

COLORADO EXPANDS NOTICE REQUIREMENT FOR UNEMPLOYMENT BENEFITS UPON TERMINATION

Insights
Jun 13, 2022

When an employee leaves their position in Colorado for any reason, employers are required to provide notice of unemployment benefits. This notice requirement is now expanded to include specific provisions. Colorado recently passed legislation requiring employers in the state to provide each employee notice in writing regarding the potential availability of unemployment benefits. [Senate Bill 22-234](#) was passed on May 25 and became effective immediately. What do employers need to know about the new law?

Written Notice Requirements

Prior to the new law taking effect, Colorado employers needed to provide employees with a notice containing the following:

- That unemployment insurance benefits are available to unemployed workers who meet the eligibility requirements under Colorado law;
- Contact information to file a claim;
- Information the worker will need to file a claim; and
- Contact information to inquire about the status of their claim after it is filed.

Section 5 of the Act describes an employer's expanded notice requirements. Under the new law, at the time of

Related People



Alyssa Andelman

Associate

303.218.3636



Kristin R.B. White

Partner

303.218.3658

separation from employment, the employer must now also provide written information that includes:

- Employer's name and address;
- Employee's name and address;
- Employee's ID number or the last four digits of their SSN;
- Employee's first and last dates worked, year-to-date earnings, and wages for the last week worked; and
- Reason for separation.

The notice requirements appear to apply to both voluntary and involuntary terminations, as the notice information must include the reason for separation.

What You Should Do to Prepare

We anticipate the state will provide a form for giving notice to separated employees and will include the above criteria. For now, you should review your separation procedures and ensure you are providing the above information in writing either in hard copy or electronic form.

We will continue to monitor developments in this area. Make sure you are subscribed to [Fisher Phillips' Insight System](#) to get the most up-to-date information directly to your inbox. For further information, contact your Fisher Phillips attorney, the authors of this Insight, or any attorney in [our Denver office](#).

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