

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



**V**

**CITIZEN'S BANK**

**DECISION OF THE HEARING OFFICER**

**Appearances:** Kathleen C. Peterson Esq., Counsel for the Employer

**Nature of Dispute:** RSA 275-E:4 I Whistleblower's Protection Act

**Employer:** Citizen's Bank, 910 Douglas Pike RSD 370, Smithfield, RI 02917

**Date of Hearing:** October 17, 2012

**Case No.:**43676

**BACKGROUND AND STATEMENT OF THE ISSUES**

A claim under the Whistleblower's Protection Act was filed with the Department of Labor on May 17, 2012. The notice was sent to the employer and there was an objection. The Notice of Hearing was sent to both parties on September 19, 2012.

The claimant started the hearing by reviewing her settlement requests and how they could be attained whereas the claimant was no longer working for the bank. The claimant reviewed her concerns and said that she wanted it to be better for other employees.

The employer asked for a copy of all of the exhibits the claimant was prepared to submit as part of her claim.

The claimant withdrew the claim, without presenting any exhibits and asked that the hearing be declared Moot as she was not going to go forward.

**FINDINGS OF FACT**

RSA 275-E:4 Rights and Remedies. –

- I. Any employee who alleges a violation of rights under RSA 275-E:2 or 3, and who has first made a reasonable effort to maintain or restore such employee's rights through any grievance procedure or similar process available at such employee's place of employment, may obtain a hearing with the commissioner of labor or a designee appointed by the commissioner. Following such hearing, the labor commissioner or the designee appointed by such commissioner shall

render a judgment on such matter, and shall order, as the commissioner or his designee considers appropriate, reinstatement of the employee, the payment of back pay, fringe benefits and seniority rights, any appropriate injunctive relief, or any combination of these remedies.

Decisions rendered by the commissioner of labor under paragraph I may be appealed pursuant to RSA 541.

This section of the law places protection on employees who report violations of law and participate in legal investigations against the employer.

The claimant asked that the hearing not go forward and this request was granted.

The employer did not get any of the exhibits that were in the possession of the claimant because the claimant did not submit any exhibits.

The Whistleblower's Complaint is withdrawn by the claimant.

### **DECISION**

The claimant requested that the appeal be withdrawn and this was GRANTED.

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Thomas F. Hardiman  
Hearing Officer

Date of Decision: October 23, 2012  
Original: Claimant  
cc: Employer  
TFH/all