

OURERC A LOCAL BUSINESS NEWSLETTER

Powered by Employer's Resources of Colorado

FEBRUARY 2021

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2020 W-2 documents are now available.

Once logged in, from the left navigation menu, select Payroll, Payroll Info, W-2/1095. A PDF copy will display for you to print.

IMPORTANT REMINDER—Payroll deductions

Welcome to 2021! At the beginning of the year, we have new benefits, new taxes and pay changes.

Please take an extra minute to double check your paystub. You will want to ensure your deductions are correct for your benefits, FSA, HSA, retirement accounts and Holiday Savings account.

If the correct amount is not being deducted, or if you have questions about your deduction, please call Employer's Resources of Colorado.

I-9 REQUIRED INFORMATION

[The Department of Homeland Security \(DHS\) and U.S. Immigration and Customs Enforcement \(ICE\)](#) announced an extension of the flexibility in complying with requirements related to Form I-9, Employment Eligibility Verification, due to COVID-19. ERC Colorado follows all employment eligibility verification protocols and requirements.

Form I-9, Employment Eligibility Verification, requirements come out of the [Immigration Reform and Control Act of 1986](#) (IRCA). IRCA prohibits employers from hiring and employing an individual for employment in the U.S. knowing that the individual is not authorized with respect to such employment. Employers also are prohibited from continuing to employ an individual knowing that he or she is unauthorized for employment. This law also prohibits employers from hiring any individual, including a U.S. citizen, for employment in the U.S. without verifying his or her identity and employment authorization on Form I-9. The I-9 form should be used for all new hire and rehired employees. ERC Colorado will help facilitate the process, if desired.

Due to COVID-19 temporary guidance's were placed to ensure safety for all employers and employees. This temporary guidance was set to expire January 31. Because of ongoing precautions related to COVID-19, DHS has [extended the form I-9 compliance flexibility policy](#) an additional 60 days until March 31, 2021. See the [original DHS news release related to form I-9 flexibilities](#) for more information on how to obtain, remotely inspect, and retain copies of the identity and employment eligibility documents to complete Section 2 of Form I-9.

The Department of Homeland Security and U.S. Immigration and Customs Enforcement have implemented the following policies to ensure the safety of both employers and employees:

- Employers are still required to create cases for any new hire within three business days from the date of hire. ERC Colorado will help with this process, if desired.
- Employers must use the hire date from the employee's I-9 when creating an E-Verify case. If this is delayed due to COVID-19 precautions, select "Other" from the drop-down list and enter - "COVID-19" as the specific reason.

Employers may not take any adverse action against an employee because the E-Verify case is in an interim case status, including while the employee's case is in an extended interim case status.

Employers must monitor the [DHS](#) and [ICE](#) websites for additional updates about when the extensions end and normal operations resume. ERC Colorado is here to help ensure your company is in compliance. E-Verify participants who meet the criteria and choose the remote inspection option should continue to follow current guidance and create cases for their new hires within three business days from the date of hire. Please keep in mind, there are penalties that can be imposed by ICE, the U.S. Immigration and Customs Enforcement agency, if compliance is not met. All ERC Colorado partners are required to be in compliance of the Employment Eligibility Verification protocols. We do our best to ensure all partners have access to filing this information properly.





DO YOU KNOW ALL THE TOOLS YOU HAVE AVAILABLE WITH ERC?

DO YOU KNOW WHAT TOOLS YOU HAVE AVAILABLE TO YOU AND HOW TO USE THEM? NEED SOME INITIAL OR REFRESHER TRAINING?

For example, did you know that you can publish news articles for all your employees in DNet?

DO YOU KNOW WHAT REPORTS ARE AVAILABLE IN DNET OR HOW TO SEE AN EMPLOYEE'S TOTAL COMPENSATION FOR LAST YEAR FOR CONSIDERATION ON ANNUAL WAGE OR SALARY INCREASES?

If you use SwipeClock, do you know what reports are available to you?

DO YOU KNOW WHERE YOUR PTO OR VACATION IS TRACKED? WHAT ABOUT COLORADO PAID SICK SAFE LEAVE OR PUBLIC HEALTH EMERGENCY LEAVE?

Need to ensure compliance with licensing for certain positions or advanced scheduling?

STAY INFORMED

Do you have questions about the ERC systems available to you?



