



“Unemployment Insurance:
A Guide to Collecting Benefits in the
State of New Hampshire”

You are responsible for understanding your rights and responsibilities.
Please do not discard this booklet!

This booklet is also available in Spanish, Bosnian, Vietnamese, Arabic and Simplified Chinese at any New Hampshire Local Office or on-line at www.nhes.nh.gov, Forms & Publications.



Mission Statement

The mission of New Hampshire Employment Security is to:

- a. Operate a free public employment service through a statewide network of job and information centers, providing a broad range of assisted and self-directed employment and career related services, and labor market information to all customers;
- b. Pay unemployment compensation benefits in a timely manner to eligible claimants, and collect the tax which funds these payments; and to
- c. Develop and disseminate labor market information, and provide measurements of labor market outcomes to assist local and state officials, private employers, educators and trainers, and the public in making decisions that promote economic opportunity and the efficient use of state labor resources.

NHES is a proud member of America's Workforce Network and NH Works. NHES is an Equal Opportunity Employer and complies with the Americans with Disabilities Act. Auxiliary Aids and Services are available on request of individuals with disabilities

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Unemployment Insurance

The Basics

- Apply as soon as you are unemployed or your hours are significantly reduced.
- Look for work and be ready to accept it.
- Request a benefit payment every week until you return to work full-time*.
- Remember your password and keep it private.
- Read this handbook.
- Read all correspondence received from this department.
- Respond to all requests for information.
- Keep your contact information on your account up-to-date
- Call your local office if you have questions (see Local Office listing).

*If only required and approved to work part-time, 20 hours per week is considered “full-time”.

Top 10 Things You Should Know About Filing for Unemployment Benefits

- 1. Accurately Report the Reason You Are Unemployed.** When you file your claim for benefits, provide the UI office with the exact reason for your separation so we can best determine your eligibility. Failure to report your work separation accurately may result in an overpayment and/or fraud penalties.
- 2. Report Any Monies You Earn.** You must report all gross wages (before any deductions) in the week they are earned; regardless of when the wages will be paid. **Failure to report earnings is considered fraud.** Be sure to accurately report all work and earnings on your weekly claim certification – even those from self-employment, part-time, or temporary work.
- 3. Keep Your Information Current.** The United States Postal Service will not forward UI Benefit Payments or other important UI related documentation. It is a requirement that you change your address when you relocate (even within the same city and state) and keep your telephone number and email address up to date.
- 4. Register With the Job Match System (JMS).** If you live in New Hampshire, you must be registered for work in JMS unless specifically exempted by law. When filing your benefit application, a preliminary registration is automatically created. Access JMS at <https://nhworksjobmatch.nhes.nh.gov/vosnet/Default.aspx> to update your resume and look for jobs. If you do not live in New Hampshire, you must register for work with the state job service of your resident state.
- 5. Be Available and Actively Searching for Work.** In order to collect benefits, you must continually verify that you are able, available and willing to accept suitable work. You must also search for work each week you file a claim for benefits. If you do not search for work during a week in which you file a claim, benefits may be denied.
- 6. Develop an Effective Work Search Plan.** Contact a NH Local Office for help with creating a work search plan. Attend all mandatory employment service meetings you are scheduled for.
- 7. Avoid Errors and Ensure Proper Payment of Benefits.** To prevent errors in payment of UI benefits that may result in an overpayment or underpayment, read all of the information provided to you and respond to all requests for information.
- 8. Don't Delay – Report Your Return to Work.** Be sure to report your hours and earnings on your weekly claim if you continue claiming benefits after you start a job. Do not wait until you receive your first paycheck to report your hours and earnings. If you have returned to work full time or are earning more than your weekly benefit amount, you can simply stop filing weekly claims.
- 9. Prevent Fraud.** Anyone who collects UI benefits is legally responsible to know and follow the requirements set by State Law. Failure to follow the rules can result in serious consequences such as repaying benefits with penalties, forfeiting a future income tax refund, losing future eligibility to collect UI benefits, prosecution, and the possibility of jail.
- 10. Ask For Help.** Navigating through the UI system can be confusing. If you have additional questions, please visit our website or contact your Local Office for assistance.



General Information

Unemployment Insurance Program

What Is Unemployment Insurance?

Unemployment Insurance is a Federal-State insurance program that supplies temporary income for workers who are either partially or fully unemployed and who are looking for new work, going into an approved training program, or on a temporary layoff and will be returning to work with the same employer. The funding for unemployment insurance benefits comes from taxes paid by employers. **NH employees do not pay any taxes for the unemployment program.**

What is Unemployment Compensation? This is the actual benefit that is paid to an unemployed or partially unemployed person who:

- Has worked in covered employment;
- Becomes unemployed through no fault of their own;
- Meets eligibility requirements; and
- Files timely and proper claims

What is covered employment? This is work done for employers who are subject to unemployment law in NH, other states and the Federal Government. These employers pay into the fund established to pay UC benefits.

What is Unemployed through no fault? This means that you did not cause your own unemployment.

Examples:

- A lack of work – your employer shut down or has laid you off (not fired)
- Employer reduced their hours or your hours
- Non-disqualifying separation

When should I file my claim?

If you are fully or partially unemployed, do not delay filing your claim*. Your claim is effective the week in which you file it.

*If you received a substantial separation package (more than 3 months' worth of wages such as severance or vacation payout), you may want to consider waiting until those monies are exhausted. For details about how a large separation package may impact your claim, please visit our website and review the Amount & Duration of Benefits document at:

<https://nhuis.nh.gov/claimant/wba>

Or view the video segment at

<http://www.nhes.nh.gov/media/video/04-separation.htm>

Is there any reason I would not be paid benefits?

You have the right to file an unemployment claim at any time but must meet all eligibility requirements to receive payment. The department looks at the following factors to determine eligibility.

- Are you receiving unemployment benefits from another state or the federal government?
- Are you able to work, available for work and actively looking for work?
- Have you registered for work or updated your prior registration for work?
- Did you file your claim(s) on time?
- Did you attend all scheduled mandatory meetings?
- Are you not working because of a disciplinary layoff or suspension?
- Why were you fired?
 - Were you fired for misconduct connected to your work?
 - Were you fired for intoxication or the use of a controlled drug?
 - Were you fired for theft, arson, sabotage, felony, assault which causes bodily injury, or criminal threatening?
- Did you decline to accept suitable work when offered?
- Are you currently self-employed full-time?
- Did you leave self-employment or close your business?
- Why did you quit?
 - Did you quit your job for good cause that is attributable to your employer?
 - Did you quit your job due to compelling family circumstances?
- Were you involved in a strike or company lock-out (labor dispute)?



What do I need?

Getting Prepared to File

What do I need before I file a claim?

- ✓ Your Social Security Number
- ✓ Address (home and mailing)
- ✓ Telephone Number(s)
- ✓ Email Address
- ✓ Alien Registration Number (if not a U.S. Citizen)
- ✓ Your work record for the past 18 months, which includes:
 - Company name and job location;
 - Employer's telephone number(s);
 - Date you started work;
 - Last day you worked;
 - Reason for separation;
 - Rate of pay; and
 - Details regarding any separation pay you are expecting.
- ✓ Military Form DD-214, member 4 copy, if in the Military during the past 18 months
- ✓ Form SF-8, if worked for the Federal Government during the past 18 months

Frequently Asked Questions:

Q. Will I need my Social Security Card?

A. No. However, it is a good idea to have your social security card with you. Entering your social security number accurately is very important and we may need to verify that it is you we are assisting. This is for your protection.

