

The Saskatchewan Temporary Wage Supplement Program Regulations

being

[Chapter E-13.1 Reg 17](#) (effective May 14 2020) as amended
by Saskatchewan Regulations [72/2020](#), [94/2020](#) and [21/2021](#).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER E-13.1 REG 17

The Executive Government Administration Act

The Economic and Co-operative Development Act

Title

1 These regulations may be cited as *The Saskatchewan Temporary Wage Supplement Program Regulations*.

Definitions and interpretation

2(1) In these regulations:

“**applicant**” means:

- (a) an eligible worker who applies for financial assistance pursuant to these regulations; or
- (b) in the case of an application respecting an essential care facility mentioned in clause (i) or (j) of the definition of ‘essential care facility’, the owner or operator of the facility;

“**application periods**” means each 4-week period commencing March 15, 2020 and ending July 4, 2020;

“**eligible worker**” means a worker who meets the criteria set out in subclause 4(2)(a)(i), clause 4(2)(b) and subsection 4(2.1) and includes a worker mentioned in section 4.1;

“**essential care facility**” means:

- (a) a special-care home designated pursuant to *The Provincial Health Authority Act*;
- (b) a residential-services facility governed by *The Residential Services Act* or *The Mental Health Services Act*;
- (c) a facility licensed pursuant to *The Personal Care Homes Act*;
- (d) a facility as defined in *The Provincial Health Authority Act* or any other place where the services mentioned in clause 5(f) or (i) of *The Saskatchewan Aids to Independent Living Regulations*, being Sask Reg 292/76, are provided to a beneficiary;
- (e) a facility as defined in *The Child Care Act, 2014*;
- (f) a group home governed by *The Adult and Youth Group Homes Regulations*;
- (g) a transition shelter governed by *The Residential Services Act*;
- (h) an emergency shelter operated by a non-profit or community organization;

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- (i) a private-service home as defined in *The Residential Services Act* for which a certificate of approval has been issued and that is operating during the application periods;
- (j) an unlicensed family child care home as defined in *The Child Care Act*, in Saskatchewan that is operating during the application periods;
- (k) an unlicensed private facility providing any or all services for personal care as defined in *The Personal Care Homes Regulations, 1996* that is operating during the application periods;

and includes a facility providing integrated health care that is governed by the Provincial Health Authority but does not include an acute-care facility, such as a hospital, that is operated by the Provincial Health Authority or its affiliates as defined in *The Provincial Health Authority Act*;

“minister” means the Minister of Finance;

“ministry” means the ministry over which the minister presides;

“participant” means an applicant whose application has been approved by the minister pursuant to section 6;

“program” means the Saskatchewan Temporary Wage Supplement Program established pursuant to section 3;

“record” includes any document or information that is recorded or stored in any medium or by means of any device, including a computer and its hard drive or any electronic media.

(2) The minister may approve a facility or place as an essential care facility notwithstanding that the facility or place is not described within any of clauses (a) to (h) of the definition of “essential care facility” in subsection (1) if the minister is satisfied that:

- (a) the facility or place:
 - (i) carries on business or operates in Saskatchewan; and
 - (ii) provides a health care or support service similar to one provided by the facilities mentioned in the definition of “essential care facility” in subsection (1); and
- (b) it is otherwise appropriate and consistent with the purpose of the program to approve the facility or place as an essential care facility.

(3) Any facility or place approved by the minister pursuant to subsection (2) is deemed to be an essential care facility.

22 May 2020 c E-13.1 Reg 17 s2; 26 Jne 2020 SR
72/2020 s3; 28 Aug 2020 SR 94/2020 s3.

Program established

3 The Saskatchewan Temporary Wage Supplement Program is established to provide financial assistance to eligible workers for the purpose of encouraging them to continue working rather than applying for the Canada Emergency Response Benefit established by the Government of Canada.

22 May 2020 c E-13.1 Reg 17 s3.

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Application and eligibility

4(1) An applicant for financial assistance pursuant to these regulations must apply to the minister for each 4-week period commencing March 15, 2020 and ending July 4, 2020 in a form and manner satisfactory to the minister.

(2) Subject to subsections (2.1) and (2.2), an application pursuant to subsection (1) must include evidence satisfactory to the minister that:

(a) the applicant:

(i) in the case of an essential care facility mentioned in clause (a), (b), (c), (d), (e), (f), (g), (h) or (k) in the definition of “essential care facility” in section 2, is:

(A) employed by the owner or operator of the facility; and

(B) not on leave of absence without pay during the dates mentioned in subsection (1);

(ii) in the case of an essential care facility mentioned in clause (i) or (j) of the definition of “essential care facility” in section 2, is the owner or operator of the facility; or

(iii) in the case of an essential care facility that is a facility providing integrated health care that is governed by the Provincial Health Authority, is:

(A) employed by the owner or operator of the facility; and

(B) not on leave of absence without pay during the dates mentioned in subsection (1); and

(b) the applicant is not a person who provides services on a fee-for-service or contractual basis to an essential care facility, other than one mentioned in clause (d) of the definition of “essential care facility” in section 2.

(2.1) If the applicant is working in a facility mentioned in clause (b), (d), (e), (f), (g), (h) or (k) in the definition of ‘essential care facility’ in section 2, an application pursuant to subsection (1) must include evidence satisfactory to the minister that the applicant’s current gross salary from all sources is less than:

(a) \$2,500 per month; and

(b) \$24.00 per hour, at a base pay rate.

