

STATE OF NEW HAMPSHIRE
DEPARTMENT OF LABOR
CONCORD, NEW HAMPSHIRE

V

Chalpin Dental Associates Inc.

DECISION OF THE HEARING OFFICER

Nature of Dispute: RSA 275:43 I unpaid wages

Employer: Chalpin Dental Associates, 62 Portsmouth Avenue #5, Stratham, NH 03885-2559

Date of Hearing: June 3, 2014

Case No.: 47817

BACKGROUND AND STATEMENT OF THE ISSUES

This was a consolidated hearing with case number 47818.

The claimant asserted, through the filing of her wage claim, that she was owed \$3,417.04 in unpaid wages for hours worked from 2012 to March 24, 2014.

At the hearing, the claimant clarified she had been paid all wages due for 2014, and was seeking the balance of \$1,452.10 remaining due from prior to 2014.

The employer agrees the claimant is due some wages. He believes the total is somewhat less as he paid them additional monies.

The employer had been making \$100 weekly payments towards wages found to be due to this claimant regarding an inspection performed by this Department in August 2013. The employer made payments totaling \$1,900 towards that balance. The wages claimed here today are for the same wages found to be due as a result of that inspection.

The hearing was left open until 4:30 pm on June 17, 2014, for the employer to submit copies of payments made to the claimant. The employer submitted copies of checks that were already in evidence. No new information was submitted.

FINDINGS OF FACT

The employer agreed the claimant is due wages. He thought he made additional payments over the recorded amounts by this Department. He was given the opportunity to produce documentation to show additional payments made to the claimant. He did not produce any new documentation, only copies of payments he has sent to the Department.

The claimant provided credible testimony and evidence she is due the claimed wages.

The Hearing Officer finds the claimant proved by a preponderance of the evidence she is due the claimed wages in the amount of \$1,452.10.

DECISION AND ORDER

Based on the testimony and evidence presented, as RSA 275:43 I requires that an employer pay all wages due an employee, and as this Department finds that the claimant proved by a preponderance of the evidence that she is owed the claimed wages, it is hereby ruled that the Wage Claim is valid in the amount of \$1,452.10.

The employer is hereby ordered to send a check to this Department, payable to [REDACTED], in the total of \$1,452.10, less any applicable taxes, within 20 days of the date of this Order.

/s/

Melissa J. Delorey
Hearing Officer

Date of Decision: July 3, 2014

Original: Claimant
cc: Employer

MJD/cag