

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



**V**

**Northeast Foods LLC**

**DECISION OF THE HEARING OFFICER**

**Nature of Dispute:** RSA 275:43 I unpaid wages  
RSA 275:43-b unpaid salary

**Employer:** Northeast Foods LLC, 623 Second St, Manchester, NH 03102

**Date of Hearing:** June 8, 2017

**Case No.:** 55100

**BACKGROUND AND STATEMENT OF THE ISSUES**

The claimant asserts he is owed \$900 in unpaid salary as he was terminated on the first day of the pay period, December 15, 2014, and only received a payment of around \$200.

The employer testified the individuals involved in this dispute are no longer with the company and he is not aware of what transpired.

**FINDINGS OF FACT**

The claimant worked for the employer from 2012 through December 15, 2014, when he was terminated by the employer. He received a biweekly salary of approximately \$1,700.

The claimant argues he is owed \$900 in unpaid salary as he was terminated on the first day of the pay period, December 15, 2014, and only received a payment of around \$200.

The claimant also argues he originally filed a claim for these wages in 2015, however, nothing ever happened with it. He did not contact the Department to follow up with the claim. During a compliance audit for this employer with this Department this year, he spoke with an inspector who advised his claim was still within the statute of limitations. He refiled this claim.

The employer argues that the individuals involved in this dispute are no longer with the company and he is not aware of what transpired during this issue.

The claimant was not able to articulate the amount of the partial wages he received. He did not have any documentation to show payments made either through a pay stub or a bank statement to show wages paid. He was not able to articulate the full amount of his biweekly wages.

The Hearing Officer is unable to determine if the claimant is due any salary based on the testimony presented at the hearing. Therefore, the Hearing Officer finds the claimant failed to prove by a preponderance of the evidence he is due the claimed salary.

### **DECISION**

Based on the testimony and evidence presented, as RSA 275:43 I requires that an employer pay all wages due an employee, and as RSA 275:43-b requires that a salaried employee received their salary, in full, for any pay period in which they perform any work, and as this Department finds that the claimant failed to prove by a preponderance of the evidence that he was not paid all wages/salary due, it is hereby ruled that this portion of the Wage Claim is invalid.

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Melissa J. Delorey  
Hearing Officer

Date of Decision: June 9, 2017

Original: Claimant  
cc: Employer

MJD/das