
ENGROSSED SUBSTITUTE SENATE BILL 6293

AS AMENDED BY THE HOUSE

Passed Legislature - 2016 Regular Session

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 school
4 as defined in RCW 28A.150.010, a private school governed under
5 chapter 28A.195 RCW, or a state public or private institution of
6 higher education, who is participating as a volunteer under a program
7 authorized by the ((public)) school. The student volunteer shall
8 perform duties for the employer without wages. The student volunteer
9 shall be deemed to be a volunteer even if the student is granted
10 maintenance and reimbursement for actual expenses necessarily
11 incurred in performing his or her assigned or authorized duties. A
12 person who earns wages for the services performed is not a student
13 volunteer.

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

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

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

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

32 An employer who has registered and accepted the services of
33 volunteers, student volunteers, or unpaid students, who are eligible
34 for medical aid benefits under this chapter, may annually elect to
35 pay the premiums and assessments due under this title at the rate due
36 for one hundred hours of volunteer service for each volunteer,
37 student volunteer, or unpaid student instead of tracking the actual
38 number of hours for each volunteer, student volunteer, or unpaid
39 student. An employer selecting this option must use the method to

1 cover all their volunteers, student volunteers, or unpaid students
2 for the calendar year.

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