

STATE OF NEW HAMPSHIRE
DEPARTMENT OF LABOR
CONCORD, NEW HAMPSHIRE



V

FOE Claremont Eagle Local Aeries 4547

DECISION OF THE HEARING OFFICER

Nature of Dispute: RSA 275:43 I unpaid wages

Employer: FOE Claremont Eagle Local Aeries 4547, 47 Thrasher Rd, Claremont NH 03743

Date of Hearing: January 17, 2017

Case No.: 54117

BACKGROUND AND STATEMENT OF THE ISSUES

The claimant asserts she is owed \$5,270.75 in unpaid wages for hours worked between November 2015 and March 2016. She states that she worked for tips only and never received a regular hourly wage from the employer. She did receive one check for \$88.00, which has been deducted from the amount originally owed.

The employer agreed the claimant is due the wages claimed, and probably even more. Further, the charter for the FOE Claremont Eagle Local Aeries 4547 was revoked and has now dissolved. All assets have been returned to the Grand Aerie Fraternal Order of Eagles.

FINDINGS OF FACT

The claimant worked for the employer between November 2015 and March 2016, as a bartender. She did not receive any regular hourly wages from the employer, with the exception of one check for \$88.00. The claimant was not a member of the FOE Claremont Eagle Local Aeries 4547.

The parties agreed the claimant is due the claimed wages.

The employer only argued there are no assets with which to pay her.

The Hearing Officer finds the claimant proved by a preponderance of the evidence she is due the claimed wages in the amount of \$5,270.75.

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 \$5,270.75.

The employer is hereby ordered to send a check to this Department, payable to [REDACTED] in the total of \$5,270.75, less any applicable taxes, within 20 days of the date of this Order.

Melissa J. Delorey
Hearing Officer

Date of Decision: February 2, 2017

Original: Claimant
cc: Employer

MJD/das