Q. Will I need a driver's license?

A. No, though it is recommended that you always carry some form of picture ID with you. A picture ID can be a driver's license, non-driver's license, or a military ID. These identifications will also assist you in obtaining employment when you are hired.

Q. Why do you need my home and mailing address?

A. This is to make sure that you are scheduled for services at the closest Local Office and that you receive all of your notices timely and correctly.

Q. Why do you need my phone number(s)?

A. There will be times that we will need to call you for information and we can reach you by phone faster than by U.S. mail.

Q. Will you give out my phone number(s)?

A. No, we cannot give your phone number to anybody outside of this agency.

Q. If I give you my email address, will you send me stuff via email?

A. Only if you indicate that you wish to receive correspondence via email. You will receive email notifications that you must log into your online account and check your correspondence box. You must make sure that we are not coded junk mail or you will never receive your notifications. We may also contact you directly via email for additional information to process your claim or appeal.

How do I file?

Filing a Claim

You can file an unemployment claim online from any computer with internet access. You can file from your home, or at the home of a friend, neighbor or family member. You can use a public computer, such as at a library. Every New Hampshire Employment Security Local Office has free computers for your use to file a claim or look for work. ****Always be sure to Logout after completing your application when using public computers.**

Filing is free, confidential and our website is secure. How will you know it is secure? The web address will start with **HTTPS**. The **S** at the end stands for **Secure**.

<https://nhuis.nh.gov/claimant/>

****IMPORTANT: Keep in mind that filing for benefits is a 2-step process**

- ✓ The first step is the official application, which tells the department and your employer(s) that you are filing for benefits. This process generally takes 20-30 minutes to complete.
- ✓ The second step is a weekly filing that allows the department to check your continued eligibility and is how payment gets generated, if you are eligible. This process is known as a “continued claim” and unless continued claims are filed each week and on time, benefit payments cannot be made.

NOTE: If you skip filing for a week, you must restart/reopen your claim. The system will prompt you to file a new claim at the end of your benefit year or when there is a break in your claim filing sequence.

Frequently Asked Questions:

Q. How long does a claim last?

A. A claim is good for 52 weeks or 1 year.

Q. How many weeks can I be paid for?

A. You can receive up to 26 weeks of total payments during that 1-year timeframe.

Q. What if I already filed a first claim and I am unemployed again within a year?

A. You will now file an Additional/Reopen claim. You will choose to “reopen your claim” on your Home Page (Main Menu) after logging in.

Q. Do I file based on my work schedule?

A. No, our weeks start on Sunday at 12:01 am and end on Saturday at midnight. You report any work performed, monies received or work search activities based on the calendar week for which you are filing.

Q. When I file will I receive a confirmation number?

A. Yes, every time you complete a claim (first time or weekly) you will receive a confirmation number. Remember to either write this number down or print this number for your records.

Q. I received a severance package when I was separated, should I wait to file?

A. Maybe. This will depend on how many weeks of separation pay you will be receiving and when it will expire. Review the Amount & Duration of Benefits link at <https://nhuis.nh.gov/claimant/wba> and/or go to your Local Office for assistance.

Q. How much will I receive each week?

A. Your weekly benefit amount will depend on your prior earnings. Please see Benefit Amount, Unemployment Compensation, for more information.

Q. How will I know if I am eligible?

A. You and your employer(s) will receive one or more Determination of Unemployment Compensation documents. Please return to the General Information section to review the Frequently Asked Question: **Is there any reason I would not be paid benefits?**

Q. Will I have to look for work?

A. Yes, unless you are returning to work for the same employer within 15 calendar days of the day you last worked and/or are required by Union Contract to seek work only through a Union Hiring Hall. The Conducting An Effective Search for Work section of this booklet provides details about work search requirements.



Understanding Determinations

A Determination of Unemployment Compensation is issued to you and any impacted employer whenever there is a question about your monetary or non-monetary eligibility. You may receive more than one determination.

The first Determination you normally receive is called the monetary determination. This document clearly states “This is not a guarantee of payment. This notice is a determination of monetary eligibility only.” This document provides your potential weekly benefit amount and details about the employment used to establish your claim.

You may receive other Determinations regarding specific eligibility conditions. These are known as non-monetary determinations and referenced as Determination of Eligibility in your online correspondence inbox. This document clearly states “This notice is a determination on eligibility for unemployment benefits.” This document provides information as to whether benefits are allowed or denied. All eligibility conditions must be met to receive payment.

Frequently Asked Questions:

Q. What is a Waiting Week?

A. A waiting week is the first week determined to be payable for any initial unemployment claim and will not be paid. You must still file timely for the week and all weeks for which you wish to receive benefits and the department will determine which week will be served as the waiting week. This waiting week will not reduce

your total available benefits. The Maximum Benefit Amount for a new claim remains 26 times your established Weekly Benefit Amount. This law only applies to regular UI benefits and not to other programs such as Extended Benefits (if and when they are active).

Q. How long will I lose my benefits?

A. This will depend on if you are denied for a specific time, denied until your circumstances change, you have returned to work and earned the 5 weeks of requalifying wages, or until your penalty has been served.

Q. What is the difference between a denial, disqualification and penalty?

A. A denial means benefits cannot be paid for either a specific time or until your circumstance changes. Some examples of a denial are:

- You received some severance or vacation pay;
- You were sick for 2 weeks and you were unable to work;
- You took a 1 week vacation; or
- You are not able to work until a doctor releases you.

These will cause you to be temporarily denied benefits, but only for the time period the situation covers or until your circumstance has changed.

A disqualification means you were not allowed benefits and in order to become eligible you must return to work and earn additional wages. You must earn at least 120% of your weekly benefit amount in five (5) separate weeks following the start date of the disqualification.

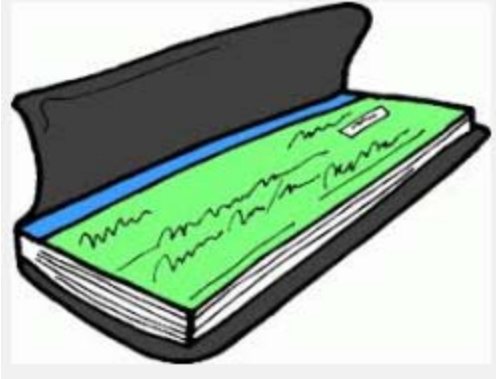
A penalty is an additional denial of benefits and can last for 4 to 52 weeks. These penalties are added if it was found that you committed fraud or that you were fired from your job because of drugs, intoxication or for theft with a value of \$101.00 to \$250.00. (All wage credits would also be lost if over \$250.00.)

Q. What is reasonable assurance?

A: When a person works for a school district, the wages earned from the school cannot be used to pay benefits during a school vacation break or are between terms if you have reasonable assurance of returning to work after the break or when the new term starts. Reasonable assurance means that more likely than not, you will return to work at a school working in a similar capacity for a similar rate of pay.

