



GEORGE N. COPADIS, COMMISSIONER

RICHARD J. LAVERS, DEPUTY COMMISSIONER

April 9, 2014

Her Excellency, Governor Margaret Hassan
And the Honorable Council
State House
Concord, NH 03301

REQUESTED ACTION

Pursuant to RSA 94:6, the New Hampshire Department of Employment Security respectfully requests approval for Karen A. Levchuk, Counsel, (Position # 9U081) to be placed at a compensation level higher than the minimum established in RSA 94:1-a. This request is to place Attorney Levchuk's annual salary in Group FF, Step 4, \$80,972.64 (range \$64,156.43 - \$85,175.64), appropriation #010-027-8040-013, (100% Federal Funds), effective upon Governor and Council approval.

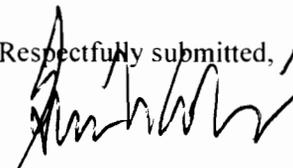
EXPLANATION

After careful consideration, I would like to appoint Karen A. Levchuk to the position, Counsel, beginning April 28, 2014. This is a previously established unclassified position within the Department that needs to be filled in accordance with 282-A:136. This position is vital to the operations and management of the Legal Department, but also in an advisory capacity to me as the Commissioner of the New Hampshire Department of Employment Security.

This is one of two currently vacant counsel positions in the department. This position has been vacant since one of the department's counsel retired effective 1/1/12. Since Attorney Levchuk began practicing law in 1989, she has had nine (9) years of experience at the New Hampshire Department of Justice (7 as Assistant Attorney General and the last 2 as Chief of the Transportation and Construction Bureau). She then worked for approximately five (5) years as Assistant Attorney General at the Colorado Attorney General's Office before returning to New Hampshire at the end of 2003. After a brief time serving as a Judicial Clerk for the New Hampshire Supreme Court, Attorney Levchuk held the position of Director of Personnel for the State of New Hampshire for three (3) years. She then joined the law firm of Devine, Millimet & Branch for approximately three (3) years, focusing primarily in the area of employment law. She subsequently was employed by the law firm of Ransmeier & Spellman for approximately two (2) years. During her time at Ransmeier & Spellman, she served as Senate Counsel for calendar year 2010. Finally, Attorney Levchuk has spent the past year in a solo legal practice concentrated in employment matters.

Attorney Levchuk's substantial experience and excellent performance, particularly in her work at the New Hampshire Department of Justice, as State Director of Personnel, and as New Hampshire Senate Counsel will make her an extremely valuable asset to the department. Attached is a copy of her resume for your review.

Respectfully submitted,


George N. Copadis
Commissioner

GNC/jdr

KAREN A. LEVCHUK

RELEVANT EXPERIENCE:

Law Office of Karen A. Levchuk, PLLC 5/12 – present

Currently serve public and private clients through a solo legal practice concentrated in employment matters. Counsel employers on a full range of issues including background checks and hiring, leaves of absence, workplace safety, employment discrimination and retaliation, wage and hour compliance, performance management, reductions in force, and negotiation of separation agreements. Draft and review employee handbooks and policies, conduct investigations and mediate workplace disputes.

Attorney, Ransmeier & Spellman/Senate Counsel 2/10 – 12/11

Advised clients in the areas of land use, eminent domain and employment law. Litigated employment matters before regulatory agencies and in State and federal courts. Through calendar year 2010, served as Legal Counsel to the New Hampshire Senate, providing advice to the Senate President on parliamentary matters and researching and advising Senators on constitutional issues arising from draft legislation. Prepared revisions to the State's anti-bullying law.

Of Counsel, Devine, Millimet & Branch 4/07 – 11/09

Litigated cases before the Equal Employment Opportunity Commission, the National Labor Relations Board, the NH Human Rights Commission, the federal and State Departments of Labor, and the NH Department of Employment Security. Counseled public and private clients regarding regulatory matters and compliance with State and federal employment laws. Provided training in areas of employment discrimination and harassment, performance evaluations, and employee discipline and documentation. Drafted and reviewed employment agreements, non-competition agreements, and non-disclosure agreements.

Director of Personnel, State of New Hampshire 6/04 – 4/07

Responsible for ensuring compliance with laws and rules regarding recruitment, compensation, evaluation and discipline of classified State employees. Conferred with the Manager of Employee Relations regarding administration of Collective Bargaining Agreements. Played a lead role in procuring and administering contracts for health, dental and life insurance benefits for State employees. Oversaw sexual harassment investigations and reviewed agency policies for compliance with the ADA, FMLA and other state and federal laws.

Temporary Judicial Clerk, New Hampshire Supreme Court 12/03 – 4/04

Assisted Supreme Court Justices in research, analysis and drafting of court opinions.

Special Assistant Attorney General, Colorado Attorney General's Office 11/02 – 12/03

Continued in capacity of lead counsel in *Alliance Construction Solutions v. Department of Corrections, et al.* Managed the work of outside counsel. Provided advice to State agencies regarding construction contracts, insurance and surety issues.

Assistant Attorney General/Litigation Section

Colorado Attorney General's Office

5/99 – 10/02

Litigated employment discrimination cases for State colleges. Provided legal advice to State agencies in connection with procurement, real estate, contract and surety matters. Acted as lead counsel in complex litigation arising from construction of the Trinidad Correctional Facility project. Procured and managed outside counsel and expert witnesses for the Trinidad litigation.

Bureau Chief, New Hampshire Attorney General's Office

9/96 – 7/98

Transportation and Construction Bureau

Served as Chief Legal Counsel to the New Hampshire Department of Transportation. Advised agency on all aspects of State highway and building projects. Directed Bureau attorneys in litigation and client counseling functions while maintaining an active civil caseload specializing in employment, eminent domain and construction and other contract matters.

Assistant Attorney General, New Hampshire Attorney General's Office

7/89 – 9/96

Transportation and Construction Bureau

Litigated employment, personal injury, eminent domain and construction cases before trial courts and boards. Counseled client agencies in the areas of employment law, construction contracting, insurance, suretyship, tort liability and administrative law.

EDUCATION:

Boston University School of Law
Juris Doctor awarded May, 1987

New York University, Tisch School of the Arts
Bachelor of Fine Arts awarded June, 1982

BAR ADMISSIONS:

Admitted to the New Hampshire Bar – October, 1987
Admitted to the Colorado Bar – February, 1999 (Inactive)

RECENT PUBLICATIONS:

"Last Call for Privacy – SCOTUS Upholds Employment-Related Inquires: Drug Treatment, Mental Health and Financial Problems Fair Game," NH Bar News, April 15, 2011.

"Why the Wage Gap?" Concord Monitor, November 16, 2008.

"Civil Unions - Considerations for New Hampshire Employers as the Rights of Marriage are Extended to Civil Union Partners and Their Dependents," Karen A. Levchuk and Patricia M. McGrath, New Hampshire Bar Journal, Vol. 49, No. 1, Spring 2008.

COMMUNITY SERVICE AND ACTIVITIES:

Current Board Member, Riverbend Counseling Center; Trustee of the Trust Funds for Concord, New Hampshire; Former Board Member, Child and Family Services of Greater Manchester; Sing with Songweavers and Performers Who Care.