

# The Quarterly Connection

**YOUR LINK TO THE MOST CURRENT INFORMATION REGARDING UNEMPLOYMENT INSURANCE, WORKERS' COMPENSATION, and LABOR MARKET INFORMATION**

**Note:** Throughout this newsletter, "UI" refers to "Unemployment Insurance" and "WC" refers to "Workers' Compensation."

## 2012 Legislative Session Changes

The Wyoming Legislature convened the 2012 Budget Session on February 13. Although the state's finances were typically expected to occupy most of the

Legislature's time during this 20-day session, as in the past, many non-budgetary measures prevailed.

HB 0009, HB 0089 and HB 0026 were among the many non-budget bills that ultimately passed. These three bills impact the Department of Workforce Services' (DWS) operations and those of businesses in Wyoming.

### HB 0089

HB 0089 provided the Department of Workforce Services authority to hire seven (7) additional OSHA Safety Consultants and to provide a total of five hundred thousand dollars in workplace safety contracts for employers. Additionally, Governor Mead collaborated with DWS to configure an internal position as an OSHA Compliance Inspector.

All of the OSHA positions have been filled and the new hires will be trained for approximately six months prior to conducting inspections independently. Employers requesting courtesy inspections from OSHA Consultation face no reprisal in the form of penalties, but the employer must "fix" any citations discovered during an inspection. The service is free and available to all employers, although the emphasis of the program is primarily for small employers. The OSHA positions have been spread throughout the state to enable quicker response times to employers.

The workplace safety contract program enables DWS to provide employers in need of health and safety resources up to ten thousand dollars (\$10K) to correct program deficiencies, such as health and safety training and equipment purchases. Employers must provide a ten percent (10%) match of the overall expenditure and be in good standing with regulatory business requirements to qualify. The rules for the program have been promulgated and the public comment period will end June 22. The rules are available for review at the DWS web site ([www.wyomingworkforce.org](http://www.wyomingworkforce.org)) under news and events.



The WC  
Corporate  
Officer/LLC  
Member Average  
Wage per quar-  
ter for 2012 is  
**\$10,601.49**

### HB 0009

HB 0009, Unemployment Insurance Compliance was sponsored by the House Labor, Health & Social Services Committee. This measure requires employers to submit the date a new employee first performed services for payment to DWS. It also provided

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As part of its ongoing new hires survey, the Research & Planning section of the Wyoming Department of Workforce Services found that in fourth quarter 2009 through third quarter 2010, the median wage for all newly hired workers in the health care and social assistance industry was \$11.00 per hour; 35.0% offered health insurance, 31.7% offered a retirement plan, and 40.8% offered paid time off. Using a random sampling from a pool of 112,000 new hires made by Wyoming employers (excluding state government) over a four-quarter period, the Research &

Planning survey looked at demographics, typical education requirements, skills employers stated were or were not important, and more. Tables by industry are available online at <http://doe.state.wy.us/LMI/newhires.htm>. For more Wyoming labor market information, see R&P's main page at <http://doe.state.wy.us/LMI>.

The UI Taxable  
Wage Base for  
2012 is  
**\$23,000.00**

## Employers protect your business from higher taxes!

## Department of Workforce Services

**NEW HIRE REPORTING**

**Mail:**  
PO Box 1408  
Cheyenne, WY 82003

[www.wy-newhire.com](http://www.wy-newhire.com)

or 1-800-970-9258  
FAX 1-800-921-9651

**NOTE:** The New Hire report is *separate* from the report to the Department of Workforce Services. This reporting requirement is not applicable to H2A Agricultural employees without valid SSNs.

Help prevent improper payment of Unemployment Insurance (UI) benefits. Improper payment of benefits can result when inaccurate information is provided by the claimant or employer or when the information is not received timely. What can you do to prevent improper UI payments?

- ◆ Respond timely and with adequate detail to requests for separation information so that accurate decisions can be made regarding separation.
- ◆ Report all new hires and rehires to the State Directory of New Hires within 20 days of the 1<sup>st</sup> day worked. Make sure to report the 1<sup>st</sup> date actually worked when reporting.
- ◆ Promptly complete any earnings information requests sent by the agency for individuals who filed for UI benefits in the same quarter wages were reported.

Improper payment of benefits is a serious problem that has a financial impact on employers. Protect your business and help curb the rise in employer tax rates.

**Continued from Page 1** a definition of a newly hired employee. This definition ensures consistency with a federal action initiative.

The federal action initiative defines a newly hired employee as an employee who: has not previously been employed by the employer; or previously worked with the employer, but not for at least 60 consecutive days.

The overall intent of these changes is to improve the DWS Unemployment Insurance (UI) program's ability to detect and prevent UI overpayments. With these additional measures, HB 0009 enhances DWS's integrity efforts in performing cross-match checks between the (NDNH) database and state UI claimant data in identifying and reducing overpayments.



### HB 0026

HB 0026 Contractor Residency was sponsored by the Joint Minerals, Business and Economic Development Interim Committee. This legislation alters the law relating to residency status for state preference laws and provides new definitions for business entity managers.

HB 0026 also modifies the definition of a resident, and broadens the description of a chief executive officer. Additionally, the law gives new authority to DWS Labor Standards in determining compliance of residency through affidavits "sworn to by the chief executive officer." Under this law, criminal penalties for falsifying residency status become more stringent and could result in a felony.

This measure also provides for a select committee to conduct an interim study regarding resident contractor preference with a report due to the Interim Joint Minerals Committee by October 1, 2012.

**Reports MUST be filed on WIRE or Division provided Original Forms**

**SUBSTITUTE, PHOTOCOPIED or FAXED FORMS WILL BE RETURNED**

To obtain blank reporting forms (Summary and/or Employee Wage Listings), contact us at:

fax 307-235-3278  
or call 307-235-3217  
or <http://doe.wyo.gov>

### New DWS Internet Website

DWS has a new website address and some of the links you are familiar with may look different. The new home address is [www.wyomingworkforce.org](http://www.wyomingworkforce.org). To find WIRE, Joint Business Registration forms, Certificates of Good Standing, 2012 tax rates, and Amended Quarterly Reports, click on the "Employers" tab at the top of the page, then click on "Unemployment Insurance."

The right side of the UI page has links to Joint Business Registration, WIRE, and Certificates of Good Standing. The middle of the UI page has links to the 2012 tax rates and the amended forms.

Please change your Internet bookmarks to reflect the new links. For assistance, please call the UI Employer Help Line at 307-235-3217.

## No Staples, Please...

Please do not use staples on paper quarterly forms and remittances. Staples increase the time to process reports and often tear the forms when removed. Paper clips are acceptable but not necessary. The Division has developed processes that ensure checks are recorded with the appropriate forms.

## UI/WC Electronic Payments

WIRE filers can now pay UI/WC taxes electronically. The employer can identify the payment date, so reports can be filed early with the payment arriving on the due date. To make an electronic payment, simply click on the EFT option when the report is completed, or select "Make Electronic Payment" from the WIRE Employer Profile Screen.

You must notify Employer Services in writing of ANY status changes. See the enclosed "Notice of Change."

