

STATE OF NEW HAMPSHIRE
DEPARTMENT OF LABOR
CONCORD, NEW HAMPSHIRE



V

Luciano Hauling Corp

DECISION OF THE HEARING OFFICER

Nature of Dispute: RSA 275:43 I unpaid wages

Employer: Luciano Hauling Corp, 1 Tara Blvd, Ste 200, Nashua NH 03062

Date of Hearing: February 6, 2018

Case No.: 56381

BACKGROUND AND STATEMENT OF THE ISSUES

The claimant asserts he is owed \$910 in unpaid wages for hours worked between October 17, 2017 and November 15, 2017.

The employer agrees the claimant is due \$500 gross, with a net of \$164.03, after deductions for uniforms and driver training fees, which he agreed to send to the Department. He denies the claimant is due anything further.

The hearing was left open until 4:30pm on February 23, 2018, for the employer to remit the agreed upon wages. The employer failed to remit any wages to this Department.

FINDINGS OF FACT

The claimant worked for the employer from October 17, 2017 to November 15, 2017, at a rate of \$15 per hour.

The claimant argues he worked between October 17, 2017 and November 15, 2017, and received approximately \$350 from a Western Union payment. He seeks the balance of \$910 as due.

The employer argues the claimant does not have any proof he worked for the wages claimed.

The claimant provided credible testimony that he performed work for the employer and did not receive all wages due, totaling \$910.

The employer's argument that the claimant has no proof of hours worked is not persuasive. The employer is reminded that it is his responsibility under RSA 279:27 to

maintain a true and accurate record of the hours worked by each employee, wages paid to each, and classification of employment.

Therefore, the Hearing Officer finds the claimant proved by a preponderance of the evidence he is due the claimed wages in the amount of \$910.

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 \$910.

The employer is hereby ordered to send a check to this Department, payable to [REDACTED], in the total of \$910, less any applicable taxes, within 20 days of the date of this Order. No deductions other than taxes may be made from these wages.

Date of Decision: March 7, 2018

Original: Claimant
cc: Employer