

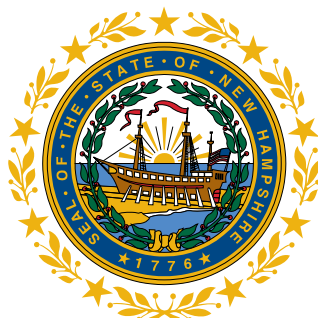
UNEMPLOYMENT COMPENSATION

YOUR RIGHTS AND OBLIGATIONS



To file your Unemployment Compensation claim go to:

www.nhes.nh.gov



This pamphlet contains general information only.

It does not have the force of law

In order to protect your rights and meet your obligations, you should read this entire booklet. Most claim problems can be avoided if you read this entire booklet!

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45 South Fruit Street
Concord NH 03301-4857

Phone: (603) 224-3311 Fax: (603) 228-4145 Web Site Address: www.nhes.nh.gov

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Manager: Arlene Murphy
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Somersworth NH 03878-1595
Phone: (603) 742-3600
Fax: (603) 749-7515

Colebrook:
118 Main Street, Suite 2A
Tel 237-5859 or Fax 237-5865
By appointment only

Franklin:
Franklin Public Library
310 Central Street
Franklin NH 03235
(603) 934-2911
By appointment only

Lebanon:
Lebanon Vocational
Rehabilitation Office
85 Mechanic Street, Suite D2-1
Lebanon, NH 03766
603-543-3111
Tuesday - by appointment only

Plymouth:
Whole Village Family Resource Center
258 Highland Street
Plymouth, NH 03264
Tel: 603-536-3720
By appointment only

Unemployment Claims Inquiry

(General information for employers and claimants)

Concord area: (603) 223-6110

All others: 1-800-266-2252

Fax: (603) 226-4324

Claims Line Hours for Customer Service:

Monday-Friday 8 a.m. - 4:30 p.m.

Benefit Adjudication Unit

Fax: (603) 226-4324

NHES Local Office Hours

Monday-Friday 8 a.m. - 4:30 p.m.

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What Should I Do If I Become Unemployed?

Each time you become unemployed or have your hours of work significantly reduced, file a new claim or reopen an existing claim via the Internet at our web site or visit the nearest NH Employment Security office to file your claim on a computer in our Resource Center. Open your claim during the week your hours are reduced or, if you became unemployed from full-time work on Thursday or Friday, open your claim on Sunday or Monday. If you live in another State and your last employment was in New Hampshire, you may file your claim over the Internet. If you do not have access to the internet or need language assistance, please visit your local Employment Security Office. The application is available online in Spanish. If you are unable to report to a local office, call 1-800-266-2252 during business hours (Monday – Friday, 8 am – 4:30 pm).

Have This Information Ready Before You File

- * Your Social Security Number
- * Address (mailing and home address)
- * Telephone Number
- * E-mail Address
- * Alien Registration Number (if you are not a U.S. citizen)
- * Amount of separation, holiday, sick, or retirement pay you received or will receive
- * Military Form DD-214, member 4 copy (if you were in the military in the past year)
- * Form SF-8 (if you worked for the Federal government in the past year)

In addition, for each employer you worked for in the past 18 months, have the following information available when you file:

- * Complete name and address of each employer (including zip code)
- * Payroll address if different
- * Employer's telephone number (including area code)
- * Beginning and ending dates of employment (day, month and year)
- * Reason for separation

How And When Do I File A Claim?

Filing a claim is a **TWO-STEP process**. You must complete **BOTH** steps to be potentially eligible for payment. Please see specific instructions on filing below.

STEP 1: File an Application for Benefits also known as Open a Claim:

The first claim you file after becoming unemployed is referred to as an Initial Claim and establishes your Benefit Year. If you skip or forget to file one or more weeks in your weekly claim filing sequence (see STEP 2), you must complete another application. If you have been employed during the break in consecutive weekly filing, you must report the new employment and this is known as an Additional Claim. If you have not been employed during the break in consecutive weekly filing, this is known as a Reopen Claim. You must file an initial, additional or reopen claim before any weekly claim, or request for payment, can be made. This claim is not a request that benefits be paid. You must file weekly continued claims (see STEP 2) to request payment for each week of partial or total unemployment benefits.

Your claim is effective the Sunday of the calendar week in which you complete the application and receive a confirmation number. Week (s) prior to the effective date of the claim can not usually be paid. To be timely to file for your first week of reduced hours or unemployment, you must file within 3 (three) business days of your last day worked. You must open your claim no later than the last calendar day of the week for which you wish to collect benefits. NOTE: If you received a large severance package, it may be in your best interest to wait to open your claim. Please review the information about receiving a large separation package on the next page.

The first time that you use the Benefit Payment System to file a claim, you will need to register. When you register you will be provided with a 6-character temporary PASSWORD to log on with. The first time you log on, you must use this 6-character temporary PASSWORD and will immediately be required to change it to one of your own choosing. Your chosen PASSWORD must be at least 6-characters long, can be a combination of letters, numbers or special characters and is case-sensitive. Your PASSWORD is for your private use. This PASSWORD is your legal signature and it is important that you do not communicate it to anyone. You will be held responsible for all activities which require your PASSWORD.

IMPORTANT NOTICE

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 and 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.

Protecting the integrity of the UI Trust Fund, which pays employees' benefits, is a responsibility NHES takes very seriously. The NHES toll-free number, 1-800-852-3400 EXT. 34016 is available for concerned citizens to report suspected incidents of unemployment insurance fraud and abuse.

Penalties for fraud can include an overpayment of benefits that includes a 20% penalty and incurs interest until repaid, 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.

If you receive or expect to receive a severance package, when should you open your claim?

If you receive separation pay such as severance for a period of more than 30 days after your last physical day of employment, you may want to review the information provided below and the Amount and Duration of Benefits information on our web site at www.nhes.nh.gov, File for Unemployment Benefits, to determine the best time to open your claim.

When you open your claim is your choice

While you do not have the option to choose whether the Primary or Alternate Base Period is used to establish your Weekly Benefit Amount (WBA), you do have the right and ability to choose when to open your claim.

Opening a claim will establish the Effective Date, Base Period, Weekly Benefit Amount (WBA) and Benefit Year. Once a WBA has been established, a week of benefits has been filed for, and the Monetary Determination mailed detailing that information, the claim is final. It can not be withdrawn at a later date because you have discovered that if you had waited until a different quarter to open your claim, you would have established a better WBA or Benefit Year.