CONTACT OUR CLIENT LIAISON

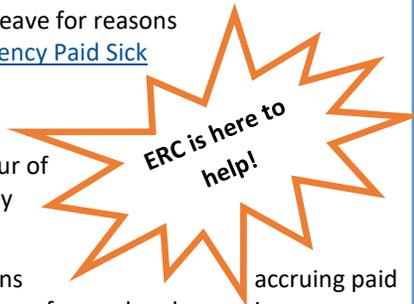
DARIN BLACK

Worker's Compensation Policy- ERC Colorado has sent out Labor Law posters. Please remember to be in compliance with the [Department of Labor](#), you must post these posters. Colorado has laws requiring employers to post certain posters. [Click here for the full list](#). If you have questions on which posters you need to post, please contact the ERC Safety Team

Take Action: SB20-205 Sick Leave For Employees

ERC Partners, as most of you know the Sick Leave for Employees began January 1, 2021. With the confusion regarding this information, ERC Colorado found it necessary to review the compliance of the bill.

All employers in the state, regardless of size, are required to provide each of their employees paid sick leave for reasons related to the COVID-19 pandemic in the amounts and for the purposes specified in the federal "[Emergency Paid Sick Leave Act](#)" in the "[Families First Coronavirus Response Act](#)".



As of January 1, 2021, for employers with 16 or more employees, and starting January 1, 2022, for all employers, the act requires employers to provide paid sick leave to their employees, accrued at one hour of paid sick leave for every 30 hours worked, up to a maximum of 48 hours per year. So yes, this does apply to you and your company.

Let's review the basics of the law and consider the proper options for your company. An employee begins accruing paid sick leave when the employee's employment begins, may use paid sick leave as it is accrued, and may carry forward and use in subsequent calendar years up to 48 hours of paid sick leave that is not used in the year in which it is accrued. An employer is not required to allow the employee to use more than 48 hours of paid sick leave in a year. These hours can be given up front or accrued and used as given. Please speak with your ERC Colorado HR Department to discuss the best option for your company.

All employees may use accrued paid sick leave to be absent from work for the following purposes:

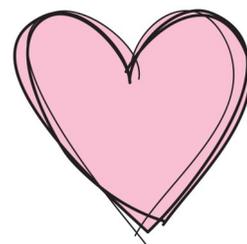
- The employee has a mental or physical illness, injury, or health condition; needs a medical diagnosis, care, or treatment related to such illness, injury, or condition; or needs to obtain preventive medical care;
- The employee needs to care for a family member who has a mental or physical illness, injury, or health condition; needs a medical diagnosis, care, or treatment related to such illness, injury, or condition; or needs to obtain preventive medical care;
- The employee or family member has been the victim of domestic abuse, sexual assault, or harassment and needs to be absent from work for purposes related to such crime; or

A public official has ordered the closure of the school or place of care of the employee's child or of the employee's place of business due to a public health emergency, necessitating the employee's absence from work.

In addition to the paid sick leave accrued by an employee, the act requires an employer, regardless of size, to provide its employees an additional amount of paid sick leave during a public health emergency in an amount based on the number of hours the employee works. This information has been provided directly from the [Colorado General Assembly Bill Summary](#). The act prohibits an employer from retaliating against an employee who uses the employee's paid sick leave or otherwise exercises the employee's rights under the act. Employers are required to notify employees of their rights under the act by providing employees with a written notice of their rights and displaying a poster, developed by the division of labor standards and statistics (division) in the department of labor and employment (department), detailing employees' rights under the act. [The department of labor and employment poster can be found here](#). The director of the division will implement and enforce the act and adopt rules necessary for such purposes. An employer found in violation of the act is liable to the employee for back pay and other equitable damages.

With Valentine's Day right around the corner, we thought this little tip might just be the friendly HR reminder you need.

Workplace romances may lead to accusations of poor judgement, favoritism, ethics violations, poor company morale, sexual harassment claims and more. ERC Colorado recommends taking precautions when considering workplace romances. Consider requiring employees to sign contracts stating the relationship is consensual and that the employees are aware of the companies sexual harassment policies. If you have any questions concerning this topic, please contact ERC HR department and allow us to advise.



Have Questions? We are here to help!
Want to see specific topics covered in the monthly newsletters? Let us know.



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