

NEW HIRE REPORTING INFORMATION FOR SOUTH DAKOTA

Thank you for downloading Agent 77's **NEW HIRE REPORTING INFORMATION FOR SOUTH DAKOTA**.

This form is provided to you **as is**. As provided, we believe it meets all requirements needed for Federal compliance, as applicable, at the time you download it. We offer it to you in a form to which you can easily add your company name and logo if desired.

However, **any** substantive change to the contents of this document may result in potential legal liability for you and your company. Agent 77, Inc. accepts no liability or responsibility for any of our documents that have had the contents altered beyond simply filling in the appropriate "blanks" and/or replacing "place holder" text and adding your company logo and information.

This document is sold to you with the understanding it is **not** a legal or accounting opinion and should not be construed as such, and that Agent 77, Inc. is not engaged in the business of rendering legal or accounting services. If you need specific advice on any legal or accounting issue, the services of a competent professional should be sought. Please see www.agent77.com/legal for more information.

This and all documents downloaded from our website are Copyright 2004, 2008
© Agent 77, Inc.

Reminder: The license that you previously agreed to prohibits you from copying and distributing this **NEW HIRE REPORTING INFORMATION FOR SOUTH DAKOTA** to anyone outside of your company. Doing so is a violation of your license and will result in the revocation of your subscription and/or prosecution under Federal copyright laws — as well as possible civil litigation. Please see www.agent77.com/legal for a copy of the current license agreement.

NEW HIRE REPORTING INFORMATION FOR **SOUTH DAKOTA**

1. What is the new hire law?

The “Personal Responsibility and Work Opportunity Reconciliation Act” (PRWORA) of 1996 was passed as part of the larger welfare reform legislation. This Act requires that all employers report information on people they hire or re-hire to a state directory shortly after they are hired. Although a Federal law, this legislation looks to the individual states to implement the law and to maintain the directories of new hires. South Dakota Codified Law 25-7A-3.3 is the implementation of PRWORA within the State of South Dakota.

2. Why is new hire reporting required?

New hire reporting was designed to speed up any child support withholding order processes by expediting collection of child support from parents who change jobs frequently. It also helps locate non-custodial parents to help in establishing paternity and child support orders. Thus, employers serve as key partners in ensuring financial stability for many children and families by helping them receive the financial support they deserve.

3. Who is required to report?

Employers doing business in the state of South Dakota must report on the following employees:

- **New Employees:** Employers must report information on newly hired employees who reside or work in the State of South Dakota. This includes employees of all ages, those who work less than a full day, those still in a probationary period, part-time and seasonal employees. This information must be reported even if the employee is employed for only one day before termination.
- **Rehired or recalled employees:** Employers must report information on employees who are rehired or recalled to work after being laid off, furloughed, separated, granted a leave without pay or are terminated from employment after 30 days and who reside or work in the State of South Dakota. This includes teachers, substitutes, seasonal workers, etc.
- **Temporary employees:** Temporary agencies are responsible for reporting information on any employee hired to report for an assignment. This need be done only once, employees do not need to be re-reported each time they report to a new client, unless there is a break in service or gap in wages, in which case they need to be reported as a rehire.

Employers doing business in the state of South Dakota must report information on anyone hired if the individual is considered an employee for purposes of paying federal income tax withholding. This includes employees of all ages, those who work less than a full day, those still in a probationary period, part-time, seasonal employees and employees who are rehired. This information must be reported even if the employee is employed for only a few hours before termination.

Employers are not required to report information on terminated employees.

4. What information must be reported?

In accordance with the Federal legislation, the State of South Dakota requires the following information to be reported:

- The employer’s Federal Employer Identification Number (FEIN). If the employer has more than one FEIN, use the same one used to report quarterly wage information

NEW HIRE REPORTING INFORMATION FOR SOUTH DAKOTA

- The employer's name
- The employer's address
- The employee's name (full name: first, middle and last)
- The employee's address
- The employee's Social Security Number

5. How and where is this information reported?

The South Dakota New Hire Reporting Center offers several options that make it easy for employers to report new hires. The options available are:

Telephone Reporting

- Up to 15 new hires at a time may be reported to the New Hire Reporting Center by telephone by dialing 1-605-626-2942 or toll free at 1-888-827-6078.

