

Amendment to HB 1168

1 Amend the bill by replacing section 1 with the following:

2

3 1 Payment of Wages; Enforcement. Amend RSA 275:51, V to read as follows:

4 V. A wage claim may be filed by an employee or by the department on its own motion no
5 later than 36 months from the date the wages were due. The commissioner shall notify the employer
6 by serving upon the employer a copy of such claim and an order to file with the commissioner within
7 ~~[10]~~ **20** days from the receipt of such notice any objections to such claim specifying the grounds
8 therefor. Service may be by certified mail with return receipt. If objection is not made within ~~[10]~~
9 **20** days, the commissioner may order that payment be made in accordance with the claim. If
10 requested, a hearing shall be afforded at which time any party may appear, with counsel if desired,
11 and present evidence and cross-examine opposing witnesses. Any party, at the party's own expense,
12 may cause a record to be made of the hearing. A written decision shall be made within 30 days after
13 the hearing stating the decision and specifying the facts and conclusions upon which the decision is
14 based. If wages are found to be due, an order for payment shall issue. Any party aggrieved by the
15 decision may appeal to the superior court not later than 20 days from the date thereof by petition,
16 setting forth that the decision is erroneous, in whole or in part, and specifying the grounds upon
17 which the decision is claimed to be in error. Upon the filing of an appeal, the commissioner shall
18 transfer to the court the record of the proceeding or a certified copy thereof. The scope of review by
19 the superior court shall be limited to questions of law. After hearing and upon consideration of the
20 record, the court may affirm, vacate or modify in whole or in part the decision of the commissioner,
21 or may remand the matter to the commissioner for further findings. In the absence of a seasonable
22 appeal, the decision and order shall be final, shall be entered upon the docket of the superior court at
23 the request of the prevailing party, may be enforced as a judgment of the court, and shall be a lien
24 upon the property of the employer situated in the state for a period of 3 years from the time of the
25 decision. It is a requirement of this chapter for purposes of RSA 275:52 that a final order be
26 immediately satisfied by the employer.

Amendment to HB 1168
- Page 2 -

2026-0786s

AMENDED ANALYSIS

This bill extends the time an employer has to file objections to a wage claim from 10 days to 20 days after receiving notice of the claim.