

STATE OF NEW HAMPSHIRE
DEPARTMENT OF LABOR
CONCORD, NEW HAMPSHIRE



V

Richard C Hiltunen dba RCH Driveway Sealing

DECISION OF THE HEARING OFFICER

Nature of Dispute: RSA 275:43 I unpaid wages

Employer: Richard C Hiltunen dba RCH Driveway Sealing

Date of Hearing: October 1, 2018

Case No.: 57619

BACKGROUND AND STATEMENT OF THE ISSUES

The claimant asserted, through the filing of his wage claim, that he was owed \$640 in unpaid wages for hours worked between June 25 and June 29, 2018.

At the hearing, he first testified he was due three days of wages for July 25 through July 29, 2018. He then changed his testimony to five days of wages for July 25 through July 29, 2018. After hearing the testimony from the employer, he changed his testimony that the hours worked were June 25 through June 29, 2018.

The employer denies the claimant was not paid for all time worked. He received two checks on the day he was let go, June 29, 2018, for the week prior and the current week which ended June 28, 2018, and \$60 cash for the day of June 29, 2018.

FINDINGS OF FACT

The claimant worked for the employer for approximately five months until June 29, 2018, when he was terminated by the employer.

The claimant argues he was not paid for hours during his last week of work. He provided conflicting testimony of dates, days and hours worked. He changed his testimony numerous times during the hearing.

The employer provided credible testimony, and previously submitted copies of cashed payroll checks and time cards, that the claimant had been paid for all hours worked.

CONCLUSIONS

Because the claimant did not provide credible and persuasive testimony, the Hearing Officer finds the claimant failed to prove by a preponderance of the evidence he is due the claimed wages.

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.

[REDACTED]
Hearing Officer

Date of Decision: October 2, 2018

Original: Claimant
cc: Employer