

INFO LINK

Your link to information regarding North Dakota Unemployment Insurance

March 2003



Centralized Services
Business Services Section
P.O. Box 5507
Bismarck, N.D. 58506-5507

Phone: 701-328-2814
Toll-free: 800-472-2952
Fax: 701-328-1882
Website: jobsnd.com
E-mail: jsuits@state.nd.us

Updated UI Poster Enclosed

An updated Unemployment Insurance poster has been included along with this quarter's Employer's Contribution & Wage Report.



Critical information contained on the poster has changed making it important that you replace your current poster with this one. If you need additional copies, go to our website at jobsnd.com and click on Forms.

Is this Worker an Employee?

The distinction between an employment relationship and an independent contractor relationship is an important and sometimes ambiguous one. The North Dakota State Unemployment Compensation Law is very specific on this matter; the law states that any service performed for another for wages or under any contract of hire is employment, unless it is shown that the individual performing the service is an independent contractor as determined by the "Common Law Test".

Under the Common Law Test, an employer-employee relationship exists when the person for whom the services are performed has the *right* to control and direct the individual who performs the services as to:

1. The result to be accomplished by the work, and
2. The details and methods used in achieving the end result.



It is not necessary that the hiring firm actually exercise the control – *all that is required is that they have the right to do so.*

Twenty factors or elements have been identified to help in determining if sufficient control is present to establish an employer-employee relationship.

The degree of importance of each factor varies depending upon the occupation and the scope of the work being performed.

Remember, it does not matter what you call people who perform work for you, or what kind of agreement you sign with them. What does matter is the substance of the particular working relationship.

If you currently pay someone for performing a service and do not cover them under the Unemployment Insurance program, we encourage you to examine the working relationship to be sure that the workers are truly independent. Job Service North Dakota Customer Service Consultants are available to answer questions and help you with this examination. You may also call Job Service North Dakota toll-free at 1-800-472-2952.

***Employer's Contribution and Wage Reports for the quarter ending
March 31, 2003, are due and must be submitted by
April 30, 2003***

Attention: Electronic Filing Update

Job Service North Dakota is pleased to announce that it now provides employers a secure File Transfer Protocol (FTP) option to submit quarterly Employer's Contribution and Wage Reports. This will enable employers to transmit the data directly from our website rather than sending it via diskette or magnetic tape. In addition to being cost-effective and efficient, this new process eliminates the possibility of damaged media.

All information submitted utilizing Secure FTP is encrypted. Therefore, the data would be in an incomprehensible format if, in the unlikely event, it were intercepted from the Internet. The State of North Dakota uses Secure Sockets Layer (SSL) technology to accomplish this.

In addition to Secure FTP, Job Service North Dakota also accepts electronic reports via CD Rom, diskette, or magnetic tape. For more information, call 1-800-472-2952 or 701-328-2814.

Bar Coding Technology

Have you noticed something new on your quarterly Employer's Contribution and Wage Reports?



Providing quick and accurate service and response to North Dakota employers is important to Job Service North Dakota. In its quest to provide quality service, Job Service has begun the process of imaging documents for electronic storage and retrieval. To facilitate this process, bar codes are now included at the top of the quarterly reports. This bar code allows us to quickly and accurately identify and store the information you submit, and provides for quick retrieval.

To help us serve you better please:

- * Use the original bar coded form supplied to you by Job Service North Dakota whenever possible.
- * Submit wage detail attachments on white 8 ½ x 11 paper. (You may include copies of computer printouts).
- * Submit clear and legible wage details.
- * Include each employee's name, SSN, and gross quarterly wage amount on the same line for each employee.

Question of the Quarter —



How long should I keep payroll records for unemployment insurance purposes?

North Dakota Unemployment Compensation Law requires every employing unit to maintain certain records for each individual employed. These records must be retained for a period of not less than five years after the calendar year in which remuneration was paid, or if not paid, was due.

The law requires that records of an employing unit be open for inspection by Job Service North Dakota or its authorized representatives at any reasonable time, and as often as may be necessary. All Job Service North Dakota Customer Service Consultants carry identification documents issued by Job Service North Dakota. If you are unsure, ask for proper identification.

CUSTOMER SERVICE CONSULTANTS

Our staff are available to answer your questions at any of the following locations:

BISMARCK

Bob Arnold
701-328-5016
Toll-free in ND 1-800-247-0981
E-mail: arnold@state.nd.us

DEVILS LAKE

Donald Ripplinger
701-662-9334
Toll-free in ND 1-800-247-0982
E-mail: driplin@state.nd.us

DICKINSON/MANDAN

Lora Hill
701-328-5017
Toll-free in ND 1-800-247-0981
E-mail: lkhill@state.nd.us

FARGO

Michael F. Misialek
701-261-9949
Toll-free in ND 1-800-247-0985
E-mail: mmisiale@state.nd.us

Lonnie Wangen

701-239-7310
Toll-free in ND 1-800-247-0985
E-mail: llwangen@state.nd.us

GRAND FORKS

Mike Endres
701-795-3731
Toll-free in ND 1-800-247-0986
E-mail: mendres@state.nd.us

Keith Reitmeier

701-795-3730
Toll-free in ND 1-800-247-0986
E-mail: kreitmei@state.nd.us

JAMESTOWN

Julius Gange
701-253-6215
Toll-free in ND 1-800-247-0988
E-mail: jgange@state.nd.us

MINOT

Mary Schaefer
701-857-7554
Toll-free in ND 1-800-482-0017
E-mail: mschaefer@state.nd.us

WILLISTON

Elwood Adams
701-774-7903
Toll-free in ND 1-800-247-0989
E-mail: eadams@state.nd.us