

HOUSE BILL 09-1054

2009 ANNUAL REPORT (March 25, 2009–December 31, 2009)

Submitted to:

**The Colorado Joint Budget Committee,
The Colorado House Committee on Business Affairs and Labor, and
The Colorado Senate Committee on Business, Labor, and Technology**

By:

**The Colorado Department of Labor and Employment
Donald J. Mares, Executive Director**

**Prepared in compliance with Colorado Revised Statutes 8-73-108 (4)(t) by staff of the Colorado
Department of Labor and Employment, Unemployment Insurance Program**

January 31, 2010

HOUSE BILL 09-1054 REPORTING REQUIREMENTS

House Bill 09-1054 requires the Colorado Department of Labor and Employment to submit this report by January 31, 2010, providing status on the:

- Total number of individuals who quit to relocate to a new place of residence after the death of his/her active duty spouse was killed in combat and were awarded unemployment insurance benefits.
- Total dollar amount of unemployment insurance benefits awarded to claimants who quit to relocate to a new place of residence after the death of his/her active duty spouse was killed in combat.

This report complies with this requirement.

PART I. STATUTE AND PROGRAM OVERVIEW

Effective March 25, 2009, House Bill 09-1054 became law. The statute allows a full award of benefits if:

- The individual quit a job to relocate to a new place of residence, either within or outside Colorado, from which it is impractical to commute to the place of employment because the individual’s spouse, who was stationed in Colorado, was killed in combat.
- The individual was available for suitable work upon arrival at the new place of residence.
- The individual’s spouse was a member of the United States armed forces who was on active duty, as defined in U.S. Code 10, Section 101 (d)(1), active guard and reserve duty as defined in U.S. Code 10, Section 101 (d)(6), or active duty pursuant to Title 10 or 32 of the U.S. Code.

NOTE: Any benefits awarded to the claimant under this law do not affect the employer’s premium rate.

PART II. DETERMINING ELIGIBILITY

Because of the increase in the Unemployment Insurance Program’s workload, a lack of staff, and multiple projects related to recent economic conditions, the Unemployment Insurance Program was not able to commit business or information-technology resources to complete the necessary programming to implement this legislation by March 25, 2009. The Unemployment Insurance Program completed the necessary programming and began implementing this legislation on July 1, 2009.

The Unemployment Insurance Program administers House Bill 09-1054 by considering whether:

- The move was because of the death of a military spouse.
- It was impractical for the claimant to continue to commute to work.

To comply with House Bill 09-1054, the Unemployment Insurance Program:

- Applies the law to separations adjudicated on or after March 25, 2009.
- Determines the claimant’s motivation for quitting a job based on the fact-finding information that was obtained.
- Requests a copy of the death certificate or military orders, if needed.

NOTE: A copy of a death certificate or military orders for the move is not required unless the Unemployment Insurance Program deems the document necessary to adjudicate the job separation under this statute.

- Determines if the claimant’s spouse was based in Colorado.

Claimants Awarded Benefits Under Colorado Revised Statutes 8-73-108 (4)(t) From 07/01/2009 Through 12/31/2009	
Number of Claimants	0
Benefits Awarded	\$0