Electronic Reporting

- Go to <https://apps.sd.gov/applications/LD00General/Login.aspx> and click "Register" to register to report any new hires on-line.
- Go to http://www.state.sd.us/dol/dolui/ui_tables/Forms/UInewhire/New%20Hire%20Data%20for%20Disk%20or%20Cartridge.pdf for the data specifications for a magnetic tape or disk with new hire reporting information. Mail any disks or tapes to the address below.

Non-Electronic Reporting

- New hire reporting form: Go to http://www.state.sd.us/dol/dolui/ui_tables/Forms/UInewhire/NHFill_in_rpt.pdf to fill out and print the form or use the one attached.
- W-4 form: You may choose to submit a W-4 form as a new hire report. If you do, please ensure that the W-4 is easily readable and has the employer's name, Federal Employer Identification Number, and address written in blocks 8 and 10 on each form.
- New hire reports may either be faxed or mailed to the following:

Mail reports, disks or electronic tapes to:
New Hire Reporting Center
SD Department of Labor
P.O. Box 4700
Aberdeen, SD 57402-4700

Fax reports to:
(605) 626-2842
Toll-free: (888) 835-8659

Other Reporting Methods

- Payroll Service: Leading payroll services are already electronically reporting new hires for thousands of employers. If you use one a payroll or accounting service see if the service can report new hires for you.

6. How often must the information be reported?

Employers are required to submit new hire reports within 20 days after an employee is hired, rehired or returns to work. If you have multiple new hires in a month and are submitting electronic files, these files must be submitted which are not less than 12 days nor more than 16 days apart.

NEW HIRE REPORTING INFORMATION FOR **SOUTH DAKOTA**

7. What is the penalty if the report is late?

A penalty of \$25 per employee per month may be assessed for each failure to report a new hire. Also, a penalty of \$500 may be assessed for the failure to report new hire information if the failure is the result of conspiracy between the business or government entity and the employee.

8. How will the information be used?

Federal and State laws contain strict regulations on how new hire reporting information may be used. New hire reporting information is matched against any open child support orders to locate non-custodial parents and enforce these orders.

This information will also be fed into a national directory to provide more current information for locating out-of-state noncustodial parents.

New hire information may also be used by states to help detect and prevent fraudulent payments to recipients of unemployment insurance, worker's compensation and welfare benefits.

The use of this information helps maintain financial stability in South Dakota families and helps to keep down the cost of welfare, unemployment and worker's compensation insurance.

9. Additional information.

For questions about new hire reporting you can contact the South Dakota New Hire Reporting Center at (605) 626-2942, or toll-free at (888) 827-6078.

SOUTH DAKOTA NEW HIRE REPORTING FORM

DATE:

EMPLOYER FEIN:

EMPLOYER NAME:

EMPLOYER ADDRESS:

CITY:

STATE:

ZIP:

CONTACT:

PHONE #:

EMPLOYEE SSN:

EMPLOYEE NAME:

EMPLOYEE ADDRESS:

CITY:

STATE:

ZIP:

HIRE DATE:

EMPLOYEE SSN:

EMPLOYEE NAME:

EMPLOYEE ADDRESS:

CITY:

STATE:

ZIP:

HIRE DATE:

EMPLOYEE SSN:

EMPLOYEE NAME:

EMPLOYEE ADDRESS:

CITY:

STATE:

ZIP:

HIRE DATE:

EMPLOYEE SSN:

EMPLOYEE NAME:

EMPLOYEE ADDRESS:

CITY:

STATE:

ZIP:

HIRE DATE:

Mail: New Hire Reporting Center
South Dakota Department of Labor
P.O. Box 4700
Aberdeen, SD 57402-4700

Fax: 1-888-835-8659 (Toll Free)
1-605-626-2842 (Local)
Phone: 1-888-827-6078 (Toll Free)
1-605-626-2942 (Local)