

## 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 or community colleges, and employers;  
4 providing for the coverage of student learners under  
5 worker's compensation; specifying premiums and rates for  
6 employers to pay for covered student learners; specifying  
7 duties for the department of workforce services for student  
8 learners and student learner agreements; authorizing school  
9 districts and community colleges to enter into student  
10 learner agreements; requiring rulemaking; and providing for  
11 effective dates.

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

14

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

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2           **27-14-110. Student learner agreements.**

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

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

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

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

4  
5           (ii) A student training agreement is extended or  
6 terminated, and if terminated, the date of termination.

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

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14           (e) The division shall create and maintain standard  
15 student learner agreements and student training agreements  
16 for use by employers, student learners, school districts  
17 and community colleges. The standard agreements shall be  
18 maintained on the department's website and provided to  
19 employers, students, community colleges and school  
20 districts upon request.

21  
22           (f) A student learner who enters into a student  
23 training agreement with an employer who has a valid and

1 current student learner agreement with the student  
2 learner's school district or community college shall be  
3 covered under the worker's compensation program established  
4 in this act. Each employer shall pay the premiums charged  
5 for each student learner as required under this act. The  
6 division shall account for student learners in calculating  
7 benefits charged to an employer's experience rating account  
8 under this act.

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

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

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19 **21-3-111. Powers of boards of trustees.**

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

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

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6           **21-18-303. District board generally; powers; board**  
7 **approved additional mill levy.**

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9           (a) The community college district board may:

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

14  
15           **27-14-102. Definitions.**

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17           (a) As used in this act:

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19           (vii) "Employee" means any person engaged in any  
20 extra hazardous employment under any appointment, contract  
21 of hire or apprenticeship, express or implied, oral or  
22 written, and includes student learners, legally employed  
23 minors, aliens authorized to work by the United States

1 department of justice, office of citizenship and  
2 immigration services, and aliens whom the employer  
3 reasonably believes, at the date of hire and the date of  
4 injury based upon documentation in the employer's  
5 possession, to be authorized to work by the United States  
6 department of justice, office of citizenship and  
7 immigration services. "Employee" does not include:

8  
9 (xxxiii) "Student learner" means a person  
10 between the ages of sixteen (16) years and eighteen (18)  
11 years who is currently enrolled in a Wyoming school  
12 district or a community college and who enters into a  
13 student training agreement with an employer pursuant to a  
14 student learner agreement between the employer and the  
15 student learner's school district. For purposes of this  
16 act, a student learner shall be considered an employee  
17 under paragraph (vii) of this subsection;

18  
19 (xxxiv) "Student learner agreement" means an  
20 agreement between a Wyoming school district or community  
21 college and an employer that:

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

4

5                   (B) Provides for the student learner to  
6 receive course credit from the school district or community  
7 college for completing the vocational training or both  
8 course credit and compensation from the employer;

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

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

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20                   (xxxv) "Student training agreement" means an  
21 agreement entered into between an employer and a student of  
22 a school district or a community college with a student  
23 learner agreement with the employer and that specifies the

1 terms and conditions included in the student learner  
2 agreement and that is subject to the provisions of W.S.  
3 27-14-110. For students under the age of eighteen (18), a  
4 student training agreement shall be signed by the student's  
5 parent or guardian unless the student is an emancipated  
6 minor under W.S. 14-1-201 through 14-1-206.

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

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12       **Section 4.**

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

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

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(END)