

ESSB 6293 - H AMD 916

By Representative Manweller

ADOPTED 03/04/2016

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

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

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

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

24 (2) A student volunteer is an enrolled student in a public
25 school as defined in RCW 28A.150.010, a private school governed
26 under chapter 28A.195 RCW, or a state public or private institution
27 of higher education, who is participating as a volunteer under a

1 program authorized by the ((public)) school. The student volunteer
2 shall perform duties for the employer without wages. The student
3 volunteer shall be deemed to be a volunteer even if the student is
4 granted maintenance and reimbursement for actual expenses
5 necessarily incurred in performing his or her assigned or authorized
6 duties. A person who earns wages for the services performed is not a
7 student volunteer.

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

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

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

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

28 An employer who has registered and accepted the services of
29 volunteers, student volunteers, or unpaid students, who are eligible
30 for medical aid benefits under this chapter, may annually elect to
31 pay the premiums and assessments due under this title at the rate
32 due for one hundred hours of volunteer service for each volunteer,
33 student volunteer, or unpaid student instead of tracking the actual
34 number of hours for each volunteer, student volunteer, or unpaid

1 student. An employer selecting this option must use the method to
2 cover all their volunteers, student volunteers, or unpaid students
3 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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