

REPORTING DEADBEAT PARENTS

By Michael J. McNamara

A relatively little-known federal law was passed in 1996 which requires all employers to report new *and rehired* employees to a designated state agency which gathers information about “new” employees and “rehired” employees in order to determine compliance with the The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (“PRWORA”), whose purpose is to monitor the movement and employment of parents who are obligated to make child support payments.

PRWORA requires Minnesota employers to submit the following information about newly hired and rehired employees to the Minnesota New Hire Reporting Center: Name, address, social security number, date of hire, state of hire, and, if available, the date of birth of the employee. Of course, the employer also provides its company name, mailing address, and federal tax identification number (FEIN).

An employer failing to report either new or rehired employees is subject to a state-imposed fine of \$25.00 for each employee *intentionally* unreported and \$500.00 for each employee *intentionally* unreported if the employer has “conspired” with the employee to avoid reporting. These fines, however, cannot be imposed unless the state has first given the employer a “Notice of Noncompliance” by certified mail.

Employees who must be reported to the Minnesota New Hire Reporting Center include full-time, part-time, temporary, and seasonal employees.

“Rehired” employees include those who have been off the employer’s payroll for more than 90 days. Additionally, governmental agencies must report *independent contractors* to the Reporting Center and private employers are encouraged to do so. The report of new or rehired employees must be made within 20 days of the hire *and applies whether or not the employee actually owes child support*.

Employers with locations in other states may report all of their newly hired or rehired employees to the Minnesota New Hire Reporting Center. In that case, those employers *must* submit reports electronically or by magnetic tape, contact the Reporting Center for data specifications and file layout requirements, and notify the federal government by registering online at <http://www.acf.dhhs.gov/programs/cse/newhire/employ/emult.htm>.

Finally, employers may contact the Minnesota New Hire Reporting Center by telephone at (651) 227-4661 or (800) 672-4473; or by United States Mail at P.O. Box 64212, Saint Paul, Minnesota 55164-0212; or online at <http://www.mn-newhire.com>.