

STATE OF NEW HAMPSHIRE
DEPARTMENT OF LABOR
CONCORD, NEW HAMPSHIRE

V

Doug R Vlangas Electrical Co

DECISION OF THE HEARING OFFICER

Nature of Dispute: RSA 275:43 I unpaid wages
RSA 275:43 V unpaid employee expenses
RSA 275:48 I illegal deductions

Employer: Doug R Vlangas Electrical Co
69 Donna Ave.
Manchester, NH 03102

Date of Hearing: August 4, 2014

Case No.: 48120

BACKGROUND AND STATEMENT OF THE ISSUES

The claimant asserts he is owed \$2,179 in unpaid wages for hours worked, expenses and child support. At the hearing, he clarified he was seeking \$1,419.20 in unpaid wages, \$469.80 in unpaid child support, and \$290.00 in unpaid expenses.

The employer, through his written objection, states he disagrees with the amounts that are being claimed.

At the hearing, the employer agreed with the wages due to the claimant. He asked for the claimant to return the two checks that were not cashable and to provide his receipts for all expenses for 2013 and 2014, which include some of the wages sought today.

The claimant gave the employer the two checks that were not cashable. He also had a shoe box full of receipts. He agreed to provide copies of the receipts to the employer. In return, the employer would issue a check for the full amount of the claim.

The hearing was left open for the claimant to submit copies of the expense receipts for 2013 and 2014. The claimant submitted only the expense receipts for the claim. The employer did not respond to the claimant's documentation within the required timeframe.

FINDINGS OF FACT

The employer agreed with the wages claimed by the claimant.

Therefore, the Hearing Officer finds the claimant proved by a preponderance of the evidence he is due the claimed wages, expenses, and child support.

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 he is owed the claimed wages, it is hereby ruled that this portion of the Wage Claim is valid in the amount of \$1,419.20.

As RSA 275:43 V considers the payment of employee expenses to be wages, when due, if a matter of employment practice or policy, or both, and as this Department finds that the claimant proved by a preponderance of the evidence that he was not paid all employee expenses due, it is hereby ruled that this portion of the Wage Claim is valid in the amount of \$290.00.

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 he was not paid all wages due including the illegal deductions of child support payments, it is hereby ruled that this portion of the Wage Claim is valid in the amount of \$469.80.

The employer is hereby ordered to send a check to this Department, payable to [REDACTED], in the total of \$2,179.00, less any applicable taxes, within 20 days of the date of this Order.

Melissa J. Delorey
Hearing Officer

Date of Decision: September 8, 2014

Original: [REDACTED]
cc: Doug R. Vlangas Electrical Co.

MJD/klt