By using the Primary Base Period table and the Benefit Amount Schedule provided on the Amount and Duration of Benefits link on our website, you can look at how your WBA may change depending on what quarter you open your claim. If you are receiving a separation package from your employer that includes many weeks or months of severance, vacation, holiday pay, sick and/or bonus pay, etc., you may want to look at any difference between opening immediately upon becoming unemployed or waiting until your separation pay is near or actually exhausted, especially if it would mean opening a claim in a different quarter of the year. You may want to consider waiting to open your claim so that the timing will allow you to collect a full 26 weeks of benefits in the Benefit Year you establish. Separation pay (including severance, vacation, holiday, sick, bonus, etc.), is disqualifying in New Hampshire. You can not be paid unemployment benefits for a week in which you received or expect to receive a week of separation pay.

STEP 2: Continued Claim:

To claim weekly benefits, file over the Internet on our web site www.nhes.nh.gov, click File for Unemployment Benefits box on right side of page. If you do not have access to the internet or need language assistance, please visit your local Employment Security Office. The application is available online in Spanish. If you are unable to report to a local office, call 1-800-266-2252 during business hours (Monday – Friday, 8 am – 4:30 pm)

This is the actual request for payment of benefits that is made each week. You must file your first continued claim between the first Sunday through Saturday period following the week you open your claim, and every week thereafter that you wish to file for benefits. You may file your Continued Claim any time of the day or night.

All Continued Claims will be for a one-week period only, and must be filed no later than the Saturday following the week being claimed.

When filing your continued claim, you must answer questions about your eligibility and supply all worksearch contacts made during the week you are filing for (“last week”). You will receive a confirmation number when the claim is complete. If you do not receive a confirmation number, your claim was not completed. Please visit a NH WORKS office during business hours if you do not receive a confirmation number.

Instructions On How To Log-In - FIRST TIME USERS:

NOTE: Use the **Tab** key on your keyboard to move from box to box, field to field on all pages presented. You may use your mouse to click in each box if you prefer. **DO NOT** click the **BACK** button on the Browser menu at the top of the screen. You may be disconnected from the application and will have to start over.

NOTE: If you use the **HELP** button anywhere in the application, click the “**X**” button to close the help text window and return to the application.

1. Go to our main website, www.nhes.nh.gov
2. Click the File for Unemployment Benefits link in the “How Do I” menu on the right side of the page, OR choose File for Benefits link from the dropdown menu under CLAIMANT at the top of the page.
3. Click the Create New Account (Register) link located in the Menu Options on the left side of the new page presented. You must register before you can actually file an application for benefits.
4. You will be brought to the Claimant Language Preference screen.
5. Choose to proceed in English or Spanish.
6. You will be brought to the Claimant Registration Screen - Step 1 of 2.
7. Enter your First Name, Last Name, and Date of Birth. Enter your SSN twice, click the Next button.
8. You will be brought to the Registration Complete page - Step 2 of 2.
9. Write down or copy your 6-character temporary password that is provided on this screen in bold text, then click the HOME PAGE link in purple.
10. You will be brought back to the initial NHES web page.
11. Click the Existing User Log-In link located in the Menu Options on the left side of the page.
12. You will be brought to the Claimant Language Preference screen.
13. Choose to proceed in English or Spanish.
14. You will be brought to the Claimant Login screen.
15. Enter your User Name (Social Security Number) twice and then enter your temporary password from Step 9. Then click the Login Button.
16. You will be brought to the Enter New Password screen. Create and enter your own PASSWORD. Enter it 2 times for confirmation. Then click the SUBMIT button.
17. You will be brought to the Security Questions screen.
18. Choose a Security Question from the dropdown list, then provide your Answer. There are 2 questions that you must supply an answer to. Remember these answers as, if you forget your password, they will be used to verify your identity.
19. Click the Submit button.

20. You will be brought to your personal NHES Unemployment Benefits – Main Menu. The Menu presents several options for you, including filing a new claim, filing weekly claims, restarting an existing claim which establishes an additional or reopen claim, retrieving correspondence sent to you by this Department, and viewing and updating your account information.

Instructions On How To Log-In - Returning Users:

1. Click the link near the top left of the page titled Existing User Log-In.
2. You will be brought to the Claimant Language Preference screen.
3. Choose to proceed in English or Spanish.
4. You will be brought to the Claimant Login screen.
5. Enter your User Name (Social Security Number) twice and then enter your PASSWORD. Click the Login Button.
6. You will be brought to your personal NHES Unemployment Benefits - Main Menu screen.

NOTE: *If you have forgotten your password or get locked out after three unsuccessful attempts to log on, press the FORGOT PASSWORD link at the bottom of the log in page. You will be asked the security questions you established when you first registered.*

Instructions To File A New Initial Claim For Unemployment Benefits

1. After you have registered and logged in, click the link “File a New Claim for Unemployment Benefits” from your NHES Unemployment Benefits - Main Menu screen.
2. Answer all questions provided on the multi-page application for benefits to file your new Unemployment claim. Please read and answer questions carefully.
3. An accurate and complete work history is very important. Please list all employment in the 18 months prior to the date of the application you are completing. If you have previously filed a claim and have worked since, you must report any new employment on an additional claim.
4. Please list all employment, whether in New Hampshire or in another State or Canada, as well as any self-employment or sub-contractor work.

NOTE: *If you miss any required information while filing your application, a red warning message will be given when you click to proceed. Enter the missing information and click NEXT to proceed.*

Instructions For Filing Your Continued Claim On The Internet

1. From your NHES Unemployment Benefits - Main Menu screen, click the link that displays the week ending date of the week that is due to be filed (format **mm/dd/yyyy** - where m = month, d = day, y = year)
2. Answer all questions provided on the continued claim to file for payment for the week. Please read and answer questions carefully.
3. Enter all work search contacts made during the week for which you are requesting payment.

NOTE: *If you miss any required information while filing your application, a red warning message will be given when you click to proceed. Enter the missing information and click NEXT to proceed.*

If you encounter problems using the Internet, you may file your weekly payment request (continued claim) by phone at 1-800-266-2252.

When Will I Get My Check?

