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Title 22@ Social Security

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Division 1@ Employment Development Department

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Subdivision 1@ Director of Employment Development

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Division 1@ Unemployment and Disability Compensation

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Part 1@ Unemployment Compensation

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Chapter 2@ Administration

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Article 1@ Employment Development Department

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Section 320.5@ Industrial Classification-Employer's Annual Statement of Activities or Products-General

320.5-2 Industrial Classification-Employer's Annual Statement of Activities or Products-General

(a)

This section sets forth the basic standards and requirements to obtain the information needed by the director in an annual or less frequent report to classify such employing units and employers or subunits of any such employing units or employers in the proper industrial classification for the director's report to the Secretary of Labor.

(b)

General Reporting Requirements. When requested by the department, every reporting employer shall report to the department the following information for each establishment of the reporting employer on a form supplied by the department: (1) The principal product or activity during the designated preceding calendar year, non-manufacturing and manufacturing activities, if applicable, and for each principal product or activity shall list the percentage of total value of production, sales, or receipts during such year represented by such principal product or activity. The form supplied by the department shall set forth details and examples of the types of information requested by the department in the reporting employer's description of activities. (2) Whether the establishment is part of a multiple establishment company (see Section 1088-8, (C)(3) for the definition) and, if so, the name, physical location, description, and principal

product or activity of each worksite. (3) Whether the establishment is primarily engaged in performing auxiliary services for other units of the company and, if so, the activity of the auxiliary unit. Auxiliary units are defined as establishments primarily engaged in performing management or support services for other establishments of the same enterprise. Auxiliary units are recognized as special types of establishments. Some examples of activities commonly performed by auxiliary units are: management and other general administrative functions; research, development and testing; and warehousing. (4) Whether the majority of workers in the establishment are covered by collective-bargaining agreements. (5) Such other information as the director may require. The reporting forms provided by the director to the reporting employer may require additional information depending upon the type of reporting employer.

(1)

The principal product or activity during the designated preceding calendar year, non-manufacturing and manufacturing activities, if applicable, and for each principal product or activity shall list the percentage of total value of production, sales, or receipts during such year represented by such principal product or activity. The form supplied by the department shall set forth details and examples of the types of information requested by the department in the reporting employer's description of activities.

(2)

Whether the establishment is part of a multiple establishment company (see Section 1088-8, (C)(3) for the definition) and, if so, the name, physical location, description, and principal product or activity of each worksite.

(3)

Whether the establishment is primarily engaged in performing auxiliary services for

other units of the company and, if so, the activity of the auxiliary unit. Auxiliary units are defined as establishments primarily engaged in performing management or support services for other establishments of the same enterprise. Auxiliary units are recognized as special types of establishments. Some examples of activities commonly performed by auxiliary units are: management and other general administrative functions; research, development and testing; and warehousing.

(4)

Whether the majority of workers in the establishment are covered by collective-bargaining agreements.

(5)

Such other information as the director may require. The reporting forms provided by the director to the reporting employer may require additional information depending upon the type of reporting employer.

(c)

Delinquent or Deficient Reports. If any reporting employer fails to submit to the department any annual report within the time required, or if the department is not satisfied with any annual report submitted by a reporting employer under any of such sections, the department shall contact the employer and may demand by written notice that an annual report be submitted or that the deficiency in an annual report submitted shall be corrected by the reporting employer. Within 30 days after the date of the mailing of such written notice, the reporting employer shall submit the annual report or corrected annual report to the department.