



**New Hampshire
Employment
Security**

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ADMINISTRATIVE OFFICE

45 SOUTH FRUIT STREET
CONCORD, NH 03301-4857



GEORGE N. COPADIS, COMMISSIONER

RICHARD J. LAVERS, DEPUTY COMMISSIONER

October 11, 2016

Her Excellency, Governor Margaret Wood Hassan
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 94:6, the New Hampshire Department of Employment Security respectfully requests approval for Heather Cherniske, Counsel, (Position # 9U617) to be placed at a compensation level higher than the minimum established in RSA 94:1-a. This request is to place Attorney Cherniske's annual salary in Group FF, Step 2, \$72,900.36 (range \$68,417.44 - \$90,832.56), appropriation # 010-027-8040-013, 100% Federal Funds, effective upon Governor and Council Approval.

EXPLANATION

I would like to appoint Heather Cherniske to the position, Unemployment Insurance Fraud Prosecution Counsel, beginning October 28, 2016. This is a newly established unclassified position within the Department which is being filled in accordance with budget item 276:218: *Department of Employment Security, Unemployment Insurance Fraud Prosecutor, and Position Established*. Upon approval, the classified Attorney III position (# 11026) will be abolished and Attorney Cherniske will transfer into the unclassified Counsel position (# 9U617).

The purpose of this position is to prosecute fraud and other criminal acts perpetrated against the Department of Employment Security in order to deter the general public from engaging in such conduct and protect the trust fund. Attorney Cherniske possesses five years of prosecution experience in the State of New Hampshire including working with the City of Concord Prosecutor's Office, the Attorney General's Office - Medicaid Fraud Control Unit and, for the last 18 months, within this Department as a classified Attorney III based at the Department of Justice and prosecuting unemployment fraud. In these positions she has acquired a superior level of knowledge and skill in the precise areas this Department requires expertise in. The Department's continued focus on prosecuting unemployment fraud in advance of the next economic downturn is critical in order to not only punish those violating the law but to also continue our efforts to deter this type of conduct from occurring at higher levels when claim volumes rise. Attached is a copy of Attorney Cherniske's resume for your review.

Respectfully Submitted,

George N. Copadis
Commissioner

Heather A. Cherniske

Admitted to practice in New Hampshire and Massachusetts

EDUCATION

University of New Hampshire School of Law, Concord, NH

Juris Doctor

May 2010

GPA: 3.45/4.00, Cum Laude

Honors and Awards

- Daniel Webster Scholar Honors Program; 2010 Recipient of the National Association of Women Lawyers Award; 2009 Recipient of a Public Interest Coalition Fellowship

Activities

- Moot Court Board, 2009-2010; Criminal Procedure Moot Court Competition, 2008-2009; Co-President, Women's Law Student Association, 2008-2009; Teaching Assistant, Legal Skills II, Spring 2009; Teaching Assistant, Torts, Fall 2008

The Pennsylvania State University, University Park, PA

Bachelor of Arts, Public Relations; Minors: Political Science and Business

May 2007

GPA: 3.41/4.00

EXPERIENCE

New Hampshire Department of Employment Security, Concord, NH

Unemployment Fraud Prosecutor

April 2015 – Present

- Prosecute both claimant and employer unemployment compensation fraud.
- Oversee and coordinate investigations as well as provide training for investigators.
- Work with the Attorney General's Office in investigations and trial and appellate court litigation.

New Hampshire Attorney General's Office, Concord, NH

Assistant Attorney General, Medicaid Fraud Control Unit

Oct. 2013 – April 2015

- Prepared and prosecuted patient abuse, theft, and Medicaid fraud criminal and civil cases.
- Wrote and argued appellate briefs for the New Hampshire Supreme Court.

City of Concord Prosecutor's Office, Concord, NH

Assistant City Prosecutor

Sept. 2011 – Oct. 2013

- Prosecuted violation and misdemeanor criminal trials and felony probable cause hearings.
- Reviewed and filed violation, misdemeanor, and felony level complaints with the Court.

New Hampshire Superior Court, Rockingham County, NH

Law Clerk

Aug. 2010 – Aug. 2011

- Assisted judges with research and writing for court orders.
- Reviewed parties' pleadings and briefs to assist judges with judicial proceedings.

ACTIVITIES AND INTERESTS

- Membership Chairperson for the New Hampshire Women's Bar Association Board of Directors.
- Editor for national best-selling book, *Law School Confidential* by Robert Miller.
- Cooking, running, skiing, and reading.