
SUBSTITUTE SENATE BILL 6293

State of Washington

64th Legislature

2016 Regular Session

By Senate Commerce & Labor (originally sponsored by Senators Braun, Bailey, Rivers, Conway, and Sheldon)

READ FIRST TIME 01/21/16.

1 AN ACT Relating to student volunteers and unpaid students;
2 amending RCW 51.12.170; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

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 coverage
9 to students in these programs will encourage employers to participate
10 in school-sponsored, unpaid work-based learning, potentially
11 improving employment opportunities for students; and (3) education
12 improves economic viability in communities and in the state of
13 Washington.

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

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

1 student volunteers or unpaid students to the director prior to the
2 occurrence of the injury or contraction of an occupational disease.

3 (2) A student volunteer is an enrolled student in a ((public))
4 school as defined in RCW 28A.150.010, 28B.010.016, or 28B.50.030 who
5 is participating as a volunteer under a program authorized by the
6 ((public)) school. The student volunteer shall perform duties for the
7 employer without wages. The student volunteer shall be deemed to be a
8 volunteer even if the student is granted maintenance and
9 reimbursement for actual expenses necessarily incurred in performing
10 his or her assigned or authorized duties. A person who earns wages
11 for the services performed is not a student volunteer.

12 (3) An unpaid student is an enrolled student in a school as
13 defined in RCW 28B.10.016 or 28B.50.030 who is participating in an
14 unpaid work-based learning program authorized by the school. The
15 unpaid student shall perform duties for the employer without wages
16 but receives credit towards completing the school program,
17 certification, or degree in return for the services provided.

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

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

--- END ---