Q. What is separation pay or deductible income?

A. This is when you are paid monies because you are no longer working for an employer. These monies include gifts over \$25.00, severance, wages in lieu of notice, vacation, accrued time, personal time off, sick pay, bonuses, Workers' Compensation payments, and back pay awards.



Benefit Amount

Weekly Compensation

Your weekly benefit amount (WBA) is based on what you earned during the months prior to your first claim. This is also why we ask for 18 months of your work history. This is to make sure that we have all of your wages, so that we can give you the highest weekly benefit rate.

****We look for wages within our state, other states, the Federal Government and the Military.**

We use a base period to figure out what you can be paid on a weekly basis. This base period is a four-quarter period prior to when you filed your first claim and we have two standards we review to make sure that you are given every opportunity to be monetarily eligible.

1. The first standard is the primary base period – This uses the first 4 of the last 5 completed quarters before to the effective date of your first (initial) claim.

➔ If you are not eligible in this base period, then we review the alternate base period.

2. The second standard is known as the alternate base period – this uses the last 4 completed quarters before the effective date of your first (initial) claim.

During these 4 quarters, you **must have at least** 2 separate quarters of \$1400.00 in each, to be monetarily eligible.

Frequently Asked Questions:

Q. What is a weekly benefit amount (WBA)?

A. This is the most you can receive each week that you file for total benefits.

Q. What is the most I can receive?

A. You are given a maximum benefit, which is your weekly benefit amount times 26. This means you can collect up to 26 total weeks, or maximize your benefits by filing partials because you have a part-time job. Your WBA is based on the amount of earnings in your base period. Compare your earnings to the chart at the back of this booklet to estimate your WBA.

Q. How can military wages be used for a NH claim?

A. When a person serves our country, you are allowed to open your claim in any state you choose. You must be standing in the state to open the claim there.

Q. What if when I worked for the Federal government it was not in NH, now what do I do?

A. File your claim. The department will explore the use of your Federal wages. Federal wages are usually assigned based on where you last worked. Example:

- ❖ For the past 3 years you have only worked for the federal government in NH, then your wages belong to NH
- ❖ For the past 2.5 years you worked for the federal government in CA, then the last 6 months you worked in NH for a different (non-federal) employer, then your wages belong to NH.
- ❖ For the past 2.5 years you worked for the federal government in NH, then the last 3 months you worked in MA for different (non-federal) employer, then your wages belong to MA.

Q. Can Workers' Compensation be used in my base period?

A. Yes, if the payments received were calculated on a weekly basis because you were out of work totally or partially due to a work-related injury. If you received payment for medical bills only, that money will not increase your unemployment compensation benefit.

DON'T LET THIS HAPPEN TO YOU!



Punishments for committing fraud are in the table below.

Crime	Amount Received in Benefits	Punishment
Class A Felony	\$1,000 or more	Fined up to \$4000 and/or imprisonment for up to 15 years*
Class B Felony	\$500 - \$999.99	Fined up to \$4000 and/or imprisonment for up to seven years*
Class A Misdemeanor	Less than \$500	fined of up to \$2000 and/or imprisonment for up to one year*
*In addition, benefits fraudulently obtained must be repaid (including a 20% penalty) and benefit eligibility can be lost for up to one year from the date of conviction.		

MISREPRESENTATION - FRAUD

Fraud Prevention: To prevent fraud, NHES matches records with those of other state and federal agencies including the Social Security Administration. Cross-Match programs compare wage records compiled in New Hampshire as well as nationally. NHES also compares state and national new hire reports to Unemployment Insurance (UI) records to ensure that claimants who have returned to work full-time are no longer collecting benefits and claimants who are working part-time are reporting accurate earnings.

Penalties for fraud can include an overpayment of benefits that incurs interest until repaid, an additional 20% penalty, loss of benefits for up to 52 weeks, a lien on your property, garnishment of your wages, or prosecution resulting in a permanent criminal record. A fraud overpayment of \$1000 or more is a Class A felony which may result in up to seven (7) years in prison.

Protecting the integrity of the UI Trust Fund, which pays employees' benefits, is a responsibility NHES takes very seriously. Concerned citizens can report suspected incidents of unemployment insurance fraud on our web site at www.nhes.nh.gov or by calling 1-800-852-3400 Ext. 34016

What happens if I intentionally give wrong or incomplete information when I file my claim?

The Benefit Payment Control Unit of NHES is responsible for detecting and investigating claimant and employer fraud or misrepresentation. An investigation may commence as a result of an allegation of fraud or as a result of a computer cross match of benefits paid against wages reported in this or any other state. Misrepresentation on your claim can bring serious consequences. To willfully make false statements or to knowingly fail to disclose material facts to obtain or increase benefits paid to oneself or another individual can constitute fraud.

The most common reason for fraud is failure to tell the Department about working, either for a new employer, in self-employment or as a sub-contractor. You must report all work you do in any week for which you claim benefits even if you have not yet been paid for the work. **Many fraud decisions are a result of claimants not reporting hours and earnings for the week in which they go back to work.**



OVERPAYMENTS

Unemployment Compensation

If you have been found overpaid benefits and responsible for the overpayment, you need make repayment. If you do not repay promptly, the Department may take collection actions.

The Department can offset future benefits or federal tax refunds. Future employer(s) may be required to garnish your wages. The Department can also put a lien on property or bank accounts.

Interest will accrue monthly until all benefits are repaid.

If you need to set up a payment plan, please contact:

1-800-852-3400 extension 94391

or

603-229-4391

Make arrangements today.

Frequently Asked Questions:

Q. What happens if I do not make a payment plan?

A. If you do not set up a payment plan, the department can and will take other actions.

Q. What are the other actions the department can take?

A. We can offset your paid benefits, offset your Federal Income Tax Return, garnish your wages when you return to work, put liens on your property and/or put levies on your bank account(s).

Q. What is an offset of my paid benefits?

A. The department will take 100% of any benefits paid to you each week until the overpayment has been recovered, unless you arrange a payment plan.

Q. What is an offset of my Federal Income Tax Return?

A. When you file your yearly federal income tax return, the department will take the tax refund to pay back the overpayment. We will not take more than what is owed.

Q. Is it legal for you to take my Federal Income Tax Return?

A. Yes, this is an agreement we have with the Internal Revenue Service (IRS).

Q. What does “garnish your wages” mean?

A. When you work, your earnings are reported on quarterly tax and wage reports to this agency. We will get a court order for the employer you are working to take a portion of your paycheck and send it to the department until the overpayment has been repaid.

Q. What does “levies on your bank accounts” mean?

A. The department can contact your bank and require the bank to remove money from your account(s) and send to this department to apply to your overpayment.

Q. If I make a payment plan will any of these other actions take place?

A. No wage garnishment, lien or levy will be pursued, however, your federal income tax return can still be taken.

Q. What if I am overpaid but the decision says that I do not have to repay the monies or that the overpayment has been waived. Do I still have to make payments?

A. No. If you received a written decision from this department that you are not required to pay back the monies, also known as restitution is not required or waived, then you do not have to pay back that specific overpayment. The determination is to give you appeal rights only.



Claim Review

Ensuring Quality

Claims Are Periodically Reviewed

NH Employment Security is a Federally funded program and claims filed will go through randomly selected reviews. These reviews are to ensure that your claim is processed correctly and paid or denied properly by the department. This is part of due process and is for your benefit. The department that performs these reviews is known as the "Quality Control Unit". If selected, they will reach out to you with a paper questionnaire and a phone call.

