

HOUSE BILL NO. HB0239

Worker's compensation-student learner agreements.

Sponsored by: Representative(s) Greear and Senator(s)
Kinskey

A BILL

for

1 AN ACT relating to worker's compensation; providing for
2 student learner agreements between eligible students,
3 school districts, community colleges or technical schools,
4 and employers; providing for the coverage of student
5 learners under worker's compensation; specifying premiums
6 and rates for employers to pay for covered student
7 learners; specifying duties for the department of workforce
8 services for student learners and student learner
9 agreements; authorizing school districts, community
10 colleges and technical schools to enter into student
11 learner agreements; requiring rulemaking; and providing for
12 effective dates.

13

14 *Be It Enacted by the Legislature of the State of Wyoming:*

15

1 **Section 1.** W.S. 27-14-110 is created to read:

2

3 **27-14-110. Student learner agreements.**

4

5 (a) A Wyoming school district, community college or
6 technical school and an employer may enter into a student
7 learner agreement for the purposes of providing student
8 learners vocational work and training opportunities and for
9 student learners to earn course credit from the school
10 district, community college or technical school,
11 compensation from the employer, or both. A copy of any
12 student learner agreement entered into under this section
13 shall be submitted by the employer to the division.

14

15 (b) A student learner may enter into a student
16 training agreement with an employer to complete work or
17 vocational training at the employer's business for course
18 credit from the school district, community college or
19 technical school, compensation from the employer, or both.
20 A copy of any student training agreement entered into under
21 this section shall be submitted by the employer to the
22 division.

23

1 (c) The employer shall notify the division if:

2

3 (i) A student learner agreement is terminated or
4 extended with a school district, community college or
5 technical school, and if terminated, the date of
6 termination;

7

8 (ii) A student training agreement is extended or
9 terminated, and if terminated, the date of termination.

10

11 (d) An employer may enter into student learner
12 agreements with more than one (1) Wyoming school district,
13 community college or technical school, provided that the
14 employer shall enter into separate student learner
15 agreements with each school district, community college or
16 technical school.

17

18 (e) The division shall create and maintain standard
19 student learner agreements and student training agreements
20 for use by employers, student learners, school districts,
21 community colleges and technical schools. The standard
22 agreements shall be maintained on the department's website

1 and provided to employers, students, school districts,
2 community colleges and technical schools.

3

4 (f) A student learner who enters into a student
5 training agreement with an employer who has a valid and
6 current student learner agreement with the student
7 learner's school district, community college or technical
8 school shall be covered under the worker's compensation
9 program established in this act. Each employer shall pay
10 the premiums charged for each student learner as required
11 under this act. The division shall account for student
12 learners in calculating benefits charged to an employer's
13 experience rating account under this act.

14

15 (g) The division shall establish rules and
16 regulations necessary for the implementation of this
17 section.

18

19 **Section 2.** W.S. 21-3-111(a) by creating a new
20 paragraph (xxii), 21-18-303(a) by creating a new paragraph
21 (xviii) and 27-14-102(a)(vii)(intro) and by creating new
22 paragraphs (xxxiii) through (xxxv) are amended to read:

23

1 **21-3-111. Powers of boards of trustees.**

2

3 (a) The board of trustees in each school district
4 within the state may:

5

6 (xxii) Enter into or authorize the district
7 superintendent to enter into student learner agreements as
8 defined by W.S. 27-14-102(a)(xxxiv) with any employer
9 pursuant to W.S. 27-14-110.

10

11 **21-18-303. District board generally; powers; board**
12 **approved additional mill levy.**

13

14 (a) The community college district board may:

15

16 (xviii) Enter into student learner agreements as
17 defined by W.S. 27-14-102(a)(xxxiv) with any employer
18 pursuant to W.S. 27-14-110.

19

20 **27-14-102. Definitions.**

21

22 (a) As used in this act:

23

1 (vii) "Employee" means any person engaged in any
2 extra hazardous employment under any appointment, contract
3 of hire or apprenticeship, express or implied, oral or
4 written, and includes student learners engaged in any extra
5 hazardous employment, legally employed minors, aliens
6 authorized to work by the United States department of
7 justice, office of citizenship and immigration services,
8 and aliens whom the employer reasonably believes, at the
9 date of hire and the date of injury based upon
10 documentation in the employer's possession, to be
11 authorized to work by the United States department of
12 justice, office of citizenship and immigration services.
13 "Employee" does not include:

14

15 (xxxiii) "Student learner" means a person
16 between the ages of sixteen (16) years and eighteen (18)
17 years who is currently enrolled in a Wyoming school
18 district, community college or technical school and who
19 enters into a student training agreement with an employer
20 pursuant to a student learner agreement between the
21 employer and the student learner's school district. For
22 purposes of this act, a student learner shall be considered
23 an employee under paragraph (vii) of this subsection;

1

2 (xxxiv) "Student learner agreement" means an
3 agreement between a Wyoming school district, community
4 college or technical school and an employer that:

5

6 (A) Authorizes an employer to provide
7 vocational training and work experience to student
8 learners;

9

10 (B) Provides for the student learner to
11 receive course credit from the school district, community
12 college or technical school for completing the vocational
13 training or both course credit and compensation from the
14 employer;

15

16 (C) Specifies terms and conditions for any
17 student learner who is not eighteen (18) years of age in
18 accordance with federal law and regulation concerning the
19 performance of certain particularly hazardous work as
20 defined by federal regulation;

21

1 (D) Authorizes the student learner to be
2 covered under the worker's compensation program established
3 under this act.

4
5 (xxxv) "Student training agreement" means an
6 agreement entered into between an employer and a student of
7 a school district, community college or technical school
8 with a student learner agreement with the employer and that
9 specifies the terms and conditions included in the student
10 learner agreement and that is subject to the provisions of
11 W.S. 27-14-110. For students under the age of eighteen
12 (18), a student training agreement shall be signed by the
13 student's parent or guardian unless the student is an
14 emancipated minor under W.S. 14-1-201 through 14-1-206.

15
16 **Section 3.** The director of the department of
17 workforce services shall promulgate all rules necessary to
18 implement the provisions of this act.

19

1 **Section 4.**

2

3 (a) Except as provided in subsection (b) of this
4 section, this act is effective July 1, 2021.

5

6 (b) Sections 3 and 4 of this act are effective
7 immediately upon completion of all acts necessary for a
8 bill to become law as provided by Article 4, Section 8 of
9 the Wyoming Constitution.

10

11

(END)