

35A-4-202 Employing units.

As used in this chapter:

- (1)
 - (a) "Employing unit" means:
 - (i) any individual or type of organization that has or subsequent to January 1, 1935, had one or more individuals performing services for it within the state including any:
 - (A) partnership;
 - (B) association;
 - (C) trust;
 - (D) estate;
 - (E) joint stock company;
 - (F) insurance company;
 - (G) limited liability company;
 - (H) limited liability partnership;
 - (I) joint venture;
 - (J) corporation, whether domestic or foreign;
 - (K) the receiver, trustee in bankruptcy, trustee or successor of any entity listed in Subsections (1)(a)(i)(A) through (J);
 - (L) the legal representative of a deceased person; or
 - (M) a tribal unit; or
 - (ii) any properly and legally registered professional employer organization as defined by Section 31A-40-102.
 - (b) The department may adopt rules specific to a professional employer organization pursuant to Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
 - (c) All individuals performing services within this state for any employing unit that maintains two or more separate establishments within this state are considered to be performing services for a single employing unit for all the purposes of this chapter.
 - (d) Each individual employed to perform or to assist in performing the work of any person in the service of an employing unit is considered to be engaged by the employing unit for all the purposes of this chapter whether the individual was hired or paid directly by the employing unit or by the person, provided the employing unit had actual or constructive knowledge of the work.
- (2) "Hospital" means an institution that is licensed, certified, or approved by the Department of Health as a hospital.
- (3) "Institution of higher education," for the purposes of this section, means an educational institution that:
 - (a)
 - (i) admits, as regular students only, individuals having a certificate of graduation from a high school or the recognized equivalent of a certificate;
 - (ii) is legally authorized in this state to provide a program of education beyond high school;
 - (iii) provides:
 - (A) an educational program for which it awards a bachelor's or higher degree;
 - (B) a program that is acceptable for full credit toward a bachelor's or higher degree;
 - (C) a program of postgraduate or postdoctoral studies; or
 - (D) a program of training to prepare students for gainful employment in a recognized occupation; and
 - (iv) is a public or other nonprofit institution.

(b) All colleges and universities in this state are institutions of higher education for purposes of this section.

Amended by Chapter 318, 2008 General Session

Amended by Chapter 382, 2008 General Session