

DECISION OF ADJUDICATOR

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



Between Prince Albert SPCA (Appellant)

And

Director of Labour Standards and Liana Maloney (Respondents)

I was appointed adjudicator on this matter by the Saskatchewan Labour Relations Board on April 17, 2018. This is an appeal from Wage Assessment 9046 in the amount of \$564.63.

Doug Long was the Designate of the Director of Employment Standards. Kathleen Howell represented the Prince Albert SPCA. She is that organization's Vice-president. Liana Maloney represented herself.

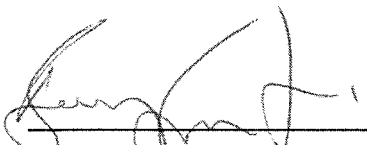
A hearing date of June 12, 2018 was agreed to by Mr. Long, Ms. Howell and Ms. Maloney. On June 11, 2018, the day prior to the hearing, the parties contacted me. Mr. Long, Ms. Howell and Ms. Maloney all indicated that the PASPCA had offered Ms. Maloney \$250.00 in full settlement of this claim. Ms. Maloney accepted this amount, and the hearing was cancelled.

As I indicated to Mr. Long, Ms. Howell and Ms. Maloney, I am writing this decision as a consent award of \$250.00 in favour of Ms. Maloney.

**Decision:**

The PASPCA shall pay \$250.00 in full and final settlement of Ms. Maloney's employment standards complaint (LRB 062-18; Wage Assessment 9046). After payment of this \$250.00, the remainder of the deposit paid by PASPCA shall be returned to the PASPCA.

Dated at the City of Saskatoon, in the Province of Saskatchewan this 11<sup>th</sup> day of June, 2018.

  
Doug Surtees  
Adjudicator

The Parties are 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 viewed at [www.saskatchewan.ca](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.

(2) A person who is directly affected by a decision of an adjudicator on an appeal pursuant to Part III 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 or hearing pursuant to Part II, the wage assessment or the notice of hearing;

(b) in the case of an appeal pursuant to Part III, any written decision of an occupational health officer or the director of occupational health and safety respecting the matter that is the subject of the appeal;

(c) the notice of appeal filed with the director of employment standards pursuant to Part II or with the director of occupational health and safety pursuant to Part III, as the case may be;

(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 considers appropriate.

#### **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 or the director of occupational health and safety, 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 and the director of occupational health and safety have 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.