

WYOMING

Workers' Compensation

Student Learner Agreements

OVERVIEW

This program allows for extra-hazardous employers with Workers' Compensation coverage to enter into a student learner agreement or student training agreement with a school, student, and the Division. Students will be

covered under the employer's Workers' Compensation policy while gaining real-world experience and school credit or compensation.

Program Overview Points

- Implemented as a result of HB0239 (2021).
- W.S. 27-14-110 Student Learner Agreements.
- Will be part of Workers' Compensation Rules & Regulations Chapter 2.
- Includes students aged 16-18 years old.

How to Submit an Agreement/Where to Find it

- Agreements are found under the Risk Management Tab on our website.
- Agreements must be submitted by the employer.
- Complete the google form or PDF agreement.
- Questions or concerns can be addressed to BusinessRisk@wyo.gov.

Things Employers Should Know

- In the event of an agreement termination, a copy of the agreement and relevant information is to be submitted to BusinessRisk@wyo.gov
- Student learners/trainees should be reported under your workers' compensation payroll report
- Employers should familiarize themselves with the Federal Wage & Hour specifications regarding employment of student learners. The U.S. Department of Labor's website at dol.gov/agencies/whd/child-labor#FactSheets has several Fact Sheets and Bulletins regarding child labor. Of particular interest is Child Labor Bulletin 101 and Fact Sheet 43.

Things the Educational Entity Should Know

- Participating educational institutions should work with the employer providing the student learning opportunities to be certain a written student learner application from the Wyoming Department of Workforce Services is completed prior to any work being completed.

- Help educate the students on their rights and responsibilities as an employee.
- Help direct the student to any safety classes or instruction that may be required for the student learning opportunity.
- OSHA provides several free resources and can be found at osha.gov/youngworkers.

Things the Student Should Know

- Youth workers and their parents or legal guardians should take time to educate themselves on workers' rights and responsibilities. The Occupational Safety and Health Administration (OSHA) offers a wide range of information for youth workers, their families, their employers, and educational institutions. For further information and downloadable content, please visit osha.gov/youngworkers.

Qualified Hazardous Occupations Under Student Learner Agreements

- Reference Child Labor Bulletin 101 (dol.gov/agencies/whd/child-labor/nonagriculture), Pg. 8. Hazardous Occupations (HO) with "*" are HOs that have exemptions for 16-17-year-olds so long as they have a bona-fide student learner agreement. 7 out of the 17 HOs listed allow for work under a student learner agreement.
- Reference DOL Fact Sheet 43 (dol.gov/agencies/whd/fact-sheets)
- Allowed activity under a student learner agreement: Power driven woodworking machines; power driven metal forming, punching, and shearing machines; power driven meat processing machines; power driven balers, compactors, and processing machines; power driven saws, shears, chippers, and abrasive cutting discs; roofing operations and all work about a roof.