Your cooperation is **mandatory** and contributes to the improvement of the Unemployment Compensation Program. Quality Control will contact your former employers and investigate all aspects of your claim, including your search for work. If you were not paid all the benefits you were entitled to for any week, you will receive that payment. If you were not entitled to the benefits you received, you will be found overpaid and may have to pay the money back.

Frequently Asked Questions:

Q. What do I do if I receive a questionnaire about my claim?

A. This questionnaire will have a deadline to respond to and you must answer the questions and mail it back. Response is mandatory.

Q. What do I do if I do not understand one of the questions?

A. The letter that you receive with the questionnaire has the name and telephone number of the investigator assigned to your case so that you can call them directly.

Q. Am I in trouble?

A. No, you have been randomly selected and we want to make sure that your claim was processed correctly.

Q. Do I have to respond to the questionnaire?

A. Yes, you must answer all of the questions and return the form.

Q. What happens if I do not respond?

A. You risk having current or future benefits denied for not participating.

Q. Will I be interviewed also?

A. Yes, you may be interviewed by phone, but that is primarily for clarification of the answers you already provided on the questionnaire.



Appeals

Disagreeing With a Decision

The majority of determinations and decisions issued by this department list appeal rights at the bottom of the letter. If you or your employer disagrees with the results of the determination or decision, an appeal can be filed. A deadline for filing the appeal is listed in the appeal rights.

There are multiple levels of the appeal process and you have appeal rights at every level.

1. Appeal Tribunal Hearing
2. Reopen request
3. Appellate Board
4. Reconsideration request
5. New Hampshire Supreme Court

The appeal must be in writing. It must list what you are appealing and why you disagree with the decision. If you file the appeal beyond the deadline, include the reason you are filing late.

Prepare for the appeal. Review the *Claimant's Guide to an Appeal Hearing* which is available on-line at <http://www.nhes.nh.gov/forms/documents/appealb1.pdf> or at any Local Office.

Continue to file weekly claims while your appeal is in process. If you win your appeal, you will only be paid for weeks that you filed on time and are eligible for.

Frequently Asked Questions:

Q. Do I have to go to the appeal?

A. It is important that you do. The decision issued by the Appeal Tribunal will be based on evidence and testimony provided at the hearing. If the person who filed the appeal does not come to the hearing, the Hearings Officer may dismiss the case. Once dismissed, the original decision becomes final.

Q. Are all appeals held in person?

A. No. Some appeals are scheduled by telephone. Video conferencing is available in some locations. If you are scheduled for an in-person hearing and are unable to travel to the location, contact the Appeals Unit to make other arrangements.

Q. What happens if I win my appeal? Will I get paid?

A. If you are found to be eligible for benefits as a result of an appeal hearing, you will receive benefits for each week you had filed timely and in which you met all the eligibility conditions. Please continue to file your weekly claims while your appeal is in process.

Q. If my employer wins, do I have to pay back what I have already been paid?

A. Maybe. It depends on why the decision was reversed. The overpayment may be waived if you accurately provided all necessary information when you filed your claim. If you withheld information when you filed your claim, you will be found overpaid.

Q. Do I need to get a lawyer?

A. That is a personal decision. You are not required to have a lawyer and the department would not pay for a lawyer. You can contact NH Legal Assistance or the NH Bar Association for assistance or a referral to legal services. The department has a Claims Representative that may be able to help you prepare for your appeal hearing. The Claims Representative is not a lawyer. Please see the next two (2) pages for more information about our Claims Representative.

Q. Can I bring evidence or a witness?

A. Yes. A witness should have first-hand knowledge of the situation. You, your employer and any witness must testify under oath and are subject to penalties for perjury.

Q. Can I ask questions during the appeal?

A. Yes. You may ask questions of anyone testifying when it is your turn to do so.

Q. How soon will I get an answer about my appeal?

A. A decision is usually issued within two (2) weeks of the hearing. Read the decision carefully, including further appeal rights.



Claims Representative

Claimant Assistance

In addition to local office staff, the Department employs a Claims Representative. This person helps claimants with unemployment claim problems. This person also answers questions and gives advice about making the best case for a re-determination or for an appeal hearing. Under special circumstances, the Claims Representative may accompany you in the appeal hearing.

The Claims Representative may also review Department determinations to make sure that benefits have been properly processed according to law and rule.

The Claims Representative is not a lawyer. For legal advice or representation, you should contact an attorney or NH Legal Assistance.

To speak to a Claims Representative, call:

1-800-685-6588

or

(603) 228-4017

Frequently Asked Questions:

Q. Can I meet with a Claims Representative in person before my appeal hearing?

A. Yes. Please call (603) 228-4017 to schedule an appointment.

Q. Can the Claims Representative come with me to an appeal?

A. The Claims Representative cannot attend every hearing. The decision to attend a hearing is made on a case by case basis. The complexity of the situation, the claimant's ability to effectively represent him or herself, and whether or not the employer has retained counsel will all be taken into consideration in such a decision.

Q. Can the Claims Representative help me get back pay from my former employer?

A. Please contact the NH Department of Labor for assistance with wage and hour claims. This Department can only assist you with your claim for Unemployment Compensation.



Local Offices

Employment Service

Local Offices

You are invited to visit any of our local offices across the State, which are an integral part of the *NH Works system*. Within each local office you will find a resource center with a wide range of free services, resources, and tools to help you with the entire job search process. You may use work stations to work on your resume or cover letter, research employers or careers and view videos. We also have assistive technology devices available.

What is located in the Resource Centers?

- Computers to be used in your job search
- Job Match System
- Internet access for use in connecting to employment related sites
- Copy machine and Fax
- Job search workshops
- Telephones available to call local employers.
- Television with DVD player
- Hearing Helper Assistive Listening Device and other assistive devices
- Staff to help with your job search and computer use

For more information on what we have to offer visit an office near you:

Berlin

151 Pleasant Street, 03570-2085
Telephone: 752-5500 Fax: 752-5536

Claremont

404 Washington Street
(P.O. Box 180) 03743-0180
Telephone: 543-3111 Fax: 543-3113

Concord

45 South Fruit Street, 03301-4857
Telephone: 228-4100 Fax: 229-4353

Conway

518 White Mountain Highway, 03818-4205
Telephone: 447-5924 Fax: 447-5985

Keene

149 Emerald Street Suite Y, 03431-3662
Telephone: 352-1904 Fax: 352-1906

Laconia

426 Union Avenue, 03246-2894
Telephone: 524-3960 Fax: 524-3963

Littleton

646 Union Street, Suite 100, 03561-5314
Telephone: 444-2971 Fax: 444-6245

Manchester

300 Hanover Street, 03104-4957
Telephone: 627-7841 Fax: 627-7982

Nashua

6 Townsend West, 03063-1217
Telephone: 882-5177 Fax: 880-5256

Portsmouth

2000 Lafayette Road, 03801-5673
Telephone: 436-3702 Fax: 436-3754

Salem

29 South Broadway, 03079-3026
Telephone: 893-9185 Fax: 893-9212

Somersworth

6 Marsh Brook Drive, 03878-1595
Telephone: 742-3600 Fax: 749-7515



Employment Service

Support and Assistance

How can I find out where to look for work? New Hampshire Employment Security has developed a number of resources to help in your search for work. In the following sections you will find information on these topics:

1. The Job Match System (JMS)
2. Veterans Support
3. Conducting an Effective Search for Work
4. Mandatory Meetings
5. Return to Work Program
6. Pathway to Work
7. Approved Training
8. Trade Adjustment Assistance

What should I do if I am referred to a job? You should make every effort to follow through on the referral as soon as possible; failure to do so could result in loss of benefits.

