

CHAPTER 119

LABOR AND INDUSTRY

SENATE BILL 94-116

BY SENATOR Feeley;
also REPRESENTATIVE Dyer.

AN ACT

CONCERNING REMITTANCE BY EMPLOYERS TO THE UNEMPLOYMENT COMPENSATION FUND OF MONEYS AS A RESULT OF A REDUCTION IN A BACK PAY AWARD.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 24-34-406, Colorado Revised Statutes, 1988 Repl. Vol., is amended to read:

24-34-406. Ruling on unemployment benefits not a bar. No findings, conclusions, or orders made pursuant to the provisions of articles 70 to 82 of title 8, C.R.S., shall be binding upon the commission in the exercise of its powers pursuant to parts 3 and 4 of this article; except that the commission may consider any explicit findings or conclusions on the issue of discrimination. If the decision under parts 3 and 4 of this article is in favor of the complainant, the respondent may present evidence of any unemployment benefits pursuant to articles 70 to 82 of title 8, C.R.S., which were received by the complainant based on the same occurrence. The relief granted to the complainant shall be reduced by the amount of such benefits, as provided in section 8-2-119, C.R.S. ~~except that the employer need not remit the amount of such reduction to the unemployment compensation fund.~~

SECTION 2. Effective date - applicability. This act shall take effect July 1, 1994, and shall apply to unemployment benefits received on or after said date.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 14, 1994

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.