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ENGROSSED SUBSTITUTE SENATE BILL 6293

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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; adding a new section to chapter 51.12 RCW;  
3 and creating a new section.

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

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

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 all  
19 purposes relating to medical aid benefits under chapter 51.36 RCW.  
20 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.

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

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

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