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COLORADO LEGISLATION CONCERNING ELECTRONIC VERIFICATION PROGRAM

This article was added to the newsletter on 08/04/2008

[Senate Bill \(SB\) 08-139](#) became law on 08/05/2008 and requires the Colorado Department of Labor and Employment (CDLE) to inform employers of the federal law (8 U.S. Code Section 1324a) against hiring or continuing to employ an unauthorized alien. The work status of new employees can be verified using the Electronic Verification Program ([E-Verify](#)), administered by the U.S. Department of Homeland Security in partnership with the Social Security Administration. Conducting an [E-Verify](#) query involves matching to government records a social security number and other information reported on Form I-9, Employment Eligibility Verification.

[E-Verify](#) can only be used after an individual accepts an offer of employment and after the new hire and employer complete Form I-9, Employment Eligibility Verification. Employers must initiate a search on [E-Verify](#) within three business days of the new hire's actual start date. [E-Verify](#) cannot be used to verify the work eligibility status of existing employees. If an employer elects to use [E-Verify](#), it must be used to verify the work status of all new hires, regardless of national origin or citizenship, and may not be used selectively.

As with all current employee-verification programs, [E-Verify](#) is not completely accurate. An employee has recourse available if he or she is legally documented to work in the U.S. but the employer receives a final notice of nonconfirmation of work eligibility for the employee through [E-Verify](#). Visit the **U.S. Citizenship and Immigration Services Web** site, and click on [For Employees](#) for more information.

It is unlawful for employers to engage in unfair or discriminatory practices in the use of [E-Verify](#) (Colorado Revised Statutes 24-34-402).

Additional information is also available on the [CDLE](#) Web site on the [Electronic Verification Program](#) Web page.

IMPROVED ONLINE PUBLICATIONS

As part of a greening initiative, the Unemployment Insurance (UI) Program has taken steps to reduce the need for hard copies of UI publications. The following publications are now available online:

- The Colorado Employment Security Act ([CESA](#)) 2007
- The Regulations Concerning Employment Security ([RCES](#))
- Publication B-19, Unemployment Insurance Handbook for Claimants ([Claimant Handbook](#))
- Publication UI-266, Unemployment Insurance Handbook for Employers ([Employer Handbook](#))

Along with availability of online publications are improvements to existing features. New and improved features to online publications include:

- A main, introductory page with links to every article or section.
- A contents page at the beginning of each article or section with links to each legal citation within an article or regulation.
- Hyperlinks for references to legal citations or sections within the text of online publications.
- Updated information on applicable forms, procedures, and policies.

Although the UI Program encourages use of the online versions of [CESA](#), [RCES](#), the [Claimant Handbook](#), and the [Employer Handbook](#), hard copies can be ordered by sending an e-mail with your name and address to [UI Operations](#).

TIMELY RECEIPT OF FORM UIB-290, REQUEST FOR JOB-SEPARATION INFORMATION

The UI Program is aware of recent reported problems regarding the fax line for Form UIB-290, Request for Job-Separation Information. The UI Program is committed to resolving all problems and is in the process of working out a permanent solution. More information will be available in the near future.

THE COLORADO AUTOMATED PAYMENT CARD

The UI Program has partnered with Chase Bank to change the way UI benefit payments are issued. Instead of mailed checks as the method of payment, all UI benefits are now electronically deposited to a Visa® debit card referred to as the Colorado Automated Payment (CAP) Card. The CAP Card improves upon the traditional delivery system by offering recipients added convenience. The CAP Card also provides cost savings and improved efficiencies that benefit taxpayers. The costs associated with warehousing check stock and printing, metering, and mailing checks are eliminated, cutting costs by an estimated amount of \$251,895 within the first year.

By providing electronic payments to recipients, the CAP Card also assists with the government's environmental efforts to reduce paper consumption.

Additional information about the CAP Card can be accessed on the Unemployment Insurance Benefits Web page at www.coworkforce.com/UIB. Click on **Colorado Automated Payment (CAP) Card**.

THE APPEALS PROCESS

Publication AS-52, *The Appeals Process*, provides a detailed explanation about filing an appeal, preparing for the appeal hearing, and participating in the appeal hearing.

The Appeals Process is available online on the Colorado Department of Labor and Employment Web site. New and improved features to the online version of The Appeals Process include:

- A main, introductory page with links to every section.
- Hyperlinks in certain sections to related information within the publication.
- Hyperlinks to [CESA](#) and [RCES](#).

