

**34A-2-206 Furnishing information to division -- Employers' annual report -- Rights of division -- Examination of employers under oath -- Penalties.**

- (1)
  - (a) Every employer shall furnish the division, upon request, all information required by it to carry out the purposes of this chapter and Chapter 3, Utah Occupational Disease Act.
  - (b) In the month of July of each year every employer shall prepare and mail to the division a statement containing the following information:
    - (i) the number of persons employed during the preceding year from July 1, to June 30, inclusive;
    - (ii) the number of the persons employed at each kind of employment;
    - (iii) the scale of wages paid in each class of employment, showing the minimum and maximum wages paid; and
    - (iv) the aggregate amount of wages paid to all employees.
- (2)
  - (a) The information required under Subsection (1) shall be furnished in the form prescribed by the division.
  - (b) Every employer shall:
    - (i) answer fully and correctly all questions and give all the information sought by the division under Subsection (1); or
    - (ii) if unable to comply with Subsection (2)(b)(i), give to the division, in writing, good and sufficient reasons for the failure.
- (3)
  - (a) The division may require the information required to be furnished by this chapter or Chapter 3, Utah Occupational Disease Act, to be made under oath and returned to the division within the period fixed by it or by law.
  - (b) The division, or any person employed by the division for that purpose, shall have the right to examine, under oath, any employer, or the employer's agents or employees, for the purpose of ascertaining any information that the employer is required by this chapter or Chapter 3, Utah Occupational Disease Act, to furnish to the division.
- (4)
  - (a) The division may seek a penalty of not to exceed \$500 for each offense to be recovered in a civil action brought by the commission or the division on behalf of the commission against an employer who:
    - (i) within a reasonable time to be fixed by the division and after the receipt of written notice signed by the director or the director's designee specifying the information demanded and served by certified mail, refuses to furnish to the division:
      - (A) the annual statement required by this section; or
      - (B) other information as may be required by the division under this section; or
    - (ii) willfully furnishes a false or untrue statement.
  - (b) All penalties collected under Subsection (4)(a) shall be paid into the Employers' Reinsurance Fund created in Section 34A-2-702.

Renumbered and Amended by Chapter 375, 1997 General Session