What if I refuse a job? Refusal of a **suitable** job will result in loss of benefits; however, a number of things must be considered in deciding whether a job is suitable, such as wages, distance to the job, experience or training, and length of unemployment, among others.

You must report any job offers when you file your continued claim; it is the Department's responsibility to decide whether the work is suitable.

nhworks Job Match System

Job Match System (JMS)

Employment Service

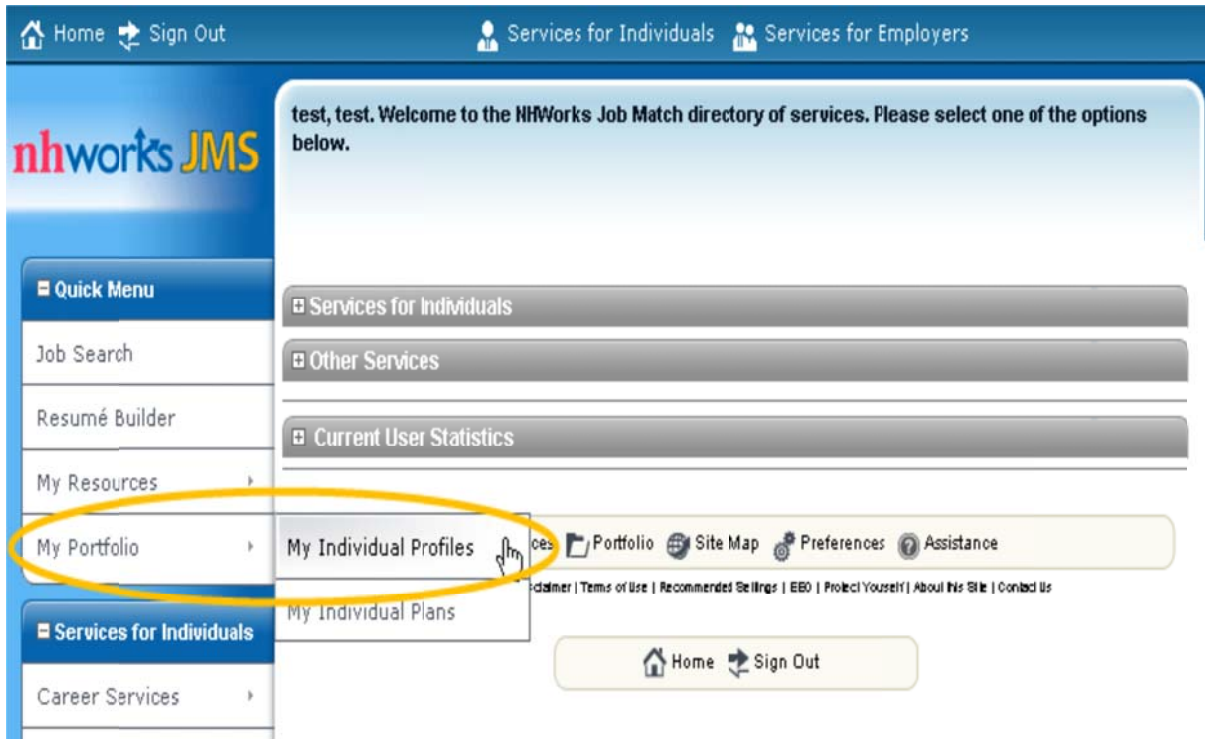
The Job Match System (JMS) allows job seekers to conduct a job search using Internet spider technology to view jobs posted by employers and match skills to positions posted on national job boards and private industry web sites. The JMS features a résumé and letter builder to generate a new résumé to be sent to employers. Job seekers can also explore the regional labor market for information such as the average weekly earnings for a position or the fastest growing occupations.

Our job match system is available on PC's located in our NH Works offices or you can find it on the web at <https://nhworksjobmatch.nhes.nh.gov>.

The best place to start in the NH Works JMS is in My Portfolio. You can update your registration by starting your Background Wizard, view searches you have previously made for jobs, and take your career and skills assessments.

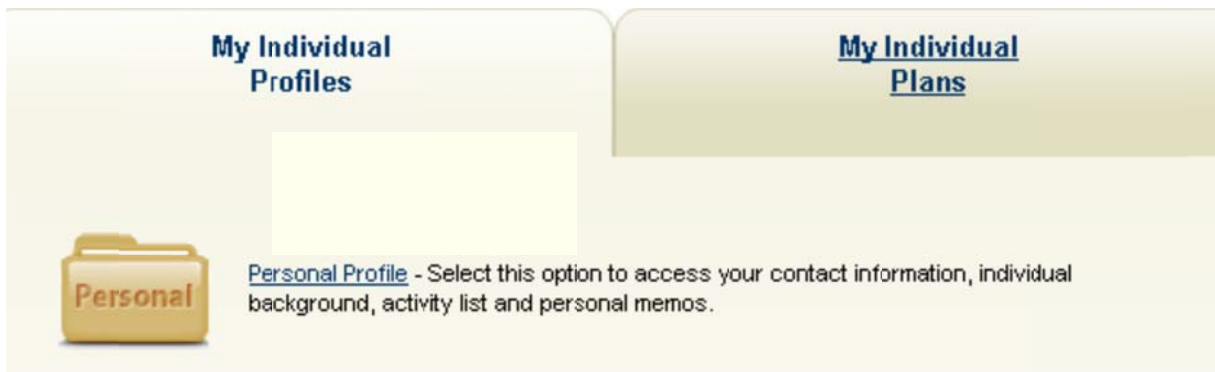
From the Welcome screen:

- **Select My Portfolio**
- **Then My Individual Profiles**



To access the Background Wizard:

- **Select Personal Profiles**



- Then select the **Background** tab



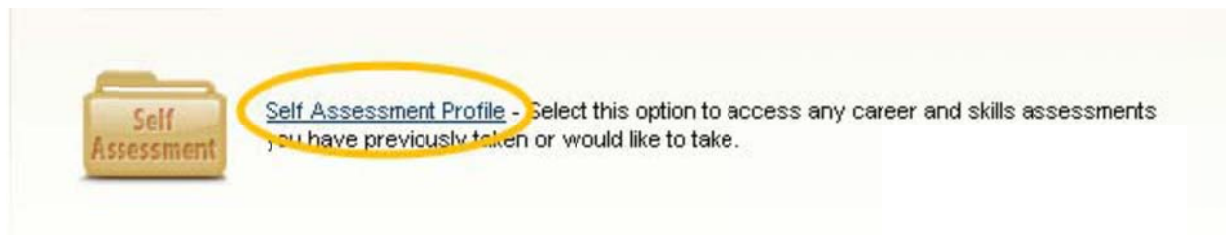
Then select Start the Background Wizard and follow the prompts and fill in the fields that apply to you. When you have completed your Background Wizard, review your resume:

- From the Quick Menu select Resume Builder. It defaults to your resumes.
- If you have an active resume it will show in the box, if not you need to Reactivate your resume or Create a New Resume.
- Edit or add a Virtual Recruiter to schedule a recurring search for jobs that match your requirements



To access Career and Skills assessments from the Welcome screen you will:

- Select My Portfolio
- My Individual Profiles
- Self-Assessment Profile



- From here you can edit your Job Skills, Personal Skills, Interests, and Work Values. When you are done you can click the Find Matching Occupations and Jobs button at the bottom of each screen.



