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New Hire Reporting

Federal Law

Under the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, all states must require employers to submit certain information for each new hire. The primary purpose of new hire reporting is to increase the enforcement of child support orders by locating newly hired noncustodial parents who are not meeting their child support obligations. New-Hire reporting information is also intended to be used by the states to reduce unemployment and workers' compensation fraud.

How it works. Once the state agency receives new hire information from an employer, it will match that information against a case registry of child support orders issued in the state. It will also forward the new hire information to the National Directory of New Hires (maintained by the Department of Health and Human Services), where a similar matching process will take place with a federal case registry of child support orders. The Federal Case Registry of Child Support Orders will contain information on child support orders issued in all 50 states. If this matching process reveals that a newly hired employee owes outstanding child support, an income withholding order will be prepared and forwarded to the employer.

Information required from employers

Under federal law, all states must require employers to submit the following information with respect to each new hire:

- the newly hired employee's name, address and social security number, and
- the employer's name, address and federal EIN number.

These are sometimes referred to as the federal data elements required for new hire reporting. Individual states may require employers to report additional information. Additional data elements required by some states include the new hire's date of hire and date of birth.

In what format must new hire information be submitted?

No specific federal form required. Information required by federal law may be submitted using Form W-4, Employer's Withholding Certificate, or, at the employer's option, an equivalent form. Many states have developed their own new hire reporting forms and allow on-line reporting. While states cannot require employers to use any particular form to submit the federal data elements, they can require employers to use a state-designated form to report additional data elements required by the state. So, in those states requiring the use of their own forms, it may be most practical for employers to use the required state form to report the federal data elements as well.

How should new hire information be submitted? Employers may submit new-hire information via first class mail, by fax, electronically, or using magnetic media. Employers should check with their individual state to determine the methods available in that state.

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What are the deadlines for submission? If sent by mail, new-hire reports must be submitted within 20 days of the date of hire. (Note: some states require a shorter deadline.) Reports submitted electronically or magnetically must be submitted twice a month, not fewer than 12 days nor more than 16 days apart.

What if there are employees in more than one state? Employers with employees working in more than one state may choose to satisfy their new-hire reporting requirements by reporting to just one state the new hires in every state in which they do business. To exercise this multistate option, the employer must notify in writing the U.S. Department of Health and Human Services (DHHS) of the state it has chosen. A Multistate Employer Notification Form for New Hire Reporting may be used to make the notification. Use of the Multistate Employer Notification Form for New Hire Reporting is optional for employers. A copy of the form is available from the DHHS Office of Child Support Enforcement, Administration for Children and Families, <http://www.acf.hhs.gov/programs/cse/> under 'Quick Start Information for Employers.'

State Laws

Georgia

Georgia's new hire reporting law is located in the Code of Georgia Annotated, Title 19, Chapter 11. Employers doing business in Georgia must report to the Georgia State Support Registry the hiring of any person who resides or works in Georgia to whom the employer anticipates paying earnings. This includes employees rehired or those returning to work from for any reason (furlough, etc).

Employers may report by mailing the employee's copy of the W-4 form or other means authorized by the registry that will result in timely reporting. Employers must submit reports within 10 days of the hiring, rehiring or return to work of the employee.

For more information, contact the Georgia New Hire Reporting Program, P.O. Box 38480, Atlanta, Georgia 30334-0480; [GA New Hire Reporting Program](#). Click this link for a reporting form: [Georgia New Hire Reporting Form](#)

North Carolina

Under North Carolina State Law (G.S. 110-129.2), employers are required to report all employees hired who reside or work in North Carolina even if they work only one day. This includes re-hires and employees who return to work after being laid off or terminated from employment.

All NC employers fall under these requirements. Reports must be submitted within 20 days of a new employee's hire date. NC law does not require employers to report independent contractors since they are not employees. Failure to report a new employee could result in a fine up to \$25 per violation.

For more information contact the North Carolina State Directory of New Hires, PO Box 90369, East Point, GA 30364-0369 or visit: [NC New Hire Reporting](#). Online reporting services are available 24/7. Click this link for a reporting form: [NC New Hire Reporting Form](#)

Virginia

Virginia's new hire reporting law is found in the Code of Virginia, Sect. 63.2-1946. Employers must report to the Virginia New Hire Reporting Center the initial employment of any person (including new hires, rehires or returning to work employees), within 20 days of employment.

This information may be provided by mailing a copy of the employee's W-4 form, transmitting information magnetically or electronically in the prescribed format or by any other means determined by the Virginia New Hire Reporting Center to result in timely reporting.

For more information, contact the Virginia New Hire Reporting Center, P.O. Box 25309, Richmond, VA 23260-5309; [VA New Hire Reporting Center](#). Click this link for a reporting form: [Virginia New Hire Reporting Form](#)

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