

1 **TALENT READY UTAH PROGRAM MODIFICATIONS**

2 2023 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Jefferson Moss**

5 Senate Sponsor: _____

6

LONG TITLE

7 **General Description:**

8 This bill makes changes to provisions related to internships and apprenticeships.

9 **Highlighted Provisions:**

10 This bill:

11 ▶ provides that a public school student participating in a youth apprenticeship is
12 considered a volunteer government worker for purposes of workers' compensation
13 and risk management;

14 ▶ provides that an internship through an institution of higher education or public or
15 private school may be with compensation;

16 ▶ provides that an intern participating in an internship through an institution of higher
17 education or public school is considered a volunteer government worker for
18 purposes of workers' compensation and risk management;

19 ▶ creates an apprenticeship intermediary position to foster relationships between the
20 Talent Ready Utah Program, local education agencies, and industry partners;

21 ▶ defines terms; and

22 ▶ makes technical and conforming changes.

23 **Money Appropriated in this Bill:**

24 None

25 **Other Special Clauses:**

26 None



28 **Utah Code Sections Affected:**

29 AMENDS:

30 **53B-16-401**, as last amended by Laws of Utah 2020, Chapter 365

31 **53B-16-403**, as last amended by Laws of Utah 1997, Chapter 10

32 **53B-34-103**, as renumbered and amended by Laws of Utah 2022, Chapter 362

33 **53G-7-901**, as last amended by Laws of Utah 2020, Chapter 374

34 **53G-7-903**, as last amended by Laws of Utah 2020, Chapter 354

35 ENACTS:

36 **35A-6-104.5**, Utah Code Annotated 1953



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

39 Section 1. Section **35A-6-104.5** is enacted to read:

40 **35A-6-104.5. Youth apprenticeships -- Workers' compensation -- Risk**
41 **management.**

42 (1) As used in this section, "youth apprentice" means an individual who is:

43 (a) younger than 18 years old;

44 (b) participating in a youth apprenticeship; and

45 (c) enrolled in a public school.

46 (2) A youth apprentice is considered to be a volunteer government worker of the public
47 school in which the individual is enrolled, solely for purposes of:

48 (a) receiving workers' compensation medical benefits; and

49 (b) coverage by the Risk Management Fund created in Section [63A-4-201](#).

50 (3) Receipt of medical benefits under Subsection (2) shall be the exclusive remedy
51 against the school and the cooperating employer for all injuries and occupational diseases as
52 provided under Title 34A, Chapter 2, Workers' Compensation Act, and Chapter 3, Utah
53 Occupational Disease Act.

54 Section 2. Section **53B-16-401** is amended to read:

55 **53B-16-401. Definitions.**

56 As used in this part:

57 (1) "Cooperating employer" means a public or private entity which, as part of a work
58 experience and career exploration program offered through an institution of higher education,

59 provides interns with training and work experience in activities related to the entity's ongoing
60 business activities.

61 (2) "Institution of higher education" means any component of the state system of higher
62 education as defined under Section [53B-1-102](#) that is authorized by the board to offer
63 internship programs, and any private institution of higher education which offers internship
64 programs under this part.

65 (3) "Intern" means a student enrolled in a work experience and career exploration
66 program under Section [53B-16-402](#) that is sponsored by an institution of higher education,
67 involving both classroom instruction and work experience with a cooperating employer, [~~for~~
68 ~~which the student receives no compensation~~] regardless of whether the student receives
69 compensation.

70 (4) "Internship" means the work experience segment of an intern's work experience and
71 career exploration program sponsored by an institution of higher education, performed under
72 the direct supervision of a cooperating employer.

73 Section 3. Section **53B-16-403** is amended to read:

74 **53B-16-403. Interns -- Workers' compensation medical benefits -- Risk**
75 **management.**

76 (1) An intern participating in an internship under Section [53B-16-402](#) is considered to
77 be a volunteer worker of the sponsoring institution of higher education solely for purposes of:

78 (a) receiving workers' compensation medical benefits[-]; and

79 (b) coverage by the Risk Management Fund created in Section [63A-4-201](#).

80 (2) Receipt of medical benefits under Subsection (1) shall be the exclusive remedy
81 against the institution and the cooperating employer for all injuries and occupational diseases
82 as provided under Title 34A, Chapter 2, Workers' Compensation Act, and Chapter 3, Utah
83 Occupational Disease Act.

