

Work-Based Learning (WBL) Career Training & Liability Information

WBL Career Training Program: This program is a State Office of Education approved training experience for students and is a cooperative partnership between community businesses and the Provo City School District. High school students apply for the program and select a specific career area of occupational training they want to learn. Approved students are placed with sponsoring community businesses, industries or agencies as **career interns** (*unpaid*) or as **career trainees** (*paid*). Training at a site is usually for one semester, 6-10 hours per week. The WBL Career Training Program coordinator approves site sponsors, student eligibility, and student placement. They also orient the participating student and the sponsoring training representative concerning their individual responsibilities. A training site representative interviews the student applicant; if the site representative and the student are comfortable with the proposed arrangement, placement is finalized and training begins.

Department of Labor: The student WBL Career Training Program qualifies under exceptions of the Fair Labor Standards Act. The Act permits Work Experience and Career Exploration Programs to operate when school-supervised, school administered and cleared through the State Education Agency. (*Child Labor Requirements in Nonagricultural Occupations under the Fair Labor Standards Act, U.S. Department of Labor, WH-1330, Rev. August 1990.*) This provision does not, however, abdicate the restrictions listed below for unpaid student career interns.

Career interns may **not** (1) displace a regular employee, (2) fill a vacancy that would normally be filled by a new hire, (3) be given exclusive duties to the disadvantage of a regular employee who would normally be assigned those duties, nor (4) perform services that clearly bring profit to the business (*Employment Relationship Under the Fair Labor Standards Act, WH Pub. 1297, May 1980*).

Student Work Injuries and Occupational Disease Insurance Benefits (Workers' Compensation):

(A) In 1996, the Utah State Legislature approved new sections to the Utah Code Annotated 1953. The section dealing with medical liability for unpaid student **career interns** states:

(1) An intern participating in an internship under Section 53A-28-103 is considered to be a volunteer government worker of the sponsoring public school, or an employee of the sponsoring private school, solely for purposes of receiving workers' compensation medical benefits [meaning--a student is covered under a sponsoring school's workers' compensation.

(2) Receipt of medical benefits, under subsection (1) shall be the exclusive remedy against the school and the cooperating employer for all injuries and occupational diseases as provided under Title 35, Chapters 1 and 2.

(B) Students who are paid, **career trainees**, are hired employees of the sponsoring business and are covered by Workers' Compensation through the participating business.

The WBL Career Training Program is an extension of the formal classroom out into the community and the school district has a direct responsibility for students while they train at approved community sites.

Transportation: Transportation to and from the training site for student career interns or student career trainees is the responsibility of the parent/guardian.