After your initial claim is completed, it is immediately transmitted to the Benefit Adjudication Unit for processing. Your monetary eligibility is determined and a Determination of Unemployment Compensation mailed that details your potential WBA (weekly benefit amount). This document is not a guarantee of payment. If there are questions on non-monetary eligibility conditions, you may be contacted for additional information. Depending on the number of questions about your claim, if any, you can expect to be contacted and/or receive a Determination of Eligibility within 30 days. If you are unemployed for any reason other than lack of work, more time may be needed to process your claim. If you are found eligible, checks will be issued for any timely weeks filed at the same time the final non-monetary eligibility determinations are made. Remember to file for weekly benefits (also known as continued claims) according to the instructions provided. You will only receive payment for continued claims that are filed timely.

First Payable Week Is Waiting Week

The first week determined to be payable for any initial unemployment claim will not be paid and will be served as a “waiting week” per new Legislation. You must still file timely for the week and all weeks for which you wish to receive benefits after opening your initial claim. 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 does not apply to special program claims such as Emergency Unemployment Compensation, Trade Act., Disaster Unemployment or Extended Benefits.

What do I do if I am unable to file by Internet due to technical difficulties with the Department’s Web page?

If you are unable to file your weekly Continued Claim due to technical difficulties with the Department’s web page, please try again on another day within the same week. Problems are usually resolved by the next day. Remember, you have 7 calendar days to file the claim, the Sunday through Saturday period immediately following the end of the week you are filing for.

What do I do if I “skip” filing a week or my claim has shut down due to high earnings for a week and I want to file for the next week?

If, for any reason, you do not wish to claim benefits for a week, but wish to claim benefits for a subsequent week, you must reopen or “restart” your claim over the Internet or in the nearest NH Employment Security Local Office during the week you again wish to file for benefits. If you have filed a Continued Claim for benefits for a week and reported gross earnings on that claim that exceed 130% of your weekly benefit amount, your claim may shut down because there are no benefits payable to you for that week. This is considered a high earnings week, also known as DOBA (deductions over benefit amount). In order to claim subsequent weeks, you must first reopen or “restart” your claim over the Internet or in the nearest NH Employment Security Office. To reopen or restart your claim, click that option on your Main Menu screen. You must do this before you file another Continued Claim.

If You Forget Or Need To Change Your Password

If you forget your password, click the FORGOT PASSWORD link on the log in page. You will be required to answer the security questions you established when you first registered and be provided with a new temporary password to log on with. If you have forgotten the answers to your security questions, live in New Hampshire or in a border state within 25 miles of a NH Employment Security NH WORKS office, you must report to that office with identification for assistance. If you reside in another state and do not live within 25 mile of NH office, please call 1-800-266-2252. You will be asked a series of questions to confirm your identity before being provided a temporary password.

What Is Unemployment Compensation (UC) Also Known As Unemployment Insurance (UI)?

It is a weekly benefit paid to a person who:

1. Has been working in covered employment,
2. Becomes unemployed through no fault of his or her own,
3. Meets eligibility requirements, and
4. Files timely and proper claims.

Your employer pays taxes to provide this benefit. No monies are paid by the employee or deducted from an employee's paycheck.

What is "Covered Employment"?

It is work done for employers who are subject to the New Hampshire Unemployment Compensation Law or the Unemployment Compensation Law of other States or the Federal government. These employers pay into a fund established to pay UC benefits or, in some cases, repay the fund for benefits paid to their former employees.

Are all employers covered?

No, but most New Hampshire businesses are covered including state and local government agencies as well as many non-profit organizations. Coverage is determined by the Department and is not determined by whether your employer reported your earnings. Real estate or insurance salesmen paid solely by commission and elected officials are examples of employment which is not covered. Federal civilian and military employees are covered under federal unemployment compensation programs administered by NHES.

Benefit Amounts

In New Hampshire, your Weekly Benefit Amount (WBA) is based on wages you earned in covered employment during the first four of the last five completed calendar quarters preceding the week in which you initiate your claim. The twelve month period of time used to calculate your Weekly Benefit Amount is known as a "Base Period". If you cannot establish a WBA using the first four of the last five completed calendar quarters, the Department can use the last four completed calendar quarters as an alternative.

To establish a benefit rate, you must have minimum earnings in the Base Period of at least \$2,800 and you must have at least two calendar quarters with earnings of \$1,400. See the chart on the back cover for the specific weekly amount you qualify for based on your annual earnings in the Base Period. Once a claim for unemployment is initiated, the Benefit Amount associated with it is effective for a twelve month period of time, known as a "Benefit Year". An individual who has received unemployment benefits during a Benefit Year is required to have earned \$700 of wages in covered employment since the beginning of such Benefit Year in order to qualify for benefits in the next Benefit Year. If you have not worked and earned at least \$700 since you opened your last claim, you will not qualify for a new year claim, even if you have met the \$2800 and \$1400 monetary eligibility requirements.

What is my Weekly Benefit Amount? (WBA)

That is the most you may receive for each week of total unemployment. It is based on your total base period earnings (See "Benefit Amounts" for how your WBA is calculated).

What is my Potential Maximum Benefit Amount? (MBA)

That is the potential amount of benefits available to you throughout the Benefit Year. It is usually twenty-six times your maximum Weekly Benefit Amount.

What if some or all of my employment was performed in other states?

Your wages from employment in other states may be combined to establish or increase your Benefit Amount in New Hampshire, or you may have a claim against the other state. You may file your claim in any state

you have worked in during the primary or alternate base period (usually the last 18 months). The state in which you first file your application for benefits will contact the other states you provide employment history for. Once those states have responded, you will be provided with the options you have in each state for potential benefits so that you can make an informed choice.

What if my claim is against another state?

If you live in New Hampshire and choose to file against a different state, your right to benefits will be determined under the law of that state and you must follow the filing instructions you will receive from them.

Can wages earned in military service or federal employment or monies received from Worker's Compensation be used in computing my entitlement?

Yes, but special steps may be necessary as certain restrictions may apply to their use. If you were in the military during the Base Period, you may be asked to provide your DD-214 (Member 4 copy). If you worked in federal civilian employment, you will speed your claim if you provide your SF-8, SF-50, and proof of earnings for the base period such as W-2 form or check stubs. If you received Worker's Compensation, a copy of your Award Letter from the Department of Labor may speed up your claim.

