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## Labor & Workplace Standards Committee

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### ESSB 6293

**Brief Description:** Addressing student volunteers and unpaid students.

**Sponsors:** Senate Committee on Commerce & Labor (originally sponsored by Senators Braun, Bailey, Rivers, Conway and Sheldon).

#### Brief Summary of Engrossed Substitute Bill

- Authorizes employers to obtain medical aid coverage for an employer's student volunteers and unpaid students, who are enrolled in the state's public baccalaureate institutions and community and technical colleges.
- Authorizes employers providing medical aid coverage to its volunteers to pay premiums at the rate due for 100 hours of volunteer service for each volunteer rather than tracking actual number of hours of each volunteer.

**Hearing Date:** 2/23/16

**Staff:** Trudes Tango (786-7384).

#### Background:

State agencies, cities, counties, special districts, other political subdivisions, and nonprofit charitable organizations may use volunteers to perform assigned or authorized duties. Volunteers are not employees for purposes of industrial insurance; however, state agencies are required to provide medical aid coverage for volunteers. Local governments and other entities authorized to use volunteers may elect to provide medical aid coverage. Medical aid coverage does not include other benefits of workers' compensation, such as wage replacement.

A student volunteer is a student enrolled in a public school, grades K-12, who is participating as a volunteer under a program authorized by the public school. The student may not earn wages, but may receive reimbursement for actual expenses. Employers using student volunteers may

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elect to provide medical aid coverage for student volunteers. The employer must have given notice of its intent to provide coverage to the Department of Labor and Industries prior to any injury or occupational disease. State-fund employers pay the premiums, and self-insured employers agree to pay the costs of a qualifying claim filed by the student volunteer. The employer must maintain records of all hours of work performed by the student volunteers.

**Summary of Bill:**

Student volunteers includes students enrolled in a public baccalaureate institution of higher education or community or technical college. In addition, the category of "unpaid student" is created. An "unpaid student" is one enrolled in a public baccalaureate institution of higher education or in a community or technical college who is participating in an unpaid work-based learning program authorized by the school. The unpaid student must be receiving credit towards completing the school program, certification, or degree in return for the services provided. Unpaid work-based learning includes cooperative education, clinical experiences, and internship programs. An employer may obtain medical aid coverage for unpaid students in the same manner the employer obtains medical aid coverage for student volunteers.

Employers providing medical aid coverage for volunteers may choose to pay premiums and assessments at the rate due for 100 hours of volunteer service for each volunteer, rather than tracking the actual number of hours for each volunteer. An employer choosing this option must use this method to cover all the employer's volunteers for the calendar year.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.