

**WORKERS' COMPENSATION COVERAGE OF
OLYMPIC VOLUNTEERS**

1999 GENERAL SESSION

STATE OF UTAH

Sponsor: L. Alma Mansell

AN ACT RELATING TO LABOR; PROVIDING FOR THE TREATMENT OF CERTAIN
VOLUNTEERS; AND PROVIDING A REPEAL DATE.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

67-20-2, as last amended by Chapter 94, Laws of Utah 1998

ENACTS:

34A-9-101, Utah Code Annotated 1953

34A-9-102, Utah Code Annotated 1953

34A-9-103, Utah Code Annotated 1953

34A-9-104, Utah Code Annotated 1953

34A-9-105, Utah Code Annotated 1953

63-55b-134, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **34A-9-101** is enacted to read:

CHAPTER 9. OLYMPIC VOLUNTEER WORKERS COMPENSATION ACT

34A-9-101. Title.

This chapter is known as the "Olympic Volunteer Workers Compensation Act."

Section 2. Section **34A-9-102** is enacted to read:

34A-9-102. Definitions.

As used in this chapter:

(1) "Organizing committee" means the Salt Lake Organizing Committee for the Winter Olympic Games of 2002.

(2) "Voluntary service without pay" means the performance of work by an individual who receives no remuneration other than:

- (a) meals;
- (b) a uniform;
- (c) transportation;
- (d) lodging; or
- (e) reimbursement for incidental expenses.

Section 3. Section **34A-9-103** is enacted to read:

34A-9-103. Workers compensation coverage for Olympic volunteers.

(1) For the purposes described in Subsection (2), a person is considered an employee of the organizing committee while the person performs voluntary services without pay if the person performs the voluntary service:

- (a) under the control of the organizing committee; and
- (b) in the course of or in connection with the organization, preparation, hosting, and operation of the organizing committee for the Olympic Winter Games of 2002 and Paralympic Winter Games of 2002.

(2) A person described in Subsection (1) is considered the employee of the organizing committee solely for purposes of:

- (a) workers compensation coverage under Chapters 2 and 3; and
- (b) Chapter 8, Utah Injured Worker Reemployment Act.

(3) This chapter does not make a person described in Subsection (1) an employee of the organizing committee for any purpose other than those listed in Subsection (2).

Section 4. Section **34A-9-104** is enacted to read:

34A-9-104. Exclusive remedy.

The exclusive remedy of Section 34A-2-105 applies to a person considered an employee of the organizing committee under Section 34A-9-103, including aliens and minors, if the organizing committee:

- (1) provides workers' compensation insurance coverage for that person; and
- (2) prior to a compensable injury or illness:
 - (a) notifies the person that that person is an employee of the organizing committee for

purposes of workers compensation; and

(b) designates in writing that the person is to provide voluntary service without pay as described in Subsection 34A-9-103.

Section 5. Section **34A-9-105** is enacted to read:

34A-9-105. Average weekly wage.

For purposes of computing compensation, the average weekly wage rate of a person considered an employee of the organizing committee under Section 34A-9-103, is considered to be \$400.

Section 6. Section **63-55b-134** is enacted to read:

63-55b-134. Repeal dates -- Title 34A.

Title 34A, Chapter 9, Olympic Volunteer Workers Compensation Act, is repealed on January 1, 2003.

Section 7. Section **67-20-2** is amended to read:

67-20-2. Definitions.

As used in this chapter:

(1) "Agency" means:

(a) any department, institution, office, college, university, authority, division, board, bureau, commission, council, or other agency of the state;

(b) any county, city, town, school district, or special improvement or taxing district; or

~~[(c) any Olympic Winter Games organizing committee, as approved by the Utah Sports Authority; or]~~

~~[(d)]~~ (c) any other political subdivision.

(2) "Compensatory service worker" means:

(a) any person who has been convicted of a criminal offense~~[-];~~

(b) any youth who has been adjudged delinquent~~[-];~~ or

(c) any person or youth who:

(i) has been diverted from the criminal or juvenile justice system; and ~~[who]~~

(ii) performs a public service for an agency as a condition of ~~[his]~~ the person or youth's:

- (A) sentence~~[-];~~
- (B) diversion~~[-];~~
- (C) probation~~[-];~~ or
- (D) parole.

(3) (a) "Volunteer" means any person who donates service without pay or other compensation except expenses actually and reasonably incurred as approved by the supervising agency.

(b) "Volunteer" does not include:

(i) any person participating in human subjects research to the extent that the participation is governed by federal law or regulation inconsistent with this chapter~~[-, nor does it include];~~ or

(ii) compensatory service workers.

(c) "Volunteer" includes a juror or potential juror appearing in response to a summons for a trial jury or grand jury.