Eligibility Requirements

What is meant by "Eligibility"?

In order to be eligible for unemployment compensation, you must meet the following requirements in each week:

1. You must be totally or partially unemployed. You are totally unemployed for any week in which you did not perform any work and for which you have no wages payable to you. Self-Employment is work and must be reported when you file claims. Work for spouses and/or children, whether compensated or not, must also be reported.
2. You must register for work to be eligible for benefits, unless you have been specifically exempted. The initial registration is automatically created when you file an application for benefits. You are responsible for ensuring that the information in the Job Match System (JMS) is correct and accessing the system regularly as part of your work search activity.
3. The majority of claimants must be available for full-time work on all shifts and during all the hours when the work he/she is qualified to do is normally performed. The law does allow availability for part-time work in specific circumstances when there is a recent history of part-time employment, and/or restrictions to specific shifts due to child care needs or the care of an ill, infirm or physically or mentally disabled family member. **
4. You must be physically and mentally able to work.
5. You must actively look for work, keep a list of employers you contact about a job and the activities you perform as part of looking for work, such as websites visited or networking groups you participate in. Each week, you must try to find work on your own by contacting employers who are likely to have work in your usual occupation. If you cannot find work in your regular occupation, you are expected to look for work in other occupations for which you are qualified.
6. You must file timely claims for benefits.
7. You must participate in Re-employment Services if selected by NH Employment Security.
8. You must disclose whether or not you are required to make child support payments, or whether you owe an uncollected over-issuance of food stamp coupons.
9. You must report any refusal of work or referral to work.

*** RSA 282-A:31, I(d) provides that if availability is limited to part-time work, the claim for benefits must be based on wages earned in part-time work. Administrative Rule 501.15(b) establishes that "based on wages earned in part-time work" means during the individual's base period, some portion of the individual's annual earnings were for employment of less than 37.5 hours per week.*

*** RSA 282-A:32, I(d)(2)(D) and (E) provides consideration for being unable to apply for or accept full-time or part-time work during a specific shift when the individual is the only adult available to care for a natural, adopted, step or foster child under the age of 16, or an ill, infirm or physically or mentally disabled family member.*

In addition to the laws mentioned above, per RSA 282-1:32, I(d)(2)(F), if an individual is permanently physically and/or mentally disabled, full-time or part-time work for such individual shall be the hours and shifts the individual is physically able to work as certified by a licensed physician and there must be a market for the services offered during those hours/shifts.

What is a “Week”?

For Unemployment Compensation purposes a “week” is always the 7 calendar days beginning at 12:01 AM Sunday and ending on midnight the following Saturday.

What is “full-time” work?

“Full-time” work is generally considered to be 35 to 40 hours per week, however, in some industries the number of hours for particular services may be different based on schedule or custom.

For individuals with a permanent physical or mental disability, “full-time” is considered to be those hours and shifts that a physician has certified the individual as able to work provided there is a market for the services the individual offers during these hours and shifts.

What is “part-time” work?

“Part-time” work is considered to be fewer than 37.5 hours or fewer hours than what the employer deems to be full-time work.

How will I know if I qualify for benefits and the amount?

You will be mailed a Determination of Unemployment Compensation about your monetary eligibility and, if there are any questions about your claim, one or more Determination of Eligibility documents about your non-monetary eligibility. **Please read both sides of all documents.**

The **Determination of Unemployment Compensation** will contain the following information about your monetary eligibility:

1. The Benefit Year ending date,
2. A list of employers for whom you worked in the base period,
Shown below are standard abbreviations you may see on your determination.
MRE: Most Recent Employer BPE: Base Period Employer
LEU: Last Employing Unit CHG: Chargeable Employer
3. The wages you earned from each employer in each quarter and your total quarterly base period earnings,
4. Your Weekly Benefit Amount, the potential Maximum Benefits available to you and for what duration they are available.

This monetary determination is not a guarantee of payment. It is to advise you and your employer that a claim for benefits has been filed and, if eligible, what the weekly benefit rate will be and upon which wages that rate is based.

The **Determination of Eligibility** will contain information as to whether you have been allowed or denied benefits based on an eligibility issue that was raised. The determination will also include impacted dates if you have been denied for any reason. You may receive a separate decision for each issue. All issues must be allowed to be eligible to collect benefits. If you disagree with any determination you receive, you may file an Appeal. (See section on Appeals)

Disqualifications

What are the reasons which I would not be paid benefits?

1. You will not be paid benefits for any week for which you do not meet all of the eligibility requirements explained in the section titled, **ELIGIBILITY REQUIREMENTS**.

2. You will not be paid benefits for any week for which you are disqualified.

You will be disqualified if:

- a. You **left work voluntarily** without good cause attributable to your employer. This means that it was your decision to leave your job. This may also include situations where you were a no call/no show for work when expected.
- b. You **stopped self-employment** or closed your business.
- c. You are **self-employed**. This means operating a business as an officer, director, stockholder, partner or proprietor with the intent to gain profit or other benefit. It excludes temporary self-employment which was entered into without the intent to establish a business.
- d. You were **discharged for misconduct** connected with your work. Misconduct is a deliberate or controllable action which adversely affects your employer. It includes but is not limited to breaking company rules, willful failure to perform the duties of your job, or excessive tardiness or absenteeism.
- e. You **fail without good cause to accept suitable work when offered**, refuse a referral to suitable work, or you fail without good cause to apply for suitable work or to return to your customary self-employment when directed to do so by this Department. Generally, whether work is suitable is determined by your physical capabilities, training and experience, previous wages and working conditions, distance of the job from your home, and the length of your unemployment.
- f. You are **not available for work** outside your home for any reason.
- g. **You are seeking to receive or have received payments in the form of unemployment compensation under an unemployment compensation law of another state or of the federal government.**
- h. You are unemployed due to **disciplinary layoff or suspension**, provided the disciplinary layoff or suspension is for a reasonable term and is based upon good cause as determined by this Department.
- i. You are unemployed due to a **stoppage of work** which exists because of a labor dispute (strike), unless the stoppage is the result of a lockout or you are not participating in, financing, or directly interested in the dispute.
- j. You were **discharged for intoxication** or the use of a **controlled drug**, of such degree and rate of occurrence as to seriously hamper or interfere with your work or the work or safety of others.
- k. **You were discharged for theft, arson, sabotage, felony, assault which causes bodily injury or criminal threatening that is connected with your work.**
- l. You **failed to file on the date and time** or in the manner you were directed to file.

