

**Unapproved Minutes of the  
Worker Classification Coordinated Enforcement Council  
Labor Commission, 160 East 300 South, Salt Lake City  
November 12, 2015 – 9:00 a.m.**

**Council Members Present:** Jaceson Maughan, Chair Deputy Commissioner, Labor Commission  
Michelle Beebe Director, Unemployment Insurance, Department of Workforce Services  
Phil Lott Assistant Attorney General, Utah Attorney General’s Office, nonvoting member  
Dolores Furniss Disclosure Officer & Manager of the Suspicious Filer Group, Utah Tax Commission

**Council Members Excused:** Thomas Brady Deputy Director, Utah Department of Commerce

**Staff:** Sara Danielson Support Staff, Utah Labor Commission

**Visitors:** A list of visitors is provided at the end of the Minutes.

Topic	Discussion	Action
Welcome and Approval of Minutes	<p>Chair Maughan called the meeting to order at 9:02 a.m. He stated today’s agenda has been published on the Public Notice Meeting website as required by the Utah Public Meetings Act, and the local media has been notified in accordance with Utah law. Chair Maughan excused Thomas Brady.</p> <p>Chair Maughan called for approval of the August 13, 2015, Minutes. Michelle Beebe made the motion to approve, Dolores Furniss seconded the motion and the Minutes were approved unanimously.</p>	
Business		
Updates on Agency Action Regarding Misclassification Complaints	<p>Chair Maughan distributed to the council members two lists of employers and the actions taken/pending for misclassified workers. Chair Maughan stated that the shorter of the two was employers that had been found noncompliant with workers compensation. The longer list was employers that were found to be compliant with workers compensation. Chair Maughan also discussed new complaints received through the hotline, UALD’s Wage Claim investigations, and through the Utah Occupational Safety and Health Division:</p>	

- City Creek Limousine
- Bullseye Enterprises
- Mark Huber LLC
- Clear Sound Corp. / ASG
- AFI Advance Care in Brigham City
- Peregrin Home Health LLC
- Country Lane Assisted Living Center
- Dunn Rite Delivery & Transportation Co.
- Homestead West Construction Inc.
- Steele Cycles LLC
- New Star Communications Corp.
- Bankers Life & Casualty Ins.
- Smart N Go Markets
- Ace Benning LLC

Ms. Beebe distributed an “Enforcement Council Report” for employers that have misclassified workers and have more than 10 employees. She also reported on outreach efforts. She distributed a copy of Guidelines for Determining Employment Status.” She also distributed a copy of a documents that DWS’s auditors will be handing out to those audited with contact information for the other entities the employer might need to contact.

Ms. Furniss stated that the Tax Commission is working on employer tax returns. She believes that next year will have a larger number of referrals to DWS because of SB250 which requires filing electronically by January 31. She anticipates that the increase will happen in late Spring or early Summer.

Ms. Beebe stated that DWS has published an article regarding SB250. She will provide the council with a copy of the article.

Mr. Lott expressed appreciation for the timely filing of the agencies sections for the annual report.

Chair Maughan stated that the Council had been asked to present their report to the Legislative Interim Committee on November 18. He stated that he would give a brief overview and then each agency could speak/comment on the effectiveness of the council. Ms. Beebe stated that she would be unable to attend, however, Mike Miller, would attend in her place.

Ms. Beebe mentioned that the Rules Review Committee raised a concern with the Real Estate Property

<p>Public Comment</p> <p>Next Meeting</p> <p>Adjourn</p>	<p>Management rule, so the wording is being reviewed.</p> <p>No public comment.</p> <p>The next meeting was scheduled for February 11, 2016 at 9:00 a.m. Because this date is during the Legislative Session, if a Legislative matter arises that interferes with this date and time, a new date and time will be set.</p> <p>Ms. Beebe moved to close the meeting. Ms. Furniss seconded the motion. The voting was unanimous.</p> <p>The meeting was adjourned at 9:17am.</p>	
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**Visitors:**

- Erin Hanson, Policy Manager, Industrial Accidents Division, Utah Labor Commission
- Dan Jones, Commerce, DOPL
- Josef Sharp, Commerce, DOPL
- Mike Miller, UI Chief of Contributions, DWS
- Teresa Wilde, USDOL
- Kathy Milton, USDOL
- Brandt Goble, Utah Building Trades
- Ryan Andrus, WCF
- Eileen Rivera, DWS Audit Manager