

**NON-FINANCIAL  
MEMORANDUM OF UNDERSTANDING**

**BETWEEN**

**THE STATE OF NEW HAMPSHIRE  
DEPARTMENT OF EMPLOYMENT SECURITY**

**AND**

**THE DEPARTMENT OF BUSINESS AND ECONOMIC AFFAIRS,  
OFFICE OF WORKFORCE OPPORTUNITY**

**TO APPORTION AND COORDINATE ADMINISTRATION**

**OF**

**THE UNEMPLOYMENT INSURANCE REEMPLOYMENT AND ELIGIBILITY  
ASSESSMENT GRANT**

**WITH**

**TITLE I OF WORKFORCE INNOVATION AND OPPORTUNITY ACT**

**I. INTRODUCTION**

- A. The Workforce Innovation and Opportunity Act of 2014, P.L. 113-128 (2014), (WIOA) amended and reauthorized the expired Workforce Investment Act (WIA) of 1998 to increase, access to services and opportunities for employment, education, training, and support services needed by individuals with barriers to employment in order to succeed in the labor market. The intent of WIOA is to consolidate and coordinate federally funded employment and training activities. WIOA requires states to eliminate duplication of these services, and to create more convenient and user-friendly customer access to all employment and training information in the American Job Center environment. WIOA further requires each state to prepare a five-year consolidated plan for delivering these services.
- B. This Non-Financial Memorandum of Understanding (MOU) is entered into for the purpose of effectuating the goals and purposes of WIOA and, in particular, to apportion and coordinate between the Parties the administration of the Unemployment Insurance Reemployment and Eligibility Assessment Grant with Title I of WIOA.
- C. The Parties to this MOU acknowledge that the MOU is not a contract and creates no enforceable obligations on the part of either Party to the other and confers no enforceable benefit on any other person or entity.

## AMERICAN JOB CENTER/WIOA

- D. As of October 1, 2009, Governor Lynch authorized the Office of Workforce Opportunity (OWO) to administer WIA and be responsible for implementing the State's WIA plan. With the passing of WIOA, Office of Workforce Opportunity is further authorized to administer WIOA and is responsible for implementing the State's consolidated plan.
- E. Under WIOA, Wagner-Peyser public employment service funding is maintained in a separate stream, but directed to be coordinated with other employment and training activities. According to WIOA, the State agency authorized by the Governor to administer Wagner-Peyser Act funds (New Hampshire Employment Security (NHES) in New Hampshire) must coordinate delivery of services with American Job Center partners in accordance with the state's five-year consolidated plan. New Hampshire crafted its five-year plan incorporating mandatory and voluntary WIOA partners. This unified plan included all job search, placement, recruitment, labor employment statistics, and other American Job Center Employment Services as part of the American Job Center delivery system.

## UNEMPLOYMENT INSURANCE REEMPLOYMENT AND ELIGIBILITY ASSESSMENT PROGRAM

- F. The Unemployment Insurance (UI) Reemployment Services and Eligibility Assessment (RESEA) program is an ongoing program of the United States Department of Labor to assist UI beneficiaries in their efforts to return to employment. RESEA is intended to focus attention and resources on better integrating and connecting UI services with those services delivered through the American Job Center delivery system under WIOA. The goal is to ensure that claimants have access to the full array of employment and training services through the American Job Center system, while also ensuring that claimants comply with the individual state requirement to actively engage in seeking work as a condition of receiving UI benefits. It is essential that the U.S. Department of Labor (DOL), States, and Commonwealths work together to move eligible claimants into new jobs as quickly and effectively as possible so that they continue to be productive members of the workforce. To this end, the intervention strategies used for program benefits and services will be aimed toward rapid, suitable, and long-term reemployment for these claimants. Under the RESEA program, the State of New Hampshire through the NHES must:
  - 1. Ensure claimants comply with New Hampshire's UI laws, conduct UI eligibility assessments, and refer for adjudication as UI issues arise.

2. Schedule claimants to report to the NH Works American Job Center Centers to receive staff assisted reemployment services, including but not limited to, registration in the NH Works Job Match System, workshops, assessment, job referral, job placement, referral to supportive services, and labor market and career information.
  3. Develop or review an employment plan that includes work search activities, accessing services through the American Job Center system, and/or through approved training.
- G. By agreement with the United States Department of Labor (USDOL) dated May 7, 2014, (DOJ Agreement) NHES has been designated the agent in NH for receiving RESEA program funds. Under this agreement NHES as administrator of the RESEA program and the Department of Resources and Economic Development (now, the Department of Business and Economic Affairs(BEA)), Office of Workforce Opportunity (OWO) as administrator of programs under Title IB of WIOA must enter into an inter-agency agreement to ensure coordination of, and avoid duplication among, the activities identified at Section 112(b)(8) of WIOA.