Reduction Of Benefits

For how long will I lose my benefits if I am disqualified?

The time for which you will not receive benefits depends upon the reason. For example, untimely filing of claims usually results in loss of benefits for week(s) that were not claimed in a timely manner; voluntarily leaving work without good cause attributable to your employer requires you to return to work for five weeks, earn 20 percent more than your Weekly Benefit Amount, and again become unemployed through no fault of your own. The written Determination of Eligibility you receive will tell you either how long the loss of benefits lasts and/or what you must do to again become eligible.

Will my maximum benefit amount be changed or reduced?

There are several reasons which will cause your checks to be changed or reduced.

1. **Base Period earnings.** If the amount of earnings shown on your original Determination is found to be incorrect, your Weekly Benefit Amount may be changed. The amount of change will depend upon the final total of Base Period earnings. If the wages shown on your Determination are not accurate, you must tell the Department immediately or you may be over or underpaid.
2. **Earnings from educational institutions.** If you are claiming benefits during a school vacation or between school terms, your Weekly Benefit Amount may be reduced by that amount of your benefits that is based on earnings from any educational institution, if you will be returning to educational employment after the school vacation or term break.

3. **Benefit offset.** If you owe the Department for a benefit overpayment, your Weekly Benefit Amount may be reduced in order to recover the overpayment amount. The amount of reduction may be up to 100 percent of your Weekly Benefit Amount or the balance of the overpayment still due. If you disagree with the amount of the overpayment or the percentage being withheld, contact the Benefit Payment Control Unit of NHES at 45 South Fruit Street, Concord NH 03301, telephone number (603) 228-4015.
4. **Overpayments.** An overpayment occurs when you are paid benefits to which you are not entitled. For example, if an overpayment results from your failure to report wages or other reportable income due you for a period for which you claim benefits, you will be liable for repayment of such amount. If such failure is willful, you will be subject to additional penalties under the law. **Always report all work and all wages and other income when filing your claim.** You may also be overpaid as a result of the appeal process. If a decision which found you eligible for benefits is later reversed by the appeal tribunal, appellate board or the Supreme Court, any benefits previously paid will become overpaid and restitution may be required. Once final disposition of your claim has been made, you may, at that point, be liable for monthly interest charges on any unpaid amounts. Anytime your benefits are to be reduced, except for earned wages, anytime you are disqualified, and anytime you are found to be overpaid, you will receive a written appealable Determination.
5. **Child support.** If you owe child support, your Weekly Benefit Amount may be reduced to pay that support when the Department is directed by the court or an authorized agency to withhold a portion of your benefits. The amount of reduction will be determined by the court or voluntary agreement. The Department is required to withhold at least 20 percent of your Weekly Benefit Amount if you are delinquent in your payment of child support.
6. **Retirement income.** Certain kinds of retirement income or pensions may reduce your Weekly Benefit Amount. In general, pensions to which you did not contribute 50 percent or more and which were contributed to by your Base Period (or latest) employer, will reduce your Weekly Benefit Amount dollar for dollar. You must report any type of retirement pay or pension to the Benefits Adjudication Unit so that a correct decision can be made. Although Social Security benefits are not deductible from your Weekly Benefit Amount, you are required to report if due to the receipt of these benefits you are restricting your availability or ability for work.
7. **Federal Income Tax.** You may voluntarily elect to have 10 percent of your gross benefits deducted and withheld for Federal Income Tax purposes. You may change your election, in writing, at any time. An "Election Form for Withholding of Federal Income Tax" (Form 453) is available on our Web Site under "Forms & Publications" for Claimants. In late January, you will be mailed a statement on Form 1099-G of all Unemployment Compensation benefits paid to you, and all amounts deducted and withheld for Federal Income Tax purposes during the previous calendar year. The Internal Revenue Service (IRS) will be given the same information. The IRS will furnish complete information on how to report and compute the tax. We recommend contacting the IRS for information regarding the treatment of repayments for tax purposes at http://www.irs.gov/publications/p17/ch12.html#en_US_2010_publink1000172031. If you need to report a change of address to receive the 1099-G Form, please use the Update Personal Information link on your Main Menu or send your change request in writing to:

**NH Employment Security,
Attn: UCB
45 South Fruit Street
Concord, NH 03301-4857**

8. **Partial Unemployment.** If you receive or will receive wages for hours worked in any week that you file for benefits, your Weekly Benefit Amount will be reduced, possibly to zero, by a part of those wages for each week to which the wages apply. **You may be eligible for partial payment of benefits if the gross wages payable to you for the week, computed to the nearest dollar, are less than your Weekly Benefit Amount plus 30 percent.** In calculating the amount of partial unemployment benefits due you for a week: Add 30% to your Weekly Benefit Amount; subtract the **gross** amount of the wages you earned from that figure. If the result is less than your Weekly Benefit Amount, that is the amount

of benefits due you. Example: Your benefit rate is \$100. $\$100 + 30\% = \130 . You earned \$87.63 **before deductions**. $\$130 - 88 = \42 which is the amount of benefits due you. You must file your claim for partial benefits on the same schedule as you would for total benefits. If you are filing your Continued Claim over the Internet, you may enter your gross wages and number of hours worked for the week when you answer "yes" to working. When you file your Continued Claim over the phone, you can enter the same information using the keypad on your telephone. You are also expected to report any holiday pay you receive for the week you are claiming in a similar manner. You must provide the gross amount of the holiday pay and the number of hours the holiday pay was for when you file your weekly claim.

If you provide inaccurate information, you may be found overpaid and would be required to make restitution to this department. If you willingly and knowingly omit information or provide false information, you will be found guilty of fraud. Penalties for fraud can include an overpayment of benefits that includes a 20% penalty and incurs interest until repaid, 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.

If you earned more than 130% of your weekly benefit amount, you will not be entitled to partial benefits for that week. This is called DOBA (deductions over benefit amount). If/when you report earnings on your weekly claim that result in DOBA, your claim will shut down. If your claim shuts down or if you choose to skip filing for a week, you must restart your claim during the week in which you again expect to earn less than 130% of your weekly benefit amount.

In deciding the amount of benefits you will receive, the Department includes the following "unearned income" as "wages".

