

35A-4-201 General definitions.

As used in this chapter:

- (1)
 - (a) Except as otherwise provided in Subsection (1)(b), "base period" means the first four of the last five completed calendar quarters next preceding the first day of the individual's benefit year with respect to any individual whose benefit year commences on or after January 5, 1986.
 - (b)
 - (i) For a claimant whose benefit year is effective on or after January 2, 2011, and who does not have sufficient wages in the first four of the last five completed calendar quarters to otherwise qualify for benefits under Subsection (1)(a), the base period is the last four completed calendar quarters.
 - (ii) Wages used to establish eligibility regardless of how the base period is calculated are not available for qualifying benefits in any subsequent benefit year.
- (2) "Benefit year" means the 52 consecutive week period beginning with the first week with respect to which an individual files for benefits and is found to have an insured status.
- (3) "Benefits" means the money payments payable to an individual as provided in this chapter with respect to the individual's unemployment.
- (4) "Calendar quarter" means the period of three consecutive months ending on March 31, June 30, September 30, or December 31, or the equivalent, as the department may by rule prescribe.
- (5) "Contribution" means the money payments required by this chapter to be made into the Unemployment Compensation Fund by any employing unit on account of having individuals in its employ.
- (6) "Division" means the Unemployment Insurance Division.
- (7) "Employment office" means a free public employment office or branch operated by this or any other state as a part of a state-controlled system of public employment offices or by a federal agency charged with the administration of an unemployment compensation program or free public employment offices.
- (8) "Extended benefits" has the meaning specified in Subsection 35A-4-402(7)(f).
- (9) "Fund" means the Unemployment Compensation Fund established by this chapter.
- (10) "Insured average annual wage" means on or before the 15th day of May of each year, the total wages of insured workers for the preceding calendar year, divided by the average monthly number of insured workers, determined by dividing by 12 the total insured workers for the preceding calendar year as determined under the rules of the department calculated to two decimal places, disregarding any fraction of one cent.
- (11) "Insured average fiscal year wage" means on or before the 15th day of November of each year, the total wages of insured workers for the preceding fiscal year, divided by the average monthly number of insured workers, determined by dividing by 12 the total insured workers for the preceding fiscal year as determined under the rules of the department calculated to two decimal places, disregarding any fraction of one cent.
- (12) "Insured average fiscal year weekly wage" means the insured average fiscal year wage determined in Subsection (11), divided by 52, calculated to two decimal places, disregarding any fraction of one cent.
- (13) "Insured average weekly wage" means the insured average annual wage determined in Subsection (10), divided by 52, calculated to two decimal places, disregarding any fraction of one cent.

- (14) "Insured status" means that an individual has, during the individual's base-period, performed services and earned wages in employment sufficient to qualify for benefits under Section 35A-4-403.
- (15) "Insured work" means employment for an employer, as defined in Section 35A-4-203.
- (16) "Monetary base period wage requirement" means 8% of the insured average fiscal year wage for the preceding fiscal year, for example, fiscal year 1990 for individuals establishing benefit years in 1991, rounded up to the next higher multiple of \$100.
- (17) "State" includes the Commonwealth of Puerto Rico, the Virgin Islands, and the District of Columbia.
- (18) "Tribal unit" means a subdivision, subsidiary, or business enterprise wholly owned by an American Indian tribe.
- (19) "Week" means the period or periods of seven consecutive calendar days as the department may prescribe by rule.

Amended by Chapter 277, 2010 General Session

Amended by Chapter 278, 2010 General Session

Amended by Chapter 282, 2010 General Session