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Dependent Workers
 2025 GENERAL SESSION
 STATE OF UTAH
Chief Sponsor: A. Cory Maloy
 Senate Sponsor:

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3 **LONG TITLE**

4 **General Description:**

5 This bill addresses protections for dependent workers.

6 **Highlighted Provisions:**

7 This bill:

- 8 ▶ defines terms; and
- 9 ▶ establishes benefits and protections for dependent workers.

10 **Money Appropriated in this Bill:**

11 None

12 **Other Special Clauses:**

13 None

14 **Utah Code Sections Affected:**

15 ENACTS:

16 **34A-12-101**, Utah Code Annotated 1953

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18 *Be it enacted by the Legislature of the state of Utah:*

19 Section 1. Section **34A-12-101** is enacted to read:

20 **CHAPTER 12. DEPENDENT WORKER ACT**

21 **Part 1. Dependent Worker Act**

22 **34A-12-101 . Dependent worker act.**

23 (1) As used in this section:

24 (a) "Dependent worker" means a worker that:

- 25 (i) typically works at least 30 hours per week for the same employer;
- 26 (ii) does not employ another individual to assist in the dependent worker's work for
 27 the employer;
- 28 (iii) is in the same course of business or trade as the employer;
- 29 (iv) provides the majority of the worker's own tools or instrumentalities of
 30 production, excluding:

- 31 (A) a software application;
32 (B) a phone; or
33 (C) a computer;
34 (v) does not utilize a special or unique skill in completing work for the employer;
35 (vi) works for an employer that has 15 or more workers; and
36 (vii) is not a volunteer.
- 37 (b)(i) "Special or unique skill" means a skill that requires:
38 (A) a license;
39 (B) an educational degree or certificate related to the type of work; or
40 (C) significant training related to the type of work.
41 (ii) A license described in Subsection (1)(b)(i) does not include a class D driver
42 license or a business license.
- 43 (c) "Wages" means the same as that term is defined in Section 34-28-2.
44 (d) "Worker" means a person in the service of any employer, as defined in Section
45 34A-2-103, who employs one or more workers or operatives regularly in the same
46 business, or in or about the same establishment.
- 47 (2) A dependent worker is entitled to the protections and rights afforded an employee under:
48 (a) 29 U.S.C. Secs. 206 and 207, the Fair Labor Standards Act of 1938;
49 (b) Title 34, Chapter 28, Payment of Wages;
50 (c) Chapter 2, Workers' Compensation Act;
51 (d) Chapter 3, Utah Occupational Disease Act;
52 (e) Chapter 5, Utah Antidiscrimination Act; and
53 (f) Title 35A, Chapter 4, Employment Security Act.
- 54 (3) A dependent worker has a private right of action for a violation of a statute described in
55 Subsection (2).
- 56 (4) Nothing in this section creates a new federal remedy for a dependent worker.
- 57 (5) Nothing in this section eliminates any rights, privileges, or claims a dependent worker
58 may be entitled to under state or federal law.

59 Section 2. **Effective Date.**

60 This bill takes effect on May 7, 2025.