- A. Vacation pay
- B. Sickness or separation pay
- C. Payment of accrued leave
- D. Payment upon discharge from military service
- E. Payment under a profit-sharing plan, i.e. 401K if you didn't contribute more than 50%
- F. Bonuses
- G. Earnings in self-employment
- H. Worker's Compensation
- I. Any kind of payments, including salary, commissions, and bonuses for work performed during the week
- J. Back Pay awards
- K. Payment in kind, i.e. room and board, goods for services, etc.
- L. Some kinds of "unearned wages" - vacation or separation pay, for example - will be applied to more than one week, if the amount due you is more than your usual weekly earnings.

How will I know about a reduction in my Weekly Benefit Amount?

If your weekly payment is to be reduced or withheld, you will be notified in writing except when the reduction is for earnings for less than full-time work. In the case of benefit offset you will already have received a Determination stating you must repay benefits. In other cases the notice will be a Determination of Eligibility stating the week or weeks affected and giving the reason for the reduction. If the reduction is due to earnings or holiday pay, you will not receive a Determination stating the amount of the reduction.

Appeals

What if I do not agree with the Determination that I receive?

You may appeal a Determination of Eligibility if you disagree with it. You must appeal within 14 calendar days from the date the Determination was mailed to you. Your Determination will show the date of mailing and the final timely day for receipt of your appeal by this Department. If your appeal cannot be filed within the fourteen days, you must explain the cause of the delay. The time can be extended by the Commissioner only for good cause.

- a. **You may file an appeal by email** by sending an email to the Appeals Unit of NH Employment Security at appeals@nhes.nh.gov explaining that you wish to appeal and why. You must include the Determination ID# in the email.
- b. **You may file an appeal by mail** by sending the previously described form or a letter to the Appeals Unit of NH Employment Security explaining that you wish to appeal and why. Send a copy of the document(s) you wish to appeal with your letter (**If mailed, your appeal must be postmarked within the 14-day time limit to be timely.**) The letter should be sent to:

**NH Employment Security,
Attn: Appeals Unit,
PO Box 2009
Concord, NH 03302-2009**

- c. **You may file an appeal in person** at any New Hampshire Employment Security local office where an appeal form will be provided to you. Bring the document(s) you are appealing with you to the office if you need assistance. Once the form is completed, the staff can forward to the Appeals Unit; or

Note: *An appeal will not be accepted over the phone.*

Can my employer appeal the Determination?

Yes. Your employer will receive a copy of every Determination on your claim and has the same appeal rights that you have.

What happens after I file my appeal?

You will receive a Confirmation Notice that your appeal has been received. The date, time and method of a scheduled hearing may be included on the confirmation notice, or may be mailed separately as a Notice of Hearing. It is very important that you read all appeal notices carefully. If an in-person hearing, the location will be on the notice and will likely be at the Employment Security NH WORKS office assigned to your claim. The Department may choose to use video conferencing during an in-person hearing. If by phone, the notice will include a Claimant and Employer Telephone Number(s) for Appeal Tribunal Hearing form that must be completed and returned immediately.

If for any reason you cannot attend or participate on the call for the date and time scheduled, you may request a postponement according to the instruction on the notice. The Department receives the right to grant or deny the postponement after evaluating the reason for the request.

If you decide to obtain an attorney for your hearing, you must do so immediately so as to enable a speedy hearing. Your attorney must file an Appearance letter with the Appeal Tribunal and the other interested parties to notify them of the attorney's involvement in the hearing. Your attorney will be contacted by the appeal tribunal in order to schedule the hearing. You may be able to find low cost or free legal assistance by contacting the NH Legal Assistance (1-800-562-3174) or the pro bono referral office of the NH Bar Association. Check your local telephone book for numbers in your area.

What happens at an appeal hearing?

The Appeal Tribunal will usually be a single person called the Chairman but may be a chairman and two members. Your former employer will receive a notice of the hearing and may attend or send a representative.

The Appeal Tribunal will review the facts leading to the Determination of Eligibility and will ask for further facts. You and your former employer will also be given an opportunity to ask questions or to make statements. **This hearing will be your only opportunity to present facts (evidence) to support your claim.** The Tribunal is not limited to considering just the issues being appealed; any issue relevant to the claim will be considered.

The Tribunal must determine all issues necessary to finally dispose of the case. After the hearing, the Tribunal will make a Determination and send you a written decision.

What if I disagree with the decision of the Appeal Tribunal?

You may request that your appeal be reopened. The request must be in writing to the Commissioner, NH Department of Employment Security, C/O Appeal Tribunal, PO Box 2009 Concord, NH 03302-2009, and it must be **received in hand or, if mailed, postmarked within 14 days of the date that the Appeal Tribunal decision was mailed.**

Your request must state the reason(s) that your appeal should be reopened. The only reasons the Commissioner can accept are fraud, a mistake of fact or law, or the existence of evidence that could not have been reasonably available at the time of the hearing. You will be notified by mail of the Commissioner's decision. If a reopening is granted, you will be scheduled for a new hearing.

What if the Commissioner says no?

You may appeal to the Appellate Board. The appeal must be in writing and must be received by the Board, or if mailed, **postmarked, within 14 days of the mailing of the Commissioner's decision.** Mail the appeal to:

**NH Employment Security
Attn: Appellate Board
45 South Fruit Street
Concord, NH 03301-4857**

Should I continue to file claims while my Determination is under appeal?

Yes, it is important that you continue to file for any week of unemployment for which you wish to claim benefits while your appeal is pending. Should any level of appeal rule in your favor, you will only be paid benefits for the weeks for which you properly filed your claim in a timely manner.

Claim Representative

The Claim Representative is a Department employee whose job it is to help unemployed persons resolve problems with their claims for unemployment benefits. This person can give advice and answer questions as well as assist you in preparing for an appeal hearing. Under special circumstances, the Claims Representative may accompany you in the appeal hearing. The Claim Representative also reviews Department Determinations to ensure that benefits have not been unnecessarily withheld. The Claim Representative is not a lawyer; for legal advice or representation you should contact an attorney. To make appointments to speak to the Claim Representative call 1-800-685-6588, or (603) 229-4438, or (603) 228-4017 as soon as an appeal is filed.

Looking For Work

How can I find out where to look for work?