Although employers are encouraged to use the online publication, an employer can order a hard copy by sending an e-mail with the employer name and address to [UI Operations](#).

UI OPERATIONS IS NOT ISSUING OTHER-PAY DECISIONS IN ALL CASES

As you may already be aware, Form UIB-6, Notice of Decision, is not always issued when both the claimant and you agree that the reason was lack of work or layoff. Form UIB-290, Request for Job-Separation Information, has been changed to notify you that you may not receive a Notice of Decision on matters of other pay that have no impact on a claim (such as vacation pay prior to the claim effective date).

The change in procedure was made in part to save your having to read unnecessary mail and in part to reduce postage costs.

NOTE: You will always receive a decision on severance allowance.

PROPER METHODS FOR SUBMITTING DOCUMENTS

When submitting Form UITR-1, Unemployment Insurance Tax Report (Tax Report), or other designated unemployment insurance (UI) forms, you must follow proper methods for submitting documents. UI forms are scanned by an optical character reader, and required information must be typed on a typewriter or printed using a personal computer (PC) using medium to dark black ink. Please return the original report. Carbon copies, photocopies, and handwritten reports do not scan accurately. The use of light ink, colors other than black, or handwriting on forms may result in rejected forms.

NOTE: Filing your [Tax Report](#) online is strongly encouraged.

FORM UITR-1, UNEMPLOYMENT INSURANCE TAX REPORT, DEBIT/CREDIT CHANGE

Form UITR-1, Unemployment Insurance Tax Report (Tax Report), populates **potential** debit or credit amounts reflected in the UI tax system. A debit or credit amount is listed under Item **15** on your Tax Report. You must check your records to verify that the debit or credit is valid at the time you receive Form UITR-1. This enables you to more accurately contribute a quarterly tax payment that reflects your account balance and helps eliminate the time and expense to process debits and credits. Read the instructions for Item **15** ("Debit or Credit Amount") on the back of the tax report.

NOTE: If Item **15** does not appear on your Tax Report, you may not have a potential debit or credit.

ADDRESS-CLEANSING SOFTWARE

The UI Program purchased and recently implemented an address-verification software suite from QAS Ltd, an Experian® company. The QuickAddress Software (QAS) will help reduce returned mail from claimants and employers as well as aid in addressing UI Program correspondence more accurately.

QAS provides real-time address verification when an address is entered into a UI Program application. It also regularly validates addresses maintained in the UI Program databases.

LIABLE EMPLOYERS IN COLORADO

UI Operations receives the Form CR-0100, Colorado Business Registration, from employers who are not yet liable to pay UI taxes. In the past, UI Operations issued Colorado employer account numbers to employers who have not yet established liability. In order to comply with [CESA 8-76-107](#), UI Operations cannot assign a Colorado employer account number until the employer becomes liable. Employers who are found not liable to pay UI taxes will have their Colorado Business Registration returned. To become liable, an employer must have:

- Paid wages of at least \$1,500 during any quarter in the current or preceding calendar year.
- or -
- Employed at least one individual as an employee, for some portion of a day, for 20 weeks in the current or preceding calendar year.

CORRECT MAILING ADDRESS AND BUSINESS STATUS CHANGES

[RCES 7.2.7](#) requires that address or ownership changes are reported within ten days. Prompt notification of address changes helps to ensure you receive important forms and information regarding UI taxes and benefits in a timely manner. It also ensures you are notified when former employees file an unemployment claim.

To update your address online for location, mailing, benefit mailing, owner, or bank information, go to [UI Employer-Change-of-Business-Address Web site](#).

You may also download Form UITL-2, [Employer Change Request](#). Then follow the instructions to complete the form, sign, and return it.

If you have sold your business or changed the status of your business, you must download the [Employer Change Request](#). Follow the instructions to complete the form, sign, and return it. If you do not have access to the Internet, call the Customer Contact Center at 303-318-9100 (Denver-metro area) or 1 800 480 8299 (outside Denver-metro area).

QUESTIONS OR CONCERNS?

For UI tax questions and issues related to your account, e-mail [UI Operations](#). You may also call 303 318 9100 (Denver-metro area) or 1 800 480 8299 (outside Denver-metro area).