltse.

The Hearing was concluded.

## II. CONCLUSION

The Wage Assessment is varied to the sum of \$5,000.00

Dated at Moose Jaw, in the Province of Saskatchewan, this 8<sup>th</sup> of May, 2017.

  
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**Clifford B. Wheatley**  
Adjudicator

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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.