Please use our Resource Centers located in each of our NH Employment Security Offices for self-directed work search activities. Newspapers, publications, books, and videos are available for you. Books in our library cover topics from resumes/cover letters, networking, the Internet and career research. We also have assistive technology devices available.

Use one of the many workstations to work on your resume or cover letters and print them out. Computers have word processing packages and special templates and programs designed especially for your ease in resume/cover letter preparation. You may research employers or careers through a software program called O*NET, Ability Profiler, and Interest Profiler. Telephones are available in most Resource Centers for local employer calls. In most offices, additional services include use of a copy machine, and the use of a Fax machine for sending your resume and cover letter to employers. In addition, you may want to sign up for a free Job Search Workshop or take advantage of other scheduled workshops in most offices on veterans issues and assistance, credit and financial counseling, tax assistance, nutrition information, child care information and more. You may also look at the help wanted ads in the newspapers located on the newspaper rack in the Center.

If you are a veteran, we have services and programs you may be eligible for. In most Resource Centers, there is information available just for veterans. Please ask for a Veterans Representative. If you would like one-on-one employment counseling, please ask for an Employment Counselor.

You may use computers in our Resource Centers to register on our on-line Job Match System. You can enter your information in the Applicant Resume format, view open Job Orders and apply as directed. In addition, you may use a computer in the Resource Center for free Internet access to link to other employment, social services, and government sites. Use our web site to access economic and labor market information, including NHNetwork (an economic and labor market information data system); upcoming job fairs; information about Unemployment Compensation and forms for printing/ downloading; publications to help with your job search; and information about upcoming events at the Resource Centers.

We link to many other employment related sites, including the State Division of Personnel for state job openings; company sites posting their own openings; America's Job Bank, which lists openings nationwide; and the **NH WORKS** web site, www.nhworks.org, which offers information on supportive services, e.g. food stamps, fuel assistance, training, and education. Some "One-Stop" Partner agencies are physically co-located in the NH WORKS Centers located within NH Employment Security offices across the state. Some have auxiliary sites in libraries, State of NH Vocational Rehabilitation Offices, and offices of the Community Action Program (CAP) Association.

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.

Approved Training (Attending school)

What if I decide to pursue schooling or training?

In order to collect benefits while in training, or attending school, you must secure approval from NHES **when you file your initial claim or prior to beginning the training, whichever comes later**. Please make an appointment with your local office Employment Counselor to fill out the written request form as required. You will receive a written Determination which will indicate whether or not the work search requirement is waived. You may appeal a decision that denies the waiver of the work search. If your training situation changes, you must inform NH Employment Security at once.

What Is Profiling?

"Profiling" is a federally required program to help the unemployed claimant find a suitable job as soon as possible. The Department is required to identify claimants who are likely to be unemployed for an extended period of time. In order to do this, a number of factors are considered including: length of time on the job, your occupation and the industry you worked in, and whether your separation from work is permanent. This process is called profiling. You may be directed to participate in certain employment services such as skill assessment, job assessment, job counseling and job search workshops. If you do not participate in these activities after being directed to do so, you may be disqualified from receiving benefits.

Benefit Rights Interview Orientation (BRI)

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.

Eligibility Review Interview (Eri) Or Reemployment And Eligibility Assessment (Rea)

While filing for unemployment compensation, you may periodically receive a notice directing you to report to your local office for an Eligibility Review Interview or Reemployment and Eligibility Assessment meeting. These meetings are mandatory. 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.

Conducting An Effective Search For Work

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

Yes. To be eligible for unemployment compensation benefits, you must be actively seeking work which you are qualified to perform. While there is no specific number of contacts you must make each week per NH Law, you are expected to do what a reasonably prudent person would do in order to return to work. A specific and required number of contacts may be established for you by the Local Office staff based on your qualifications, experience, length of unemployment and labor market area. You must report all work search contacts when filing your weekly continued claim. Failure to seek work and/or provide an accurate record of your work search efforts may result in disqualification from receiving benefits. You may be found overpaid for benefits previously paid to you. To help you keep track of your work search efforts, the Department has Work Search Logs available at each local office. You can also download a Work Search Log from our website, www.nhes.nh.gov/forms/documents/des456.pdf The Work Search Log contains instructions for its use. To best reflect your total efforts, we strongly encourage you to record your job contacts on the Work Search Log as they happen and report all contacts each week as you file your weekly continued claim. If you are scheduled for an Eligibility Review Interview or Reemployment and Eligibility Assessment, you will be asked to bring work search records with you for the period of the review. The Department will review all contacts reported on your weekly continued claims as well as any additional documented efforts you bring evidence of during these meetings.

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

1. Seek work you are qualified to perform.
2. Seek work you know is available during the time of year you are unemployed. For instance, searching for landscaping or construction work during the dead of winter is not prudent.
3. Use a variety of methods to seek 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 well advised to follow up with previous job contacts you've made, you cannot rely solely on repeat contacts to meet your work search requirement.
5. Leave an application or resume with the employer if he/she is accepting documents for future reference.

6. Bring along a complete work history to help you fill out the employer's application.
7. Network amongst your family, friends, former employers, etc. Anyone of these people may know of an opening which fits you.
8. Do not rule out temporary jobs. Many times these jobs become permanent and are sometimes the best way to introduce yourself 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.

If I accept an offer of work, do I still need to continue searching for work?

If you accept a firm offer of permanent full-time work (or part-time work if you have met a previously outlined exception), and you will start work within two (2) weeks, you are not required to search for work during that period. A confirmable offer is one that can be verified with the employer. If the start work date is postponed beyond the original two week period, it is your responsibility to contact NHES for further work search instructions.

If you receive an offer of work that will not start within the next two (2) weeks, you must continue to look for permanent full-time work (or part-time work if you have met a previously outlined exception) in order to continue receiving benefits.

Returning To Work

What should I do when I return to work?

Report your return to work date and location to your Local Office as soon as you are aware of it. You may claim benefits for the week before you start working, therefore, you may need to file your last continued claim during the first week you are working.

One of the most common mistakes made is to continue filing for unemployment benefits until your first paycheck is received from returning to work. Do not make this mistake. Collecting unemployment benefits for the same week that was worked is considered fraud. You can only collect unemployment benefits for a week in which you did not work, or were working reduced hours.

