6293-S.E AMH MANW TANG 129

**ESSB 6293** - H AMD **916**

By Representative Manweller

**ADOPTED 03/04/2016**

 Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec.**  The legislature finds that: (1) School-sponsored, unpaid work-based learning, including cooperative education, clinical experiences, and internship programs are a valuable component of many college certifications and degrees; (2) the opportunity to provide labor and industries' medical aid coverage to students in these programs will encourage employers to participate in school-sponsored, unpaid work-based learning, potentially improving employment opportunities for students; and (3) education improves economic viability in communities and in the state of Washington.

**Sec.**  RCW 51.12.170 and 1994 c 246 s 1 are each amended to read as follows:

(1) An employer covered under this title may elect to include student volunteers or unpaid students as employees or workers for all purposes relating to medical aid benefits under chapter 51.36 RCW. The employer shall give notice of its intent to cover all of its student volunteers or unpaid students to the director prior to the occurrence of the injury or contraction of an occupational disease.

(2) A student volunteer is an enrolled student in a public school as defined in RCW 28A.150.010, a private school governed under chapter 28A.195 RCW, or a state public or private institution of higher education, who is participating as a volunteer under a program authorized by the ((~~public~~)) school. The student volunteer shall perform duties for the employer without wages. The student volunteer shall be deemed to be a volunteer even if the student is granted maintenance and reimbursement for actual expenses necessarily incurred in performing his or her assigned or authorized duties. A person who earns wages for the services performed is not a student volunteer.

(3) An unpaid student is an enrolled student in a state public or private institution of higher education who is participating in an unpaid work-based learning program authorized by the school. The unpaid student shall perform duties for the employer without wages but receives credit towards completing the school program, certification, or degree in return for the services provided.

(4) Any and all premiums or assessments due under this title on account of service by a student volunteer or unpaid student shall be paid by the employer who has registered and accepted the services of student volunteers or engaged in an approved student work-based learning program authorized by the school and has exercised its option to secure the medical aid benefits under chapter 51.36 RCW for the student volunteers or unpaid students.

(5) For the purposes of this section, "unpaid student" includes a student in school-sponsored, unpaid work-based learning, including cooperative education, clinical experiences, and internship programs.

NEW SECTION. **Sec.**  A new section is added to chapter 51.12 RCW to read as follows:

An employer who has registered and accepted the services of volunteers, student volunteers, or unpaid students, who are eligible for medical aid benefits under this chapter, may annually elect to pay the premiums and assessments due under this title at the rate due for one hundred hours of volunteer service for each volunteer, student volunteer, or unpaid student instead of tracking the actual number of hours for each volunteer, student volunteer, or unpaid student. An employer selecting this option must use the method to cover all their volunteers, student volunteers, or unpaid students for the calendar year."

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|  |  EFFECT:  Includes student volunteers and unpaid students of private institutions of higher education and private K-12 schools (not just public schools). Applies the alternative method of calculating premium rates (100 hours of service rather than tracking actual hours) to student volunteers and unpaid students (not just volunteers).  |

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