

90 (p) "Person" means:

91 (i) one or more individuals, partnerships, associations, corporations, legal  
92 representatives, trusts or trustees, or receivers;

93 (ii) the state; and

94 (iii) a political subdivision of the state.

95 (q) "Pregnancy, childbirth, or pregnancy-related conditions" includes breastfeeding or  
96 medical conditions related to breastfeeding.

97 (r) "Presiding officer" means the same as that term is defined in Section 63G-4-103.

98 (s) "Prohibited employment practice" means a practice specified as discriminatory, and  
99 therefore unlawful, in Section 34A-5-106.

100 (t) "Religious leader" means an individual who is associated with, and is an authorized  
101 representative of, a religious organization or association or a religious corporation sole,  
102 including a member of clergy, a minister, a pastor, a priest, a rabbi, an imam, or a spiritual  
103 advisor.

104 (u) "Retaliate" means the taking of adverse action by an employer, employment  
105 agency, labor organization, apprenticeship program, on-the-job training program, or vocational  
106 school against one of its employees, applicants, or members because the employee, applicant,  
107 or member:

108 (i) opposes an employment practice prohibited under this chapter; [or]

109 (ii) files charges, testifies, assists, or participates in any way in a proceeding,  
110 investigation, or hearing under this chapter[?]; or

111 ~~Ĥ→ [(iii) inquires about, discusses, or discloses the employee's wages or another employee's~~  
112 ~~wages.] ←Ĥ~~

113 (v) "Sexual orientation" means an individual's actual or perceived orientation as  
114 heterosexual, homosexual, or bisexual.

115 (w) "Unincorporated entity" means an entity organized or doing business in the state  
116 that is not:

117 (i) an individual;

118 (ii) a corporation; or

119 (iii) publicly traded.

120 (x) "Vocational school" means a school or institution conducting a course of

307 (a) cease any discriminatory or prohibited employment practice; ~~and]~~

308 (b) provide relief to the complaining party, including:

309 (i) reinstatement;

310 (ii) back pay and benefits;

311 (iii) attorney fees; and

312 (iv) costs ~~§→ [f] . [†; and~~

313 ~~———— (c) (10) [except as provided in Subsection (10), if the] If a ←§ discriminatory practice~~  
 313a ~~§→ described in Subsection (9) ←§~~ includes

314 ~~discrimination in matters of compensation. §→ the presiding officer may ←§ provide, to the~~  
 314a ~~complaining party, in addition to the~~

315 ~~amount available to the complaining party under Subsection (9)(b), an additional amount equal~~

316 ~~to the amount of back pay available to the complaining party under Subsection (9)(b)(ii) §→ [;~~

317 ~~———— (10) The presiding officer shall award additional damages under Subsection (9)(c) ←§~~  
 318 ~~unless a respondent shows that:~~

319 (a) ~~the act or omission that gave rise to the order was in good faith; and~~

320 (b) ~~the respondent had reasonable grounds to believe that the act or omission was not~~  
 321 ~~discrimination in matters of compensation under this chapter.~~

322 ~~[(+0)] (11) Conciliation between the parties is to be urged and facilitated at all stages of~~  
 323 ~~the adjudicative process.~~

324 ~~[(+1)] (12) (a) Either party may file with the Division of Adjudication a written request~~  
 325 ~~for review before the commissioner or Appeals Board of the order issued by the presiding~~  
 326 ~~officer in accordance with:~~

327 (i) Section 63G-4-301; and

328 (ii) Chapter 1, Part 3, Adjudicative Proceedings.

329 (b) If there is no timely request for review, the order issued by the presiding officer  
 330 becomes the final order of the commission.

331 ~~[(+2)] (13) An order of the commission under Subsection [(+1)] (12)(a) is subject to~~  
 332 ~~judicial review as provided in:~~

333 (a) Section 63G-4-403; and

334 (b) Chapter 1, Part 3, Adjudicative Proceedings.

335 ~~[(+3)] (14) The commission may make rules concerning procedures under this chapter~~  
 336 ~~in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.~~

337 ~~[(+4)] (15) The commission and its staff may not divulge or make public information~~