



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

**APPELLANTS:** **OLYMPIC MOTORS (SK) I CORPORATION,**  
operating as **AUTO GALLERY SUBARU,** and  
**THOMAS GLEN,** as Director of **OLYMPIC**  
**MOTORS (SK) I CORPORATION**

**RESPONDENTS:** **AMANDA GRIFFIN and THE DIRECTOR OF**  
**EMPLOYMENT STANDARDS**

**DATE OF HEARING:** **October 13, 2022**

**PLACE OF HEARING:** **3<sup>rd</sup> Floor Boardroom**  
**1870 Albert Street**  
**Regina, Saskatchewan**

**LRB File No. 101-22, Wage Assessment No. 1-000566**

**I. INTRODUCTION**

Wage Assessment No. 1-000566 directed Olympic Motors (SK) I Corporation operating as Auto Gallery Subaru (Auto Gallery or the Company) and Thomas Glen, director of the Company, to pay \$4,217.43 in unpaid wages to Amanda Griffin or appeal pursuant to section 2-75 of *The Saskatchewan Employment Act* (the Act). Auto Gallery and Thomas Glen and appealed the Wage Assessment.

On October 13, 2022, the following individuals attended the hearing:

- Josh Jors, Operations Manager for the Company and authorized representative for Thomas Glen and the Company;
- Kevin Mellor, lawyer for Thomas Glen and the Company;
- Amanda Griffin, employee and Service Advisor for Auto Gallery;
- Carajo Fox, former Payroll Administrator for Auto Gallery;
- Cassandra Fowler, former employee and Deal Processor for Auto Gallery;
- Jeremie Katz, former employee and Service Advisor for Auto Gallery;
- Andrew Langgard, Employment Standards Officer; and
- Allysia Finn, new Employment Standards Officer, appearing as observer.

**II. THE DISPUTE**

On May 25, 2022, a Delegate on behalf of the Director of Employment Standards issued Wage Assessment No. 1-000566, representing unpaid wages for Amanda Griffin, against

the Company and its director, Thomas Glen. On June 14, 2022, Thomas Glen and the Company filed a Notice of Appeal claiming the Wage Assessment ought to be dismissed for including improperly calculated overtime wages for Amanda Griffin.

### III. PRELIMINARY MATTERS/OBJECTIONS

At the beginning of the hearing, I explained the process to the parties. There were no objections to proceeding with the hearing.

Prior to commencement of testimony, the parties reached a settlement relating to payment of wages for Amanda Griffin. The Appellants agreed to pay the Wage Assessment in full. Employer Exhibit 1 (ER-1) outlines the basis on which Thomas Glen and the Company agreed to pay the Wage Assessment and includes the following statement: "The said payment is made on a without prejudice basis. Our client denies any liability to Ms. Griffin but is unable to have a witness attend today and therefore given the small amount of the claim has chosen to pay out the wage assessment."

Amanda Griffin signed the Employment Standards Wage Agreement Form (Employee Exhibit 1 or EE-1). Mr. Mellor objected to her remaining as an observer for the remaining two appeals relating to former co-workers, on the basis that confidential information would be shared. Amanda Griffin then left the hearing room.

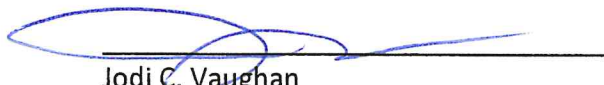
### IV. DECISION

Because the parties settled all outstanding issues at the commencement of the hearing, I indicated I would reflect the terms of the settlement agreement in my written decision. The Appellants agreed to pay wages in the amount of \$4,217.43 to Amanda Griffin. The outstanding wages now owed to Amanda Griffin for the period from 10/26/2020 to 6/5/2021 are \$0.00.

### V. CONCLUSION

The appeal is dismissed.

DATED in Regina, Saskatchewan, this 19<sup>th</sup> day of December, 2022.



Jodi C. Vaughan  
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 [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.
- (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.