

ID: 87251 Opened: 06/21/2013 Closed: 08/02/2013 Inv: Dawn Beasley Assigned: 06/21/2013
Trans: Charlie McHone (06/25/2013) IS: jvalerio

Establishment:

Manale Landscaping, LLC
DBA: Manale Landscaping
402 Division Drive
Leland, NC 28451
County: Brunswick
Email: Not Provided

Complainant:

Matthew Distefano

Contact: Ryan McDade
Title: Operations Manager
Phone: 910-523-6806

Wage Rate: \$ 42,000.00
Amt Claimed: \$ 807.00

Business: Landscaping [Llc]
WHC: 78

Complaint: Employer failed to pay employee's wages
for period June 3, 2013 through June 8, 2013.

Violations:

Youth Viols:

Complaint Status: Resolved

	----- Due -----		----- Paid -----	
	<u>Nbr</u>	<u>Amt</u>	<u>Nbr</u>	<u>Amt</u>
MW	0	\$0	0	\$0
OT	0	\$0	0	\$0
WP	0	\$0	0	\$0
CPT	--	\$0	--	\$0
YE	--	\$0	--	\$0
RK	--	\$0	--	\$0
CS	--	\$0	--	\$0

Initial Remarks: BOE: 06/03/2013. EOE: Currently employed!

On June 25, 2013 the Raleigh Bureau called the business contact and spoke with Mr. McDade. McDade said the time sheet was entered incorrectly by payroll and was processed for the next pay date instead of the June 14 pay date. McDade further indicated that the complainant picked up his check yesterday (June 24). The Bureau subsequently called the complainant and confirmed with Distefano that he did receive his wages (gross \$919.00) prior to IA making contact with the employer. Transferred to Charlie for closure.adb

Coverage: Not Applicable

Exemptions: Not Applicable

MW: Not Applicable

OT: Not Applicable

WP: The Employee was paid his claimed wages before the Bureau made contact with the Employer. There was no admission of guilt and no documentation to substantiate the complaint. Based on these findings, no Wage Summary or Computation was completed and no wage payment violations were found.

YE: Not Applicable

RK: Not Applicable

Disposition: Investigator McHone emailed a closure letter to Complainant Distefano on August 2, 2013. File closed as Resolved with no further action recommended.

Cherie K. Berry
Commissioner



Charles McHone
Field Investigator
Wage and Hour Bureau

August 2, 2013

Mr. Matthew Distefano

Identification Number: 87251

Dear Mr. Distefano:

The Wage and Hour Act investigation of **Manale Landscaping LLC DBA Manale Landscaping** in Leland, North Carolina has been completed.

Our office is unable to substantiate your wage claim based on: (X) employer provided back wages owed prior to investigative action; () employer denial of alleged violations and lack of documentation to support your claim; () the employer cannot be located to obtain a response to your claim. Consequently, no further action will be taken on your behalf. You are free to pursue the alleged back wages on your own in court.

If you decide to take your own legal action, you may want to consult with a private attorney. If you do not have an attorney or know of one to contact, you may contact the North Carolina Lawyer Referral Service at 919-677-8574 (Raleigh/Cary) or toll-free (NC only) 1-800-662-7660. Web site: www.ncbar.org/public/lrs/index.aspx. If you cannot afford an attorney, you may be eligible for free legal advice through the Legal Aid of North Carolina. Contact the Legal Aid Help Line at 1-866-219-5262 Central Office in Raleigh at 919-856-2564 for information on local offices throughout the state. Web site: www.legalaidnc.org

Sincerely,

Charles McHone
Field Investigator

cc: File
Employer

ID: 87251 Opened: 6/21/2013 Inv: McHone Assigned:

Establishment:
Manale Landscaping LLC
DBA: Manale Landscaping
402 Division Drive
Leland, North Carolina 28451
Phone: 910-523-6806
E-Mail: Unknown

Complainant:
Matthew Distefano

Contact: Ryan McDade
Title: Operations Manager

Wage Rate: \$42000
Amount Claimed: \$807.00

Complaint: Employer failed to pay employee's wages for period of 06/03/2013 through 06/08/2013. Pay date was on 06/14/2013. Employee was paid bi-weekly. Employee's ROP: a Salary of \$42,000.00 per/ year. BOE: 06/03/2013. EOE: Currently

[illegible]