

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



**V**

**Bothwell Excavation & Demolition LLC**

**DECISION OF THE HEARING OFFICER**

**Nature of Dispute:** RSA 275:43 I unpaid wages  
RSA 275:43 V unpaid employee expenses

**Employer:** Bothwell Excavation & Demolition LLC, 203 Washington St Unit 145, Salem  
MA 01970

**Date of Hearing:** October 17, 2017

**Case No.:** 557108

**BACKGROUND AND STATEMENT OF THE ISSUES**

The claimant asserts he is owed \$845 in unpaid wages for hours worked between July 7, 2017 and August 2, 2017. He also alleges he incurred \$198 in tickets because he was driving the employer's vehicle which did not meet safety specifications.

At the hearing, the claim for the \$198 in tickets/expenses was removed as the claimant has requested a hearing with the Department of Safety and has not paid any money out of pocket at this time. He may refile should the circumstances change.

The employer argues he paid the claimant \$200 in cash but is unable to pay any additional wages due as the claimant refuses to complete time sheets.

**FINDINGS OF FACT**

The parties agreed to a settlement of \$650, due by November 3, 2017.

The employer failed to remit this payment.

Based on the agreement of the parties, the Hearing Officer finds the claimant proved by a preponderance of the evidence he is due the claimed \$650.

**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 the Wage Claim is valid in the amount of \$650.

The employer is hereby ordered to send a check to this Department, payable to [REDACTED], in the total of \$650, 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: November 16, 2017

Original: Claimant  
cc: Employer

MJD/nm