

**STATE OF NEW HAMPSHIRE**  
**DEPARTMENT OF LABOR**  
**CONCORD, NEW HAMPSHIRE**

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v

**Derek Moody**

**DECISION OF THE HEARING OFFICER**

**Nature of Dispute:** RSA 275:44 IV, liquidated damages  
**Employer:** Derek Moody, 3 Shelley Dr, Derry NH 03038  
**Date of Hearing:** July 30, 2015  
**Case No.:** 50204

**BACKGROUND AND STATEMENT OF THE ISSUES**

The claimant originally asserted that he was owed \$102.63 in liquidated damages. At the hearing, he agreed to a \$238.50 settlement.

The employer, at the hearing, agreed to the \$238.50 settlement amount.

**FINDINGS OF FACT**

With the agreement of the parties, the claimant is found to be owed \$238.50 in unpaid wages.

**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 RSA 275:44 IV requires an employer pay all wages due within the prescribed timeframe, and as this Department finds that the claimant proved by a preponderance of the evidence, with the agreement of the employer, that he was not paid all wages due, it is hereby ruled that the Wage Claim is valid in the amount of \$238.50.

The employer is hereby ordered to send a check to this Department, payable to ██████████ in the total of \$238.50, less any applicable taxes, within 20 days of the date of this Order.

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Melissa J. Delorey  
Hearing Officer

Date of Decision: July 31, 2015  
MJD/kdc