## II. PARTIES

The Parties to this MOU are:

New Hampshire Department of Employment Security  
45 S. Fruit Street  
Concord NH 03301

and

Department of Business and Economic Affairs  
Division of Economic Development/Office of Workplace Opportunity  
172 Pembroke Road  
Concord NH 03301

## III. GENERAL RESPONSIBILITIES

- A. NHES and OWO, in order to carry out the provisions of the RESEA program and the provisions of WIOA, and to assure that services provided within the American Job Center delivery system under these two programs do not overlap resulting in duplication of services agree as follows:
1. This agreement is entered into under the authority of the RESEA program and WIOA, 29 USC 3151. This new agreement between NHES and OWO is specific to the coordination of RESEA and WIOA services.

2. NHES will administer all aspects of the RESEA program assigned to it the DOL Agreement.
3. OWO will administer all WIOA programs assigned to it under Executive Order 2001-1 or subsequent authority.
4. The RESEA program will be the primary source of assistance to eligible claimants. NHES and OWO agree that to the extent that claimants enrolled in the RESEA program require assistance or services not authorized under the RESEA program or assistance or services for which RESEA program funds are unavailable or insufficient, such assistance will be made available under Title IB of WIOA, to the extent that OWO can provide or arrange for such assistance in accordance with the terms of the local memoranda of understanding established under WIOA Section 121(c). It will be important to ensure that before WIOA Title I funds are used for training services, the requested RESEA claimant training is approved per the UI laws administered by NHES. NHES and OWO will cooperate with the USDOL and other State and Federal Agencies in providing payments and services in accordance with the provisions of RESEA and WIOA.

B. In order that the benefits and services administered by NHES under RESEA do not overlap or duplicate programs and activities administered by OWO identified at WIOA, 29 U.S.C. §§ 3151 – 3153, NHES and OWO will:

1. Conduct RESEA orientation sessions designed to inform potential participants about the myriad of services available through the unique funding sources.
2. Coordinate case management activities for RESEA claimants using the NH Works Job Match System case management function to record information and to ensure consistent support throughout each claimant's time in the program. Specific follow-up services, including job placement assistance, will be coordinated between the staff and the claimant, and planned to maximize limited staff time and resources.
3. Refer RESEA claimants to WIOA for training opportunities as appropriate for the claimant and as designated in that claimant's employment plan.

#### IV. CONFIDENTIALITY

The Parties may, during the term and for the purpose of effectuating the goals and purposes of this Agreement, disclose to each other, or each other's authorized employees, certain personally identifiable information concerning individuals served or eligible to be served under the terms of this MOU. The Parties acknowledge that such information may be confidential and subject to restrictions on disclosure under relevant law; and will use best efforts to respect the privacy and confidentiality of all clients and to comply with all federal and state statutes and regulations governing the disclosure of such confidential information.

## V. CONTACTS

### NHES

*Pamela Szacik, Director*

Employment Services Bureau

45 S. Fruit Street

Concord NH 03301

Tel: (603) 228-4051

Fax: (603) 228-1234

[Pamela.r.szacik@nhes.nh.gov](mailto:Pamela.r.szacik@nhes.nh.gov)

### Department of Business and Economic Affairs

*Jaqueline Heuser, WIOA Director*

Division of Economic Development/Office of Workplace Opportunity

172 Pembroke Road

Concord NH 03301

Tel: (603) 271-0337

## VI. TERM

The term of this Memorandum of Understanding is for a period of **three (3)** years unless terminated sooner by either party upon thirty (30) days advance notice to the other party. **The MOU shall be effective as of the date on which it has been executed by both parties.** It may be renewed for additional periods upon the mutual written agreement of the parties and subject to availability of funding.


## VII. CONDITIONS

Conditions and responsibilities outlined in this agreement are subject to continued grant funding and availability of State resources. Either party may, with thirty (30) days advance written notice to the other party, terminate if funds are no longer available to carry out this agreement.

*In witness whereof, the parties have caused this Memorandum of Understanding to be executed.*

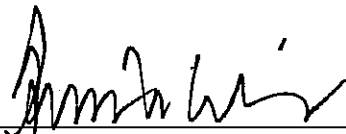
**New Hampshire Department of Business and Economic Affairs:**

Dated: 9/14, 2018

  
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Taylor Caswell, Commissioner  
*(HED)*

**New Hampshire Employment Security:**

Dated: 9/25, 2018

  
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George N. Copadis, Commissioner