(2.2) For greater certainty, subsection (2.1) does not apply to an applicant who is working in a facility mentioned in clause (a), (c), (i) or (j) in the definition of ‘essential care facility’ in section 2 or in an essential care facility that is a facility providing integrated health care that is governed by the Provincial Health Authority.

(3) Not more than one application may be submitted with respect to an essential care facility mentioned in clause (i) or (j) of the definition of “essential care facility” in section 2.

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Cities of Lloydminster and Flin Flon re essential care facilities and eligible workers

4.1 In addition to the workers mentioned in section 4, a worker is an eligible worker if the worker satisfies the minister that the worker meets the criteria in subclause 4(2)(a)(i), clause 4(2)(b) and subsection 4(2.1) and:

- (a) the worker:
 - (i) resides permanently in the Province of Alberta or the Province of Manitoba; and
 - (ii) is working in a facility:
 - (A) mentioned in clause (a), (b), (c), (d), (e), (f), (g), (h) or (k) of the definition of “essential care facility” in section 2 that is located in the Saskatchewan portion of the City of Lloydminster or the City of Flin Flon, as the case may be; or
 - (B) that is a facility providing integrated health care that is governed by the Provincial Health Authority;
- (b) the worker is working in a facility that:
 - (i) is located in the Alberta portion of the City of Lloydminster or the Manitoba portion of the City of Flin Flon, as the case may be; and
 - (ii) is, in the opinion of the minister, equivalent to a facility:
 - (A) mentioned in clause (a), (b), (c), (d), (e), (f), (g), (h) or (k) of the definition of “essential care facility” in section 2; or
 - (B) that is a facility providing integrated health care that is governed by the Provincial Health Authority.

26 Jne 2020 SR 72/2020 s5; 28 Aug 2020 SR
94/2020 s5.

Time limit for submitting applications

5(1) Subject to subsection (2), an application must be received by the minister on or before September 1, 2020.

(2) The minister may consider an application received after September 1, 2020 if the minister is satisfied that extenuating circumstances made it unreasonable or impossible for the application to have been received by September 1, 2020.

22 May 2020 cE-13.1 Reg 17 s5; 28 Aug 2020 SR
94/2020 s6.

Approval

6(1) If the minister receives an application pursuant to section 4 and is satisfied that the application is complete, that the applicant meets the criteria set out in these regulations and that it is appropriate to do so, the minister may approve the application.

(2) If the minister approves an application pursuant to subsection (1), the minister may provide financial assistance to the participant.

22 May 2020 cE-13.1 Reg 17 s6.

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Amount of financial assistance

7 The amount of financial assistance that the minister may provide to a participant is \$400 per 4-week period for a maximum of 16 weeks commencing March 15, 2020 and ending on July 4, 2020.

22 May 2020 c E-13.1 Reg 17 s7.

Audit

8 Every participant who receives financial assistance pursuant to these regulations shall provide, at the minister's request and within the period specified by the minister, any information or record that the minister may require to audit the participant's financial affairs.

22 May 2020 c E-13.1 Reg 17 s8.

Overpayment

9(1) The minister may declare all or any part of a payment made to an applicant pursuant to these regulations to be an overpayment if, in the opinion of the minister:

- (a) the applicant has knowingly made a false or misleading statement with respect to a material fact on any form or in any information or record provided to the minister pursuant to these regulations;
- (b) the applicant has omitted to make a statement or to provide any information or record to the minister pursuant to these regulations that results in a statement with respect to a material fact being misleading; or
- (c) the applicant has failed to comply with these regulations.

(2) If the minister declares a payment to be an overpayment, the amount of the overpayment is deemed to be a debt due and owing to the Crown in right of Saskatchewan and may be recovered from the applicant in any manner authorized pursuant to *The Financial Administration Act, 1993* or in any other manner authorized by law.

22 May 2020 c E-13.1 Reg 17 s9.

Minister's powers re audits and overpayments

10 For the purposes of performing audits and collecting overpayments pursuant to these regulations, the minister may exercise any powers that the minister may exercise pursuant to *The Revenue and Financial Services Act*.

22 May 2020 c E-13.1 Reg 17 s10.

Immunity

11(1) No action or proceeding lies or shall be commenced against the Government of Saskatchewan, the minister, the ministry or any officer or employee of the ministry or administrator or agent of the minister, if that person is acting pursuant to the authority of these regulations, for anything in good faith done, caused, permitted or authorized to be done, attempted to be done or omitted to be done, by that person or by any of those persons pursuant to or in the exercise or supposed exercise of any power conferred by these regulations or in the carrying out or supposed carrying out of any duty imposed by these regulations.

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(2) The decisions or actions of any of the persons mentioned in subsection (1) are final and conclusive and are not reviewable by any court of law or restrained by any injunction, prohibition, mandamus, certiorari or other proceeding whatsoever.

22 May 2020 cE-13.1 Reg 17 s11.

Provision of records

11.1(1) If the minister receives a request from any person for information pertaining to the program and considers it appropriate and in the public interest to do so, the minister may, on any terms that the minister considers appropriate, provide the following information to that person:

- (a) the number of payments made pursuant to the program;
 - (b) the minimum and maximum amount of payments made pursuant to the program;
 - (c) the average amount of payments made pursuant to the program.
- (2) Information respecting the names of individual applicants is not to be disclosed.

19 Mar 2021 SR 21/2021 s2.

Coming into force

12 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

22 May 2020 cE-13.1 Reg 17 s12.