Frequently Asked Questions:

Q: Why do I have to register with JMS?

A: One answer is because it is the law. The more important answer is because it may help you find work. By using JMS, you have access to thousands of job search opportunities, and employers have access to your resume.

Q: What if I don't live in New Hampshire?

A: You must register for work in the state in which you live and provide proof to this department that you have done so, if you are filing against and collecting benefits from New Hampshire.

NOTE: If you live in another state but within 25 miles of a NH Local Office, you are still required to register for work with JMS.



Veterans Assistance

Employment Service

All that NHES does, it does first and foremost for veterans. Veterans and eligible spouses receive access, on a priority of service basis, to the full range of public employment and training services, including job search assistance, workshops, resume assistance, labor market information, career guidance, job referral, and referral to other supportive and training resources. Veterans are given preference in each of our local offices in the referral to job orders. Staff assesses the needs of each veteran and makes it a priority to educate the veterans of New Hampshire, especially for those veterans returning from active duty, on services available through NHES.

Our Disabled Veterans' Outreach Program Specialists (DVOPs) serve those veterans who need intensive services in order to obtain or retain employment that supports their self-sufficiency by providing those services and referrals as appropriate. In addition, these specialists will network with other veterans' social and supportive service agencies to get assistance for their veteran customers.

Local Veterans' Employment Representative (LVER) staff conducts outreach to employers, employer associations and business groups to promote the advantages of hiring veterans and to assist veterans in gaining employment.

There are veterans who need referrals to other supportive services and NHES tries to facilitate and expedite these processes as much as possible. Representatives from the NH State Office of Veterans Services meet with veterans at NHES, providing veteran's access to their services locally and on a regular basis.

If you are a Veteran or eligible spouse, please identify yourself as such when inquiring about any NHES programs or services or upon visiting a NH Works office.



Conducting an Effective Search for Work

Employment Service

To be eligible to collect unemployment benefits, you must be making an effective search for work and documenting your work search efforts each week.

For an Effective Search for Work, it is recommended that you:

1. Look for work you are able to do.
2. Look for work you know is available during the time of year you are unemployed. Looking for landscaping or construction work during the dead of winter is not effective.
3. Use a variety of methods to look for work. Using only one method, such as only looking in the newspaper, is usually not effective or reasonable. Apply in person, mail or email a letter or your resume, use the internet to search for jobs, make calls to prospective employers, etc.
4. Contact new employers each week. While it is smart to follow up with previous job contacts you've made, relying only on follow-up with previous contacts is not effective.
5. Leave an application or resume with an employer if accepting them for future reference.
6. Bring along a complete work history to help you fill out the employer's application.
7. Network with your family, friends, former employers, etc. Any one of these people may know of an opening that fits you.

8. Do not rule out temporary jobs. Many times these jobs become permanent and are sometimes the best way to introduce you to a company. Depending on your circumstances, you may be required to look for temporary jobs in addition to or instead of permanent jobs.

9. Research the employer prior to the interview. Know what they do or make.

Frequent Asked Questions:

Q: Should I keep a record of where I go looking for work?

A: Yes. Report your work search contacts each week when you file your weekly continued and keep a record of them. When you are called into the office for mandatory Employment Service meetings, you will be asked to bring your records with you.

Q: Is there a special form I should use to keep track of my work search contacts?

A: You do not have to use a special form, but there is one available to assist you on our website, under Forms and Publications. The direct link is:

www.nhes.nh.gov/forms/documents/des456.pdf

Q: How many contacts do I need to make each week?

A: You need to do what a reasonable person would do to find work. While there is no specific number in New Hampshire law, your Local Office may assign you a number of contacts based on your experience, skills and the labor market area.

Q: What if I don't make the number of contacts I am told to make?

A: You will be asked why you did not look for work or make the number of contacts you were instructed to make. Payment for the week may be held and you may be denied benefits for not following the direction of this department. A primary eligibility requirement is that you be making an effective search for work.

Q: Do you verify my work search contacts?

A: Yes. Work search contacts are randomly verified. The employer is contacted. Falsifying work search contacts may result in you being found overpaid for benefits received and additional penalties.

Q: If I get a new job or my previous employer calls me back to work, do I have to keep looking for other work?

A: The only time that the work search requirement is waived is if you have an offer of NEW work and the start date is within two weeks. You must notify this department in order for a waiver to be granted. If you were temporarily laid off for more than 4 weeks and will be returning to work for the same employer, you must look for work every single week during the layoff period.



Mandatory Meetings

Employment Service

Workshops

During the time you are claiming unemployment benefits you may be required to attend one or all of the following mandatory workshops. Failure to attend a mandatory workshop that you have been scheduled for may result in delayed or denied benefits.

- **Benefit Rights Interview Workshops** are given to assist our customers with the Unemployment Compensation process. NH Employment Security conducts group orientations on individuals' rights and obligations under NH Unemployment Law, and a description of the services we provide. This one-hour session is **mandatory** for all customers who do not have a date to return to work within two weeks of becoming unemployed. You will be notified by letter of the date and time of this orientation, which usually occurs within three weeks of filing your unemployment claim. To prevent identity theft, a photo ID and/or social security card are checked at the orientation.

- **Reemployment Workshops:**

While you are unemployed and filing for unemployment compensation benefits, you will be required to attend reemployment workshops designed to assist you in your work search efforts. The series of workshops include:

- Job Search, Resumes, Job Application Do's and Don'ts
- Interviewing Workshop
- Re-Energizing Your Job Search

- **Re-employment Services And Eligibility Assessment (RESEA) Program:**

You may be selected for the Re-employment Services and Eligibility Assessment (RESEA) program. This program is a mandatory program designed to assist you in getting back into the world of work. If you are selected for the RESEA program, you will receive the orientation as part of the Job Search, Resumes, Job Application Do's and Don'ts re-employment workshop. After the workshop you will be scheduled for subsequent appointments every three weeks for a total of three appointments. During these short appointments we will:

- Review your completed weekly work search efforts.
- Discuss barriers to employment.
- Review job prospects and interviews.
- Review and update your goals and objectives of the Employment Plan.
- Generate job referrals and job development.

One-On-One Meetings

- **Eligibility Review Interview (ERI):**

During these interviews, your eligibility to continue receiving unemployment compensation will be reviewed. The work search records you have supplied when filing weekly claims will be reviewed. You are required to provide the Department with records of any other job search contacts or activities during the period under review. At this interview, you may also receive or be referred to various re-employment services designed to assist you in your search for work. Failure to attend these meetings or follow-up on referrals may result in disqualification from receiving benefits. This could result in being found overpaid for benefits previously paid to you.

Frequently Asked Questions:

Q: Why do I have to go to these workshops and meetings?

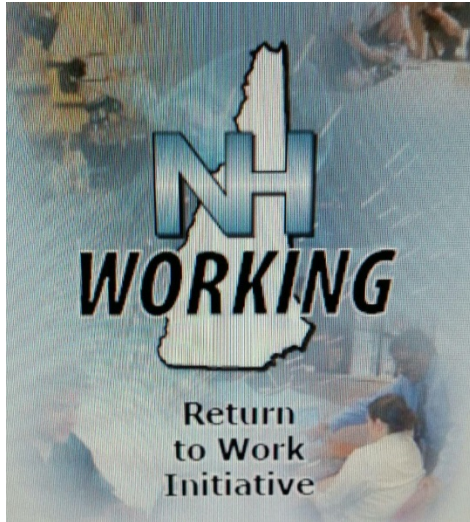
A: One answer is because it is State and Federal law. The more important answer is because these workshops and meetings provide you with valuable information and are intended to help you in your search for work.

Q: What if I don't go?

A: Under some circumstances, you will be rescheduled. You risk delay and denial of benefits if you do not go.

Q: Can I bring my children?

A: No. Just as you would not be able to bring your child to work, you cannot bring your child to a workshop or one-on-one meeting.



Return To Work Program

Employment Service

The Return To Work (RTW) Initiative allows eligible unemployed claimants to continue to receive their unemployment benefits while receiving up to 6 weeks (24 hours per week maximum) of training.

Frequent Asked Questions:

Q: Who is eligible?

A: All unemployed New Hampshire residents and individuals collecting New Hampshire unemployment compensation benefits.

NOTE: Claimants with a definite recall date within 6 weeks and those who do not register for employment services because they get their work through a union hiring hall are not eligible for this program.

Q: How much do I get paid for training?

A: The training is unpaid. Trainees must agree not to accept any wages or payment in kind for the training. If you are eligible for New Hampshire unemployment benefits, you may continue to collect those benefits while participating in the Return to Work program.

Q: Where do I find opportunities?

A: Trainees can find their own Return To Work training opportunities with employers or they can use the Job Match System to identify opportunities. Look for opportunities from employers in new industries and /or those that provide new opportunities to utilize your transferable skills.

Q: How do I get started?

A: First, the trainee finds an employer that has the experience or uses the skill that they would like to develop. Attend a mandatory orientation. Approach the employer with the Employer Brochure. Both the employer and trainee complete an application for NHES authorization. Once the training opportunity is authorized, begin your up to six week training.

Q: What skills can I obtain?

A: The possibilities are endless! Obtain a new skill or integrate your current skills into a new industry. Be creative, this is a new opportunity.

Q: Will I receive supervision?

A: Yes, part of the employer's agreement, and condition of NHES authorization, is that the employer will provide training and supervision.

Q: How do I collect my benefit?

A: Claimants can apply for UI compensation while in a pre-authorized training program. Claimants are subject to all the same eligibility requirements as those not participating in a training program. Claimants must remain eligible for unemployment compensation, continue to file for weekly benefits and continue an active job search. Work search logs shall be collected during the training period.

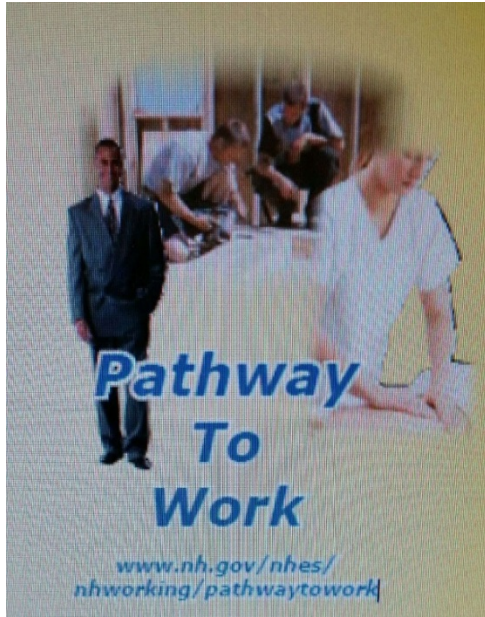
Q: Are trainees guaranteed a job at the end of training?

A: No, trainees are NOT guaranteed nor are they promised a potential job. The application for training includes an affidavit that the trainee must agree to acknowledge there is no guarantee or promise of a job from the training. However, the skills obtained or learned are transferable and can be beneficial in building a solid work history and resume.

Q: Why should I participate?

A: Return to Work is a win-win for both the employer and trainee. Trainees get a chance to develop new skills or learn how to use their existing skills in a new industry. Trainees get "a foot in the door" – the opportunity to show a potential employer their work ethic and fit with the workplace. Trainees who pursue these opportunities show a potential employer their skills and their interest in the employer's company and that they are motivated to secure gainful employment.

For more information contact your Local Office to sign up for an informational orientation.



Pathway To Work Initiative

Employment Service

The Pathway To Work (PTW) Initiative is a voluntary self-employment assistance program to help unemployed claimants start their own businesses. PTW allows eligible unemployed claimants to receive a self-employment assistance allowance while working full time to start a business in New Hampshire. The self-employment assistance allowance is equivalent to your unemployment compensation weekly benefit amount.

PTW provides financial support while you access the resources, information, and training you need to get their businesses off the ground.

Frequently Asked Questions:

Q: Who is eligible?

A: All New Hampshire residents who are:

- ✓ unemployed
- ✓ collecting NH unemployment compensation benefits
- ✓ identified as likely to exhaust regular unemployment benefits before finding new work
- ✓ willing to work full time to start a business in New Hampshire
- ✓ have at least 18 weeks of unemployment insurance benefits available.

Q: How do I get started?

A: Once you have a business idea:

- ✓ Contact the Local NH Works Office nearest you to schedule and attend a mandatory orientation.
- ✓ Attend a one-on-one meeting with an Employment Services Representative to determine the steps required to successfully start a business in New Hampshire.
- ✓ Complete an Application.

Q: What are the requirements of the program?

A: Individuals must have:

- ✓ filed an application for unemployment benefits and been found payable for benefits.
- ✓ filed an Application for the Pathway To Work Program and received a determination allowing benefits while participating in the program.
- ✓ filed a timely and complete weekly claim for benefits
- ✓ be working with an Employment Service Representative.
- ✓ be working full time at starting a business, including training and activities such as business counseling and technical assistance, which are identified in your Pathway To Work Plan.

Q: Do I have to keep looking for other work while building my business?

A: No. Individuals in an approved Pathway to Work program do not have to look for other work.

Q: What do I do about reporting the amount of money I earn from my self-employment?

A: The money you earn from your business does not impact or reduce your unemployment benefits while in the program.

Q: Can I work a part-time job at the same time as building my business? If yes, how do I report the money I earn from my part-time job?

A: Yes, you can work part-time as long as it doesn't interfere with the requirement to work full-time at your self-employment business and you **MUST** report all earnings from your part-time job. The part-time job earnings may reduce your unemployment benefit.

Q: What if I decide I don't want to continue with starting a business?

A: You must inform your Employment Service Representative immediately. This is a voluntary program and quitting the program will not impact your unemployment benefits. You will be required to immediately start looking for other work and meet all normal eligibility requirements.