84 Section 4. Section **53B-34-103** is amended to read:

85 **53B-34-103. Talent Ready Utah Program.**

86 (1) There is created the Talent Ready Utah Program administered by the commissioner.

87 (2) The commissioner, with the approval of the board, shall appoint a director of the
88 talent program.

89 (3) The director of the talent program:

- 90 (a) shall appoint, with the approval of the commissioner, an apprenticeship
91 intermediary, to carry out the duties described in Subsection (5); and
92 (b) may appoint other staff with the approval of the commissioner.
93 (4) The talent program shall coordinate with the talent board to:
94 (a) further education and industry alignment in the state;
95 (b) coordinate the development of new education programs that align with industry
96 demand;
97 (c) coordinate or partner with other state agencies to administer grant programs;
98 (d) promote the inclusion of industry partners in education;
99 (e) provide outreach and information to employers regarding workforce programs and
100 initiatives;
101 (f) develop and analyze stackable credential programs;
102 (g) determine efficiencies among workforce providers;
103 (h) map available workforce programs focusing on programs that successfully create
104 high-paying jobs; and
105 (i) support initiatives of the talent board.
106 (5) The apprenticeship intermediary appointed by the director under Subsection (3)
107 shall, in coordination with the talent program and at the direction of the talent board, foster
108 relationships between industry partners, local education agencies, and the talent program,
109 including by:
110 (a) increasing awareness for the talent program;
111 (b) recruiting industry partners;
112 (c) connecting high school students to participating employers, including placing
113 students in apprenticeship opportunities and work-based learning opportunities;
114 (d) working with local education agencies to:
115 (i) integrate talent program apprenticeship opportunities and work-based learning
116 opportunities;
117 (ii) connect high school students with higher education opportunities;
118 (e) training mentors at participating employers in vocational education practices for
119 youth;
120 (f) holding meetings with education partners and industry partners to discuss

121 curriculum needs and industry needs;

122 (g) working with institutions of higher education and local education agencies to

123 ensure industry-recognized credential programs are fully stackable; and

124 (h) performing other duties as directed by the talent board.

125 Section 5. Section **53G-7-901** is amended to read:

126 **53G-7-901. Definitions.**

127 As used in this part:

128 (1) "Cooperating employer" means a public or private entity which, as part of a work
129 experience and career exploration program offered through a school, provides interns with
130 training and work experience in activities related to the entity's ongoing business activities.

131 (2) "Intern" means a student enrolled in a school-sponsored work experience and career
132 exploration program under Section **53G-7-902** involving both classroom instruction and work
133 experience with a cooperating employer, ~~[for which the student receives no compensation]~~
134 regardless of whether the student receives compensation.

135 (3) "Internship" means the work experience segment of an intern's school-sponsored
136 work experience and career exploration program, performed under the direct supervision of a
137 cooperating employer.

138 (4) "Internship safety agreement" means the agreement between a public or private
139 school and a cooperating employer in accordance with Section **53G-7-904**.

140 (5) "Private school" means a school serving any of grades 7 through 12 which is not
141 part of the public education system.

142 (6) "Public school" means:

143 (a) a public school district;

144 (b) an applied technology center or applied technology service region;

145 (c) the Schools for the Deaf and the Blind; or

146 (d) other components of the public education system authorized by the state board to
147 offer internships.

148 Section 6. Section **53G-7-903** is amended to read:

149 **53G-7-903. Interns -- Workers' compensation medical benefits -- Risk**
150 **management.**

151 (1) An intern participating in an internship under Section **53G-7-902** is considered to

152 be a volunteer government worker of the sponsoring public school, or an employee of the
153 sponsoring private school, solely for purposes of:

154 (a) receiving workers' compensation medical benefits[-]; and

155 (b) for an intern participating through a sponsoring public school, coverage by the Risk
156 Management Fund created in Section [63A-4-201](#).

157 (2) Receipt of medical benefits under Subsection (1) shall be the exclusive remedy
158 against the school and the cooperating employer for all injuries and occupational diseases as
159 provided under Title 34A, Chapter 2, Workers' Compensation Act, and Chapter 3, Utah
160 Occupational Disease Act.