Residence Or Work In Another State

What if I don't live in New Hampshire, but I last worked in New Hampshire and/or most of my work in the last year was in New Hampshire?

You may file your claim for benefits over the internet at www.nhes.nh.gov, using the File for Benefits link. For assistance, please visit the nearest NH WORKS office. If you do not live in New Hampshire and live more than 25 miles from a NH WORKS office, please call 1-800-266-2252 during business hours, Monday – Friday, 8 am – 4:30 pm EST.

If you live in another state, but **within 25 miles** of a NH Employment Security office and you wish to file a claim against New Hampshire, you must file your claim for benefits over the Internet at www.nhes.nh.gov using the File for Benefits button, or report to the NH Employment Security office for assistance.

What if I live in New Hampshire, but last worked in another State?

If all of your work history for the last 18 months is in another state, file for benefits against that state. If at least some of your work history for the last 18 months is in New Hampshire, you may file against New Hampshire on line at www.nhes.nh.gov.

What if I have worked in another State or more than one State?

Generally, you may file against any state that you earned wages in during the last 18 months. After your application is processed, the state in which you file will provide you with the options specific to your circumstances regarding which states you may be eligible in, how much you could receive and for what period of time. The decision will be yours as to which state you proceed with to collect benefits.

Changing Your Address

What if I change my address while I am filing claims?

Use your Main Menu, Maintain Personal Information link to update your address. If you do not have access to a computer, visit a NH Employment Security office or call the Customer Service Center at 1-800-266-2252.

What If I Leave The Area, Or Leave The State Temporarily?

You must still meet all of the eligibility requirements before you can receive benefits for any week you are not in your normal labor market area, including but not limited to, providing evidence that you have been looking for work and have been available for work. You may also be disqualified for benefits for any week in which you are located outside the United States and in an area that does not have an agreement with the United States regarding unemployment benefits. Agreements currently exist with Puerto Rico, the Virgin Islands and Canada only.

Claims Are Periodically Reviewed

The Department has a Quality Control program that selects claims for review to verify that benefits were paid or denied correctly. If you are contacted by the Quality Control Unit, it does not mean that there is anything wrong with your claim. You will have been chosen at random by the computer for an audit and will be asked to complete a questionnaire and be interviewed. Your cooperation 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, the investigator will see that you receive any money due you; if you were not entitled to the benefits you received, you will be found overpaid and may have to pay the money back.

Misrepresentation-Fraud

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

The Department also maintains a Benefit Payment Control Unit whose responsibilities include 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. This is a Class A felony if you receive \$1000 or more in benefits; a Class B felony if you receive between \$500 and \$999.99; and a Class A misdemeanor if you receive under \$500 as a result of the misrepresentation.

Conviction of a Class A felony carries a fine of up to \$4000 and/or imprisonment for up to 15 years; a Class B felony carries a fine of up to \$4000 and/or imprisonment for up to seven (7) years; and a Class A misdemeanor carries a fine of up to \$2000 and/or imprisonment for up to one (1) year. In addition, benefits fraudulently obtained must be repaid and benefit eligibility can be lost for up to one (1) year from the date of conviction.

The most common reason for fraud penalties 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 job. Too often people are required to repay benefits and are ineligible for up to a full year because they claim total benefits for the week in which they go back to work.

Trade Adjustment Assistance TRA, RTAA & HCTC

Trade Adjustment Assistance (TAA) was created to provide benefits and support to workers who become unemployed due to the impact of international trade. The TAA program seeks to provide U.S. workers who are adversely affected by trade with the opportunity to obtain the skills, resources, and support they need to become reemployed. An adverse effect includes a job loss or threat of job loss.

TAA includes a variety of benefits and reemployment services to help unemployed workers prepare for and obtain suitable employment. Workers may be entitled to 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.

For more information about Trade Act, the Health Coverage Tax Credit (HCTC), and the Reemployment Trade Adjustment Assistance Program (RTAA) please visit our web site at <http://www.nhes.nh.gov/services/employers/trade-act.htm#taa> or contact the NHES Trade Act Coordinator at 45 South Fruit Street, Concord, NH 03301-4857, Telephone 603-229-4355 Fax: 603-229-4321.

Establishing Eligibility for Trade Adjustment Assistance

A petition must be filed with the Office of Trade Adjustment Assistance to establish group eligibility to apply for TAA (Trade Adjustment Assistance). Petitions may be filed by a group of three or more workers, their union, or an authorized representative. For more information or to obtain proper forms, visit your nearest local office or go to our web site.

Benefits And Services

If you are a member of a worker group certified by DOL and are determined to be individually eligible by your state, you may be eligible to receive the following benefits and services:

Employment and Case Management Services: Skill assessments, career counseling, supportive services, information on training, and more.

Training: Up to 156 weeks of full-time or part-time training.

Trade Readjustment Allowances: Up to 156 weeks of cash payments for workers enrolled in full-time training within 26 weeks of their trade-related layoff or certification, whichever is later.

Health Coverage Tax Credit: A tax credit covering 80% of the worker's monthly premium for qualified health insurance.

Reemployment Trade Adjustment Assistance program: A wage subsidy for up to 2 years that is available to workers age 50 or over who get reemployed at a reduced salary.

Job Search Allowance: For costs of a job search outside your local area.

Relocation Allowance: For costs of relocating to a job outside your local area.

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 or sexual orientation, genetics, national origin, age, disability, political affiliation or belief, and against any beneficiary of programs financially assisted under Title I of the Workforce Investment Act of 1998 (WIA), 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 WIA 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 WIA 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.

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 Investment 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.

NOTES

Benefit Amounts RSA 282-A:25

Please Note: Benefit Rate
Amounts may change
at any time per act of
legislature.

PARTIAL EARNINGS/QUALIFYING WAGES				
Effective for all new claims filed on 7/1/07 and thereafter				
<u>Annual Earnings</u>	<u>WBA</u>	<u>WBA+30%</u>	<u>Qual Wages WBA+20%</u>	<u>MBA</u>
2,800	32	42	38	832
3,100	35	46	42	910
3,400	39	51	47	1,014
3,900	45	59	54	1,170
4,200	48	62	58	1,248
4,500	52	68	62	1,352
4,800	55	72	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	98	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	137	126	2,730
10,000	110	143	132	2,860
10,500	115	150	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	345	318	6,890
26,500	275	358	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	372	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