For more information contact your Local Office to sign up for an informational orientation.



Approved Training

Employment Service

In order to collect benefits while in training or attending school, you must secure approval from New Hampshire Employment Security. **Please notify us when you file your initial claim or prior to beginning the training, whichever comes later.** You may be eligible to waive the eligibility requirement to look for work while collecting benefits. You must continue to meet the ability and availability eligibility requirements.

Frequently Asked Questions:

Q: What if I was already taking classes before I filed for unemployment?

A: There are questions on the initial claim about whether you are in school. Answer the questions and contact the Local Office Employment Service Representative to complete the additional paperwork necessary to request a work search waiver.

Q: I am interested in getting some training. Can you help me?

A: Contact the Local Office Employment Service Representative and request to meet with them. They can discuss your options and refer you to other resources that may be available. If you do pursue training or school and wish to continue to file for unemployment benefits, you must provide details to this department.

Q: What does it mean that I must continue to meet ability and availability requirements?

A: If your work search requirement is waived, you must be **able** to attend your scheduled training and **available** to attend your scheduled training. If you miss a class or scheduled training, you must report it to this department when you file your weekly claim.



Trade Adjustment Assistance

Employment Service

Trade Adjustment Assistance (TAA) is available to workers who lose their jobs or whose hours of work and wages are reduced as a result of increased imports.

TAA includes a variety of benefits and reemployment services to help unemployed workers prepare for and obtain suitable employment. Workers are potentially eligible for training, a job search allowance, a relocation allowance, and other reemployment services. Additionally, weekly trade readjustment allowances (TRA) may be payable to eligible workers following their exhaustion of unemployment benefits. Usually, TRA benefits will be paid only if an individual is enrolled in an approved training program.

Q: How would I become eligible for TAA?

A: A petition must be filed with the Office of Trade Adjustment Assistance to establish group eligibility to apply for TAA. Petitions may be filed by a group of three or more workers, their union, an authorized representative, a One-Stop partner or the Trade Act Coordinator. Proper forms may be obtained from the nearest One-Stop center at NH Employment Security.

EQUAL OPPORTUNITY IS THE LAW

It is against the law for New Hampshire Employment Security (NHES) to discriminate on the following basis: against any individual in the United States on the basis of race, color, religion, sex, national origin, age, disability, genetics, political affiliation or belief, and against any beneficiary of programs financially assisted under Title I of the Workforce Investment Act of 1998 (WIA) and its amendment Workforce Innovation and Opportunity Act of 2014 (WIOA), on the basis of the beneficiary's citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his or her participation in any WIOA Title I financially assisted program or activity. NHES must not discriminate in any of the following areas: deciding who will be admitted, or have access to any WIOA Title I financially assisted program or activity; providing opportunities in, or treating any person with regard to such a program or activity; or making employment decisions in the administration of, or in connection with, such a program or activity. NH law also prohibits discrimination on the basis of sexual orientation, creed, marital or familial status.

What to do if You Believe You Have Experienced Discrimination

If you think that you have been subjected to discrimination, you may file a complaint within 180 days from the date of the alleged violation with either the NH Employment Security Local Office Manager or the Assistant to the Commissioner, NHES, 45 South Fruit Street, PO Box 1140, Concord NH 03301, phone number 603-228-4073 or the Director, Civil Rights Center (CRC), U.S. Department of Labor, 200 Constitution Avenue NW, Room N-4123, Washington DC 20210. If you file your complaint with the Local Office Manager or the Assistant to the Commissioner (NHES) you must wait either until NHES issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center (see address above). If NHES does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you do not have to wait for NHES to issue that Notice before filing a complaint with CRC. However, you must file your CRC complaint within 30 days of the 90 day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient). If NHES does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your CRC complaint within 30 days of the

date on which you received the Notice of Final Action. For



Further Information see your NH Employment Security Local Office Manager.

PRIVACY NOTICE

The Privacy Act of 1974 requires that you be furnished this statement because you are being required to furnish your Social Security Account Number on the claim forms given to you. Your Social Security number is solicited under the authority of the Internal Revenue Code of 1954 (26 U.S.C. 85, 6011(a), 6050B and 6109(2)). Disclosure of your Social Security number for this purpose is mandatory and must be entered on the forms you submit to claim unemployment compensation. Your Social Security Number will be used to report your unemployment compensation to the Internal Revenue Service as income that is potentially taxable; it will also be used as a record index for processing your claim, for statistical purposes, and to verify your eligibility for unemployment compensation. Should you refuse to disclose your Social Security number, your claim for unemployment compensation benefits cannot be processed.

Public Law 98-369 amended Title XI of the Social Security Act and requires that income and eligibility information such as your wages and benefit amount must be available to the agencies which administer the following programs: Workforce Innovation and Opportunity Act programs (effective 8/ 7/ 98) Aid to Families with Dependent Children (AFDC), Medicaid under Title XIX, Food Stamps, and any program approved under a plan approved under Titles I, X, XIV, or XVI of the Social Security Act.

RSA 282-A:118 and 282-A:123 cite specific circumstances under which information may or may not be disclosed by New Hampshire law.

PARTIAL EARNINGS/QUALIFYING WAGES

Effective for all new claims filed on 7/1/07 and thereafter

Annual Earnings	Qual Wages			
	WBA	WBA+30%	WBA+20%	MBA
\$2,800	\$32	\$42	\$38	\$832
3,100	35	45	42	910
3,400	39	51	47	1,014
3,900	45	58	54	1,170
4,200	48	62	58	1,248
4,500	52	68	62	1,352
4,800	55	71	66	1,430
5,100	59	77	71	1,534
5,600	64	83	77	1,664
6,100	69	90	83	1,794
6,600	75	97	90	1,950
7,000	80	104	96	2,080
7,400	83	108	100	2,158
7,800	88	114	106	2,288
8,200	92	120	110	2,392
8,600	96	125	115	2,496
9,000	101	131	121	2,626
9,500	105	136	126	2,730
10,000	110	143	132	2,860
10,500	115	149	138	2,990
11,000	120	156	144	3,120
11,500	126	164	151	3,276
12,500	137	178	164	3,562
13,500	148	192	178	3,848
14,500	159	207	191	4,134
15,500	167	217	200	4,342
16,500	178	231	214	4,628
17,500	188	244	226	4,888
18,500	199	259	239	5,174
19,500	206	268	247	5,356
20,500	217	282	260	5,642
21,500	227	295	272	5,902
22,500	238	309	286	6,188
23,500	249	324	299	6,474
24,500	254	330	305	6,604
25,500	265	344	318	6,890
26,500	275	357	330	7,150
27,500	286	372	343	7,436
28,500	290	377	348	7,540
29,500	301	391	361	7,826
30,500	311	404	373	8,086
31,500	321	417	385	8,346
32,500	331	430	397	8,606
33,500	342	445	410	8,892
34,500	352	458	422	9,152
35,500	362	471	434	9,412
36,500	372	484	446	9,672
37,500	383	498	460	9,958
38,500	394	512	473	10,244
39,500	405	527	486	10,530
40,500	416	541	499	10,816
41,500	427	555	512	11,102

Annual Earnings: An individual must have annual earnings of at least \$1400 in each of two separate calendar quarters

NHES 0177
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