

1 **DEPARTMENT OF WORKFORCE SERVICES -**
2 **WORK EXPERIENCE AND TRAINING**
3 **PROGRAMS**

4 2005 GENERAL SESSION

5 STATE OF UTAH

6 **Sponsor: David N. Cox**

7 Brent H. Goodfellow

 Peggy Wallace

8
9 **LONG TITLE**

10 **General Description:**

11 This bill modifies the Utah Workforce Services Code in relation to customers who are
12 directed to participate in work experience or training programs funded by the
13 Department of Workforce Services.

14 **Highlighted Provisions:**

15 This bill:

16 ▶ provides that a customer who participates in a work experience or training program
17 funded by the Department of Workforce Services is considered to be a volunteer
18 government worker of the department for the purpose of receiving workers'
19 compensation medical benefits; and

20 ▶ provides that receipt of those benefits is the exclusive remedy for all injuries and
21 occupational diseases incurred as a volunteer government worker of the department.

22 **Monies Appropriated in this Bill:**

23 None

24 **Other Special Clauses:**

25 None

26 **Utah Code Sections Affected:**

27 ENACTS:



28 **35A-1-108**, Utah Code Annotated 1953

29

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

31 Section 1. Section **35A-1-108** is enacted to read:

32 **35A-1-108. Participants in work experience or training programs funded by the**
33 **department -- Status -- Receipt of workers' compensation medical benefits.**

34 (1) A customer who is directed to participate in a work experience or training program
35 funded by the department is considered to be a volunteer government worker of the department
36 solely for the purpose of receiving workers' compensation medical benefits.

37 (2) Receipt of medical benefits by a customer under Subsection (1) is the exclusive
38 remedy against the agency and the cooperating employer for all injuries and occupational
39 diseases as provided under Title 34A, Chapter 2, Workers' Compensation Act, and Chapter 3,
40 Utah Occupational Disease Act.

Legislative Review Note
as of 12-7-04 8:44 AM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

Interim Committee Note
as of 12-08-04 9:27 AM

The Workforce Services and Community and Economic Development Interim Committee recommended this bill.

Fiscal Note
Bill Number HB0023

**Department of Workforce Services-Work Experience and Training
Programs**

17-Jan-05
5:12 PM

AMENDED NOTE

State Impact

This bill will transfer Workers' Compensation coverage for this program to the state's regular Workers' Compensation policy. This will avoid an indeterminate insurance cost increase. Workforce Services pays for the costs with federal funds.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst