

STATE OF NEW HAMPSHIRE
DEPARTMENT OF LABOR
CONCORD, NEW HAMPSHIRE



V

GCA Services Group

DECISION OF THE HEARING OFFICER

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

Employer: GCA Services Group, 6 Leavitt Ln, Durham NH 03824

Date of Hearing: January 29, 2018

Case No.: 56415

BACKGROUND AND STATEMENT OF THE ISSUES

The claimant asserts he is owed \$75 as he was required to buy a UNH parking pass to perform work cleaning at UNH buildings.

The employer denies they are required to reimburse the claimant for the \$75 parking fee.

FINDINGS OF FACT

The claimant worked for the employer from October 5 through November 18, 2017, when he was terminated by the employer.

The claimant argues he was required to buy a parking pass for \$75 to clean at the buildings.

The employer argues they would have reimbursed this fee if the claimant had worked for ninety days, however, he was terminated after six weeks.

The Hearing Officer finds that the claimant testified as credibly, not more credibly, than the employer. The claimant has the burden of proof in this matter to show by a preponderance of the evidence that he was required to purchase the parking pass and is due the reimbursement claimed. The Hearing Officer finds that the claimant failed to meet that burden of proof as his story is only as credible as, not more credible than, the employer's. The claimant, therefore, fails to prove by a preponderance of the evidence that he is owed the claimed employee expenses.

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 this Department finds that the claimant failed to prove by a preponderance of the evidence that he is owed the claimed wages, it is hereby ruled that the Wage Claim is invalid.

Date of Decision: February 16, 2018

Original: Claimant
cc: Employer