

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 HOUSE BILL 3085

By: Hilbert

6 AS INTRODUCED

7 An Act relating to workers' compensation; defining
8 terms; authorizing reduction in insurance premiums
9 for workers' compensation policies if the employer is
10 a work-based learning employer; providing
11 qualifications and requirements for reduction in
12 premiums; providing for codification; and providing
13 an effective date.

14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 42.1 of Title 85A, unless there
17 is created a duplication in numbering, reads as follows:

18 As used in this act:

19 1. "Work-based learning coordinator" means a teacher, as
20 defined by Section 6-101.3 of Title 70 of the Oklahoma Statutes, who
21 coordinates and supervises students in work-based learning
22 placements;

23 2. "Work-based learning employer" means an employer who
24 provides work-based learning placements;

1 3. "Work-based learning placement" or "placement" means an
2 arrangement between a business or industry partner and a local
3 school system in which students are released for a portion of the
4 school day for structured learning at an employer's job site in
5 either a paid or unpaid position while receiving academic credit.
6 Work-based learning placements include, but are not limited to,
7 employability skill development, service learning, cooperative
8 education, internship, youth apprenticeship, and clinical
9 experiences; and

10 4. "Work-based learning student" means a student sixteen (16)
11 years of age or older in a work-based learning placement for an
12 employer.

13 SECTION 2. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 42.2 of Title 85A, unless there
15 is created a duplication in numbering, reads as follows:

16 A. For each policy of workers' compensation insurance issued or
17 renewed in this state on or after November 1, 2020, there may be
18 granted by the insurer a reduction in the premium for such policy,
19 not to exceed five percent (5%), if the insured has been certified
20 by the State Board of Education to the Administrative Workers'
21 Compensation Commission as a work-based learning employer pursuant
22 to Section 3 of this act and has notified its insurer in writing of
23 such certification.

1 B. If granted, the premium discount provided by this section
2 shall be applied to an insured's policy of workers' compensation
3 insurance pro rata as of the date the insured receives such
4 certification and shall continue for as long as the insured
5 maintains the certification; provided, however, that an insurer
6 shall not be required to credit the actual amount of the premium
7 discount to the account of the insured until the final premium audit
8 under such policy. Certification of an insured shall be required
9 for each year in which a premium discount is granted.

10 C. If it is determined that an insured misrepresented its
11 qualifications for certification pursuant to Section 3 of this act,
12 the workers' compensation insurance policy of such insured may be
13 subject to an additional premium for the purposes of reimbursement
14 of a previously granted premium discount and to cancellation in
15 accordance with the provisions of the policy.

16 D. Each insurer shall make an annual report, in accordance with
17 rules promulgated by the Insurance Commissioner, to the Insurance
18 Commissioner illustrating the total dollar amount of the premium
19 discounts applied pursuant to this section.

20 E. The Insurance Commissioner and the State Board of Education
21 shall conduct a study to determine the impact of the premium
22 discounts provided pursuant to this section in encouraging employers
23 to provide work-based learning opportunities for students sixteen
24 (16) years of age or older.

1 F. The Insurance Commissioner shall be authorized to promulgate
2 rules necessary for the implementation and enforcement of this
3 section.

4 SECTION 3. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 42.3 of Title 85A, unless there
6 is created a duplication in numbering, reads as follows:

7 A. A work-based learning employer that has been certified
8 pursuant to this section shall be eligible for a premium discount
9 under the employer's workers' compensation insurance policy pursuant
10 to Section 1 of this act if the State Board of Education certifies
11 to the Administrative Workers' Compensation Commission and the
12 Insurance Commissioner that the work-based learning employer:

13 1. Has entered into a training agreement with one or more work-
14 based learning students, the student's parent or guardian, and the
15 school's work-based learning coordinator;

16 2. Has developed, in conjunction with the school's work-based
17 learning coordinator, a detailed training plan for the work-based
18 learning student that focuses on development of technical skills and
19 employability skills;

20 3. Assigns a mentor to each work-based learning student and
21 assists in monitoring the progress of the student; provided, a
22 mentor may be assigned to more than one student;

23 4. Provides workers' compensation insurance coverage for each
24 work-based learning student;

1 5. Complies with all federal, state, and local laws and
2 regulations regarding the employment of students; and

3 6. Complies with the rules of the State Board of Education
4 regarding work-based learning placement.

5 B. A self-insured employer or an employer member of a group
6 self-insurance association that provides work-based learning
7 placements for one or more work-based learning students
8 substantially in accordance with this section may be certified by
9 the State Board of Education to the Insurance Commissioner and the
10 Administrative Workers' Compensation Commission as a work-based
11 learning employer in compliance with this act.

12 SECTION 4. This act shall become effective November 1, 2020.

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