



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

LRB File No. 070-23

Wage Assessment No. 1-000646

Appellants: Amanda and Gordon Page directors o/a Page Bookkeeping & Consulting.

Respondents: Collene Douglas (Employee witness for Director) and
Andrew Laggard (Director's Delegate).

Introduction:

I was appointed to adjudicate the appeal of wage assessment No. 1-000646 in the amount of \$8777.60, on June 27, 2023. On July 4, 2023, I e-mailed the parties advising of my appointment, and requesting the Ministry to forward all documents relevant to the appeal. My first task being to establish jurisdiction as per sections 2-74(6), 2-75(2) and (3) of the Saskatchewan Employment Act (the Act).

On July 5, 2023, Employment Standards Officer, Andrew Laggard, e-mailed me, on behalf of the Director of Employment Standards (the Director), a preliminary issue regarding jurisdiction for the appeal filed by Page Bookkeeping and Consulting.

The Director submits:

1. That the appeal was submitted outside the 15 day appeal period set out in section 2-75(2) of the Act.
2. That the appellants failed to submit their grounds for appeal or relief requested as required by section 2-75(3) of the Act.
3. That the appellants failed to submit the mandatory appeal deposit required by sections 2-75(4) and 2-75(5) of the Act. The cheque submitted had no payee written on the cheque making it impossible to deposit in trust.

On several occasions, beginning on July 6, I contacted the Appellant, providing the opportunity to respond to the Director's preliminary issues. I also offered to set up a hearing for the parties to provide evidence and argument regarding the Director's preliminary issues. Finally, I gave the Appellant a deadline of close of business July 24, 2023, to provide a response. I was not contacted by the Appellant.

Analysis:

Regarding the Director's issue of timeliness, section 2-75(2) of the Act states "An appeal pursuant to this section must be commenced by filing a written notice of appeal with the director of employment standards within 15 business days after the date of service of a wage assessment."

Documents provided by the Ministry show the Appellant's were served with wage assessment 1-000646 on February 27, 2023, and documents representing the Appellant's notice of appeal were received by the director on March 21, 2023.

The 15 business day period referenced in section 2-75(2) would begin on Tuesday February 28, 2023, and end on Monday March 20, 2023.

Decision:

Since the notice of appeal provided by Page bookkeeping and Consulting was not received by the director by close of business March 20, 2023, the appeal is out of time.

Therefore, I do not have jurisdiction to hear this appeal. The appeal is dismissed and the wage assessment of \$8777.60 is upheld.

Dated at Regina, in the province of Saskatchewan, this 27th day of July, 2023.



Ralph Ermel

Adjudicator