



State of New Hampshire

Department of Labor

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Ken Merrifield
Commissioner of Labor

June 29, 2021

Rudolph W. Ogden III
Deputy Labor Commissioner

SENT FIRST CLASS MAIL AND EMAIL TO:

Re: [redacted] v. New England Farm Access
Case: #62650

Dear [redacted] and Mr. Bernstein:

CONFIRMATION OF VERBAL DECISION

A telephonic hearing in the above-captioned matter was held on June 28, 2021. Claimant was self-represented and Mr. Bernstein appeared on behalf of the employer, a not-for-profit limited-liability corporation doing business as New England Farm Access.

Consistent with its prior communications to the Department, the employer did not contest that wages were due in the amount and as of the date alleged in the wage claim. The only issue was the employer's ability to pay. Under these circumstances, the parties agreed that no evidentiary hearing was necessary and that a verbal order could issue, finding the wage claim valid and ordering payment.

Accordingly, the following verbal order was issued:

As RSA 275:43, I requires that an employer pay all wages due an employee, and based on the allegations in the wage claim and the employer's agreement that the wages were due as alleged, the Department finds that the wages are due in the amount of \$6,293.06 and the claim is valid to that extent.

The employer shall, within 30 days of June 28, 2021, mail to the Department a check, payable to [redacted] in the amount of \$6,293.06, less applicable payroll deductions, in full settlement of the above-referenced claim.

Such is the Order of the Department.

Any party aggrieved by this Decision may appeal it in the manner specified by RSA 275:51, V not later than twenty (20) days from the date of the Verbal Decision by petition to the Superior Court setting forth that said Decision is erroneous, in whole or in

part, and specifying the grounds upon which same is claimed to be in error. The scope of review by the Superior Court is limited to questions of law. In the event that an appeal is filed, the party appealed against will be served with a notice of the appeal from the Superior Court. The party appealed against is required to respond to this notice, in writing, to the Superior Court, and may wish to contact the Clerk of Superior Court for assistance at that time. Failure to respond in writing may result in a reversal of the Decision.

The recording of this hearing will remain available for 60 days after the date of the Verbal Decision. A copy of the recording is available on a CD-ROM for \$20 postpaid. A copy of the recording must be requested in writing with payment included at the time of the request

Very truly yours,

A handwritten signature in black ink that reads "George A. Stewart". The signature is written in a cursive style with a long, sweeping horizontal line extending from the top of the name.

George A. Stewart
Hearing Officer

GAS/cb