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By: **Delegate Rudolph**

Introduced and read first time: January 20, 2006

Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2                           **Workers' Compensation - Students in Unpaid Work-Based Learning**  
3                           **Experiences - Waiver**

4 FOR the purpose of authorizing a county board of education to waive the requirement  
5 that a participating employer reimburse the county for the cost of certain  
6 workers' compensation insurance coverage for students placed in an unpaid  
7 work-based learning experience; and generally relating to the waiver of  
8 workers' compensation reimbursement in connection with unpaid work-based  
9 learning experiences.

10 BY repealing and reenacting, with amendments,  
11 Article - Education  
12 Section 7-114  
13 Annotated Code of Maryland  
14 (2004 Replacement Volume and 2005 Supplement)

15 BY repealing and reenacting, without amendments,  
16 Article - Labor and Employment  
17 Section 9-228(c)  
18 Annotated Code of Maryland  
19 (1999 Replacement Volume and 2005 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
21 MARYLAND, That the Laws of Maryland read as follows:

22                           **Article - Education**

23 7-114.

24 (a) In this section, "unpaid work-based learning experience" means a program  
25 that provides a student with structured employer-supervised learning that:

- 26                   (1) Occurs in the workplace;
- 27                   (2) Links with classroom instruction;

1 (3) Is coordinated by a county board; and

2 (4) Is conducted in accordance with the terms of an individual written  
3 work-based learning agreement between the county board of education placing a  
4 participating student and the employer of that participating student.

5 (b) A student who has been placed with an employer in an unpaid work-based  
6 learning experience coordinated by a county board is a covered employee of that  
7 employer, as defined in Title 9 of the Labor and Employment Article, for the purposes  
8 of coverage under the State workers' compensation laws.

9 (c) (1) The participating employer where a student is placed in an unpaid  
10 work-based learning experience under this section shall secure workers'  
11 compensation coverage for that student.

12 (2) The participating employer may satisfy its obligation to secure  
13 workers' compensation coverage under this subsection if the county board that places  
14 the student in the unpaid work-based learning experience chooses to secure workers'  
15 compensation coverage for that student.

16 (d) (1) The county board that places a student with an employer in an  
17 unpaid work-based learning experience under this section may secure workers'  
18 compensation coverage for that student.

19 (2) [If] SUBJECT TO SUBSECTION (E), IF a county board chooses to  
20 secure workers' compensation coverage under this subsection, the participating  
21 employer shall reimburse the county board in an amount equal to the lesser of:

22 (i) The cost of the premium for the workers' compensation  
23 insurance coverage; or

24 (ii) A fee of \$250.

25 (E) A COUNTY BOARD MAY WAIVE THE REQUIREMENT FOR REIMBURSEMENT  
26 UNDER SUBSECTION (D)(2) OF THIS SECTION.

## 27 **Article - Labor and Employment**

28 9-228.

29 (c) (1) A student is a covered employee when the student has been placed  
30 with an employer in an unpaid work-based learning experience coordinated by a  
31 county board under § 7-114 of the Education Article.

32 (2) For purposes of this title, the employer for whom the student works  
33 in the unpaid work-based learning experience is the employer of the student.

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
35 October 1, 2006.