
A BILL FOR AN ACT

RELATING TO WORKERS' COMPENSATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that a main goal of the
2 department of education's State of Hawaii public education 2023-
3 2029 strategic plan is to have "all students graduate high
4 school prepared for college and career success and community and
5 civic engagement." As part of this goal, an action item in the
6 strategic plan includes "expand students' opportunities for
7 structured work-based learning experiences, including
8 internships for high school students, through partnerships with
9 employers, community partners, military and higher education
10 institutions."

11 In order to achieve the goals set forth in the strategic
12 plan, the department of education is actively pursuing
13 internships for students, including graduating high school
14 students. However, the department finds that once students
15 graduate from high school, they are no longer considered a
16 student and, thus, are not covered for workers' compensation
17 while they are participating in a department-sponsored work-



1 based learning opportunity during the summer following
2 graduation.

3 The purpose of this Act is to allow newly graduated former
4 students to be eligible for workers' compensation coverage
5 during the summer following their high school graduation while
6 participating in work-based learning programs sponsored by the
7 department of education.

8 SECTION 2. Section 302A-430, Hawaii Revised Statutes, is
9 amended to read as follows:

10 **"§302A-430 Coverage for workers' compensation.** Whenever a
11 student or a new high school graduate participating in a school-
12 approved work-based learning program sponsored by the department
13 of education or the [~~University~~] university of Hawaii undertakes
14 to perform work for a private or public employer as part of the
15 student's or new high school graduate's work-based learning
16 program, whether paid or unpaid, the State shall be deemed to be
17 the responsible employer for the purposes of workers'
18 compensation coverage[7] for students and for new high school
19 graduates until July 31 of the student's or the new high school
20 graduate's high school graduation year, and that coverage shall
21 be the student's or the new high school graduate's exclusive



1 remedy to the same extent as provided for in chapter 386 as
2 against the State and the private employer participating in the
3 program."

4 SECTION 3. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 4. This Act shall take effect on July 1, 3000.



H.B. NO. 2401 H.D. 1

Report Title:

Workers' Compensation; Work-based Internships; Department of Education

Description:

Allows newly graduated high school students to be eligible for workers' compensation coverage during the summer following their high school graduation while participating in Department of Education-sponsored work-based learning programs. Effective 7/1/3000. (HD1)

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2024-1347 HB2401 HD1 HMSO

