

ESSB 6293 - H COMM AMD

By Committee on Labor & Workplace Standards

NOT ADOPTED 03/04/2016

1 Strike everything after the enacting clause and insert the
2 following:

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

13 **Sec. 2.** RCW 51.12.170 and 1994 c 246 s 1 are each amended to
14 read as follows:

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

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

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

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

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

17 NEW SECTION. Sec. 3. A new section is added to chapter 51.12
18 RCW to read as follows:

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

28 Correct the title.

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

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