

- Services of a minor child (under 21) in the employ of the parents
- Services of parents in the employ of their sons or daughters
- Services performed by an insurance agent or as a licensed real estate agent, if all service is performed for remuneration solely by commissions or fees

Lessor employers

Lessor employers are employing units that contract with other employers, individuals, organizations or legal entities to provide “leased” employees. The lessor employer is liable for contributions on wages paid to individuals performing services for the client lessees. The lessee will be held jointly and severally liable with the lessor employing unit unless the lessor employer posts and maintains a surety bond.

Independent contractors and contract labor

Services performed by an individual for wages or under any contract of hire shall be considered employment unless it is shown that:

- the individual is free from direction and control over his performance of service, and
- one of the following
 - the individual has his own independently established business, or
 - the individual is performing services outside the usual course of the business and outside all places of business

Individuals not meeting the above criteria are considered employees and should be reported by the employing unit. If you have individuals performing services that you have classified or contemplated classifying as “self employed” or “independent contractors,” please contact OESC so a determination can be made. By doing this, unexpected taxes, interest and penalties may be avoided.

Successor employers

A successor employer is an employing unit that has acquired substantially all of the trade, employees, organization, business or assets of the predecessor employer and continued the operation. The successor employer also acquires the predecessor’s UI tax rate and history, including their actual contribution, benefit experience and annual payrolls. The successor is jointly and severally liable with the predecessor for all contributions, interest, penalties and fees owed by the predecessor employer.

A partial successor employer is an employing unit that has acquired substantially all of the trade, employees, organization, business or assets of an employer at one or more separate and distinct establishments and continued the operation. To acquire the portion of the experience rating account that was purchased, the successor must send a written application and the portion of history to be transferred within 120 days of the acquisition.