

Colorado Employers Must Use New Employment Affirmation Form Beginning October 1

By David S. Jones on September 22, 2014

AUTHOR: Jessie Feinstein.

All private and public employers in Colorado must complete an employment authorization affidavit for employees hired on or after January 1, 2007. The affirmation, which must be completed within 20 days of hire, is separate from the federal I-9 rules. The Colorado Department of Labor and Employment's (CDLE) new mandatory form must be used starting October 1.

The form, which must be retained for the term of employment for each employee, requires the employer to:

- (1) affirm the employment authorization of the employee, and
- (2) make and retain copies of the identity documents that were presented to complete the I-9.

Failure to complete the affirmation and copy documents cannot be remedied. An employer who, (1) with reckless disregard, fails to submit the required documentation, or who, (2) with reckless disregard, submits false or fraudulent documentation, will be subject to a fine of not more than \$5,000 for the first offense, and not more than \$25,000 for the second and any subsequent offense.

The CDLE has been randomly auditing about 30 employers per week, focusing on specific industries and written complaints. More than 180 employers have been fined through this program.

For more information on the CDLE verification requirements: [website](#) and [CDLE Fact Sheet](#).