



May 21, 2009

Mr. Larry Hubich, President
Saskatchewan Federation of Labour
220 - 2445 - 13th Avenue
REGINA, SK S4P 0W1

Dear Mr. Hubich:

At our meeting on May 11, 2009, you raised a concern about the Labour Standards Branch's inability to collect wages owed to former employees by a currently defunct establishment. In response to this concern, I am advised that the following activities are associated with this specific file:

- Wage collection efforts were initiated before the Certificate was filed at the Court of Queen's Bench in July 2007, but all attempts to intercept funds were unsuccessful;
- The Collection Unit's subsequent asset investigation determined that the former employer has positioned himself in a 'judgment proof' environment, thereby, making our access to any funds virtually impossible; and
- Letters were sent to all the former employees, advising of the enforcement taken, and asking that they contact our office if any further information regarding the employer becomes known to them.

With respect to this particular file, the Labour Standards Branch's Collection Unit continues its investigations to locate any employer assets that can be lawfully seized and sold. Although these investigations have been unsuccessful to-date, they will continue for the ten-year period that the court judgment is valid. While success might be limited at the outset, conditions could change in the decade the certificate is valid. We will continue to be vigilant because, for example, we were successful in obtaining funds for former employees from the 1999/2000 fiscal year, at a time when the certificates were due to expire.

Prior to July 2006, there was no Collections Unit within the Labour Standards Branch and consequently, once a certificate was issued, the employee bore the cost and independently sought payment from the employer. In the last fiscal year, Collection Unit investigations resulted in the collection of over \$150,000 in unpaid wages. As you may appreciate, the Collection Unit cannot guarantee former employees will receive the outstanding wages owed to them and, therefore, employees may wish to independently pursue other remedies if they so choose.

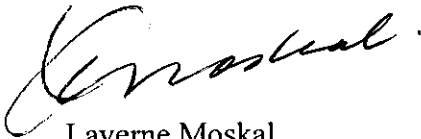
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While I appreciate that some former employees in this specific instance are frustrated by the collection process and unfortunately, some have even referred to our efforts as being 'useless', the Unit is committed to do everything in its power, over the 10 years the Certificate is valid, to secure wages which are lawfully owed to Saskatchewan employees.

I trust this answers the concerns raised at our May 11th meeting. If you have any further questions regarding the Branch's wage collection process, I would encourage you to contact Linda Poole, Manager, Collection Unit, Labour Standards Branch at (306) 446-7421.

Sincerely,



Laverne Moskal
Executive Director

cc: Wynne Young, Deputy Minister, AEEL
Mike Carr, Associate Deputy Minister, AEEL
Pat Parenteau, A/Director, Legislative Services, AEEL
Cara Banks, Saskatchewan Federation of Labour
Linda Poole, Manager, Collection Unit, Labour Standards Branch, AEEL