

ORIGINAL HOUSE
BILL NO. HB0239

ENROLLED ACT NO. 78, HOUSE OF REPRESENTATIVES

SIXTY-SIXTH LEGISLATURE OF THE STATE OF WYOMING
2021 GENERAL SESSION

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

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

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

27-14-110. Student learner agreements.

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

(b) A student learner may enter into a student training agreement with an employer to complete work or vocational training at the employer's business for course credit from the school district, community college or technical school, compensation from the employer, or both. A copy of any student training agreement entered into under

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this section shall be submitted by the employer to the division.

(c) The employer shall notify the division if:

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

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

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

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

(f) A student learner who enters into a student training agreement with an employer who has a valid and current student learner agreement with the student learner's school district, community college or technical school shall be covered under the worker's compensation program established in this act. Each employer shall pay the premiums charged for each student learner as required

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under this act. The division shall account for student learners in calculating benefits charged to an employer's experience rating account under this act.

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

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

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

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

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

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

(a) The community college district board may:

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

27-14-102. Definitions.

(a) As used in this act:

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

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

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

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

(B) Provides for the student learner to receive course credit from the school district, community

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college or technical school for completing the vocational training or both course credit and compensation from the employer;

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

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

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

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

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Section 4.

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

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

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk