State of New Hampshire

Department of Labor

Ken Merrifield
Commissioner of Labor

Hugh J. Gallen
State Office Park
Spaulding Building
95 Pleasant Street
Concord, NH 03301
603/271-3176
TDD Access: Relay NH
1-800-735-2964
FAX: 603/271-6149
http://www.nh.gov/labor

SEP12'23

44

September 11, 2023

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 94:6, the Commissioner of the Department of Labor respectfully requests that Danielle N. Albert, Esq., Director the Worker Compensation Division at the Department of Labor, be placed at Step 5 for the position of Deputy Labor Commissioner (9U074), unclassified salary grade HH, earning $120,120 annually, effective upon the approval of the Governor and Council. Funding is 100% Agency Income.

EXPLANATION

Director Danielle Albert, Esq. has been with the Department of Labor since May of 2014, serving in a number of important roles. In her position as Director for the Worker Compensation Division, she has managed the largest division of this state agency, inclusive of exercising all regulatory powers of the Department. She has also capably served as both General Counsel and Assistant General Counsel, offering legal advice concerning any issues before the agency, and provided legal guidance and training to all levels of staff. Director Albert has also managed the legislative process for the Department, including rulemaking, throughout her tenure as counsel. In addition, Ms. Albert's first assignment with the Labor Department was that of Hearings Officer, in which she conducted administrative law hearings on numerous aspects of worker compensation cases and then rendered written legal decisions on behalf of the Commissioner.

Given her exceptional skill, experience, and knowledge of the agency and state government, I respectfully request that the new Deputy Commissioner of Labor be placed at Step 5 of unclassified salary grade HH. Director Albert's resume is attached for your review. Please do not hesitate to contact me if you have any questions or concerns.

Sincerely,

Ken Merrifield
Commissioner
Department of Labor

Danielle Nicole Albert

Danielle.N.Albert@dol.nh.gov

EDUCATION

Juris Doctor | 2008 | Franklin Pierce Law Center, Concord, NH *Member: American Constitutional Society, Public Interest Coalition*

Masters in Social Work | 2005 | Boston College, Chestnut Hill, MA

Bachelor of Science, Psychology | 2002 | Northeastern University, Boston, MA *Member: Psychology Club, Volunteer Tutor Program*

EXPERIENCE

New Hampshire Department of Labor | ***Director, Workers Compensation***| December 2019 – present

Implement and manage Division systemic operations for administration of New Hampshire's workers' compensation platform. Engage in continuous development and improvement of Workers' Compensation Division routine programmatic operations and budget. Management oversight of Workers Compensation Division staff workflow output and daily operations, inclusive of case assignment to designated staff. Development of and oversight over provision of Department trainings for insurance carriers, employers and vocational rehabilitation providers. Monitor, provide guidance and present to the Legislature on proposed legislative action that may have an impact on workers' compensation law and process. Review and respond to administrative requests and motions relative to contested claims and issue administrative compliance orders as appropriate. Serve as liaison the Workers Compensation Appeals Board and Civil Penalty Appeals Board inclusive of monitoring compliance with statutory requirements pertaining to Board operations. Designated member of the Workers Compensation Advisory Council and Certified Vocational Rehabilitation Provider Board.

New Hampshire Department of Labor | ***Attorney IV***| Concord, NH | March 2018- December 2019
Direct management and oversight of Department's Legal Unit inclusive of supervision of legal unit staff and workload assignment. Manage oversight and ongoing development of Legal Unit process and daily operations, inclusive of development and implementation of case tracking system for assigned legal and collection cases. Provide direct legal representation to the New Hampshire Department of Labor in areas of administrative, workers' compensation and wage and hour law. Directly represent the Department in Department and appeal board level administrative actions, and in Superior Court on enforcement actions relative to workers' compensation compliance and payment of wages. Provide legal advice and guidance on all areas of administrative law and areas of employment law inclusive of ADA and FMLA. Engage in settlement negotiations and draft settlement agreements in resolution of penalties and wages owed as assessed by the Department. Pursue collection efforts inclusive of representation in small claim actions. Calculate and negotiate reimbursement to the Second Injury Fund in appropriate cases. Assess and respond to Right to Know requests. Monitor proposed legislation for impact on areas of impact relative to Department operations and provide testimony before the legislature as needed. Assess and prepare responses to Right to Know requests made pursuant to RSA 91-A.

New Hampshire Department of Labor | ***Attorney I***| Concord, NH | December 2016-March 2018
Provide legal representation to the New Hampshire Department of Labor in areas of administrative , workers compensation and wage and hour law. Provide legal guidance and opinion relative to

statutes and regulations, and perform legal and legislative history research as assigned. Provide direct representation before the Department and Civil Penalty Appeals Board, and in the Superior Court in matters related to non-compliance with workers' compensation law and payment of wages. Engage in settlement negotiations and drafting of settlement agreements to resolve civil penalty cases. Pursue legal collection efforts relative to unpaid civil penalties and Second Injury Fund reimbursement, inclusive of representation in small claims court. Prepare responses to Right to Know requests made pursuant to RSA 91-A.

New Hampshire Department of Labor | ***Hearing Officer***| Concord, NH | May 2014-December 2016
Preside over administrative hearings pertaining to disputed workers' compensation claims and lump sum settlements. Conducted pre-hearings and presided over administrative hearings regarding whistleblower complaints. Review and rule on written and oral motions, and conduct fair and impartial hearings that allowed all parties the opportunity to be heard. Review and analyze testimony and written evidence presented over the course of hearings, in light of the applicable statutes, regulations and case law. Issue written decisions on disputed workers compensation claims and whistleblower complaints in a timely manner based on relevant facts, findings, and applicable law. Participate in trainings and conferences. Participate in the Department Risk Assessment Committee.

Disabilities Rights Center, Inc. | ***Intake Attorney*** | Concord, NH | August 2008-May 2014
Provide legal representation and advice in special education, employment, Medicaid, social security and other benefits, access to mental health, developmental disability services, and issues and rights under state anti-discrimination law, Americans with Disabilities Act, Section 504 of the Rehabilitation Act and the Fair Housing Act. Conduct legal research, review documents, draft memos, demand letters and legal advice letters. Asses and analyze legal cases for merit. Provide legal advocacy for clients with disabilities. Serve as the Protection and Advocacy for Beneficiaries of Social Security (PABSS) coordinator. Served as coordinator on the Representative Payee Project contracted through the Social Security Administration responsible for coordinating and conducting on-site reviews of selected payees and beneficiaries, monitoring selected payees for compliance with SSA regulations and drafting follow up reports for submission to the SSA.

Community Legal Services and Counseling Center | ***Interdisciplinary Program/Social Worker: Intern*** | Cambridge MA | 2004-2005
Assisted in the development and implementation of joint social work and legal Interdisciplinary Program. Developed referral and reporting process, created program forms and developed program training manual. Provided case management for all Interdisciplinary clients and provided consultation service for staff and volunteer attorneys on issues related to domestic violence, disability related benefits and immigration. Provided individual psychotherapy for select low income individual counseling clients. Provided case management for all clients participating in the counseling program.

North Charles Institute of the Addictions | ***Clinic Counselor*** | Somerville, MA | 2003-2005
Managed daily morning dosing procedure at outpatient methadone clinic. Assessed clients and provided crisis intervention as necessary. Provided individual counseling for a caseload of 8 clients at counseling center. Developed and implemented individual treatment plans for individual counseling clients. Facilitated Relapse Prevention group and served as back up facilitator for Women's Recovery Group.