

HOUSE BILL 09-1054

ANNUAL COMPLIANCE REPORT
CALENDAR YEAR 2013
COLORADO REVISED STATUTES—TITLE 8, ARTICLE 73

**Submitted to the Colorado Joint Budget Committee,
the Colorado House Committee on Economic and Business Development,
and the Colorado Senate Committee on Business, Labor, and Technology**

Colorado Department of Labor and Employment
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**Prepared in compliance with Colorado Revised Statutes Title 8, Article 73
by staff of the Colorado Department of Labor and Employment**

January 27, 2014

COLORADO REVISED STATUTES—TITLE 8, ARTICLE 73 REPORTING REQUIREMENTS

Pursuant to Colorado Revised Statute 8-73-108 (4) (t), et seq., the Colorado Department of Labor and Employment is required to provide the status of its compliance with the statutory requirements to pay unemployment benefits to individuals who quit employment to relocate to a new place of residence after the individual's active duty spouse was killed in combat.

This report must be submitted to the Joint Budget Committee, the House Committee on Economic and Business Development, and the Senate Committee on Business, Labor and Technology by January 31, 2014.

This report complies with this requirement.

PART I. STATUTE AND PROGRAM OVERVIEW

Colorado Revised Statute (CRS) 8-73-108 (4) (t), et seq., allows a full award of unemployment insurance benefits if:

- The claimant 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 claimant was available for suitable work upon arrival at the new place of residence.
- The claimant'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: Benefits awarded to a claimant under this section do not affect an employer's unemployment experience; therefore, will not affect an employer's premium rate.

PART II. DETERMINING ELIGIBILITY

The Unemployment Insurance Division administers CRS 8-73-108 (4) (t), et seq., by considering whether:

- The claimant's move was because of the death of a military spouse.
- It was impractical for the claimant to continue to commute to work from a new place of residency.

To comply with CRS 8-73-108 (4) (t), et. seq., the Unemployment Insurance Division:

- Applies the law to separations adjudicated on or after March 25, 2009.
- Determines the claimant's motivation for leaving a job based on information obtained during the adjudication process.
- Requests a copy of the death certificate and/or military orders, when necessary, to establish eligibility.
- Determines if the claimant's spouse was stationed on a military base in Colorado.

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

Individuals Awarded Benefits Under CRS 8-73-108 (4) (t)		
Calendar Year	Number of Individuals Awarded Benefits	Benefits Paid Per Year
07/01/2009—12/31/2009+	0	0
01/01/2010—12/31/2010	0	0
01/01/2011—12/31/2011	0	0
01/01/2012—12/31/2012	1	\$1,864
01/01/2013—12/31/2013	0	\$466*

+ A lack of information technology resources, caused by poor economic conditions, delayed the programming to implement this legislation by March 25, 2009. The UI Division completed the programming and began implementing this legislation on July 1, 2009.
* Benefits were paid in calendar years 2012 and 2013 to the individual awarded benefits under the provision of CRS 8-73-108 (4) (t) in calendar year 2012.