



Interns & Trainees not eligible for Workers' Compensation (WC) by Sponsoring Institution (School) OR do not have a School Sponsor

Implementation Process

This does not apply to the School of Medicine (SOM) Clinical Rotation Process that is managed by the SOM Receiving Student Affiliation Agreement Coordinator (RSAAC), individuals that use the CU Denver Experiential Learning Department to manage their intern/trainee positions, or for engagement of Minors on campus in an intern/trainee role.

In order to further the educational mission of the University of Colorado Denver | Anschutz Medical Campus (University), University Risk Management ("URM") and the Office of University Counsel (Legal) have created a process for Departments to follow when they receive a request for an internship or trainee experience from a non-University student. When you are asked about this type of learning experience, please contact your department Human Resources (HR) professional immediately, to receive further guidance on their policies, procedures and required documentation of an intern/trainee.

University Departments (Department) must understand that, when accepting a non-CU student as an intern/trainee who **is not** provided with WC coverage from an outside entity, the University may be responsible for the WC coverage of that individual. This may eventually lead to higher WC costs for the University if these individuals suffer compensable injuries while in the *bona fide* intern/trainee position. This includes any compensable occupational injury that occurs off site.

The process outlined below is designed to assist Departments in properly setting up intern/trainee opportunities for individuals or students that are coming to the University from a School or country that cannot provide WC for student interns/trainees **or** for individuals or students who do not have a School sponsor.

1. The accepting Department must explore all avenues of obtaining a learning/training agreement from the School, -if there is one- prior to using this option. The learning/training agreement needs to include:
 - a. Scope of the student(s) activities
 - b. Student training experience objectives
 - c. Expectations of the School and Department
 - d. School's intent to provide WC coverage for the intern/ trainee.
 - e. Emergency Information
 - f. School Contact Information
 - g. School and University Signatures
 - h. Beginning and end dates of the training experience
 - i. Training/Internship work schedule and/or total number of hours projected to be on site
2. If the School provides a learning/training agreement **BUT** cannot provide WC coverage then:
 - a. The School will provide documentation via an email or letter to the accepting Department that states they **cannot** provide WC coverage for students as required by Colorado law based on the School's applicable state (or country's) laws and legal provisions regarding this type of coverage.
 - b. The accepting Department will send the School's learning agreement to Legal for review and modification of the learning agreement to appropriately define the WC responsibility.
 - c. The accepting Department must complete the [Trainee Agreement and Waiver](#) found on the URM [website](#): under the Trainee Tab.
3. If the School does not provide a learning/training agreement AND cannot provide WC coverage then:
 - a. The Department must obtain documentation from the School, via an email or letter, stating the School **cannot** provide WC coverage for students as required by Colorado law based on the School's applicable state (or country's) laws and legal provisions regarding this type of coverage.
 - b. The accepting Department must complete the ["On-Site Learning Agreement and Waiver"](#).



UNIVERSITY RISK MANAGEMENT

4. If the intern/trainee does not have a School (i.e. recent graduate, trying to gain experience), the accepting Department must complete the "[On-Site Learning Agreement and Waiver](#)" as referenced in 3.b.
5. If the intern/trainee is an International Student, please follow all [International Student and Scholar Services \(ISSS\) requirements](#).
6. If the individual is a Visiting Scholar or Researcher, they are [not eligible for this type of arrangement](#) and the Department should seek further support from ISSS, HR, Legal or URM.
7. ***The appropriate learning/training agreements and waivers must be fully executed and signed prior to the intern/trainee beginning their experience at the University.***
8. The intern/trainee is entered into the HR Personnel System (HCM) as a Person of Interest.
9. The Department must provide appropriate WC notices, as required by State of Colorado Workers' Compensation Law to the intern/trainee. Up-to-date versions of the required posters can be found on the [URM website](#).
10. All required documents must be maintained by the Department per the University Record Retention Policy.
11. The Department is strongly advised to maintain an Intern/Trainee Tracking List ("List") of all individuals granted an intern/trainee experience under this process for WC purposes. If a WC claim occurs for one of these individuals, the Department will be contacted by URM and will need to provide the required information (learning/training agreement and List) in order to authorize CU WC benefits for the individual. ***If the documents are not provided, WC may not apply and the Department could be responsible for the costs of a claim.***

The List should include:

- a. Name of the student
- b. Sending institutions name, city and state, contact information (if applicable)
- c. Beginning and end dates of the training experience
- d. Trainee/Internship work schedule and total number of hours
- e. Department, Supervisor and location of the learning experience

PROCEDURAL SUMMARY

1. University Department (Department) receives an applicant for an intern/trainee position that is UNPAID.
2. Department determines if there is a Sponsoring Institution (School). If there is a School, Department pursues obtaining learning/training agreement for intern/trainee experience from the School.
3. Department and School determine who is providing WC (preferably School) if School is providing WC that shall be noted in the School's learning agreement. If School cannot provide WC, they provide Department with written confirmation as such. If School provides learning agreement, the Department sends School's learning agreement to University Legal for review and modification of agreement. Once agreement is finalized the Department proceeds with completing the [Trainee Agreement and Waiver](#).
4. Department starts recording applicant information in the "List".
5. If there is not a School or the School is not sponsoring the intern/trainee then the Department will work with the departmental HR professional to ensure the applicant is classified correctly and determine if all the requirements of the applicable policies and procedures are met.
6. The accepting Department must complete the [On-Site Learning Agreement and Waiver](#) provided by URM under the Trainee Tab, on the URM [website](#).
7. Department gets all required signatures, this includes the Dean of School/College or their Designee. Submit the completed document to the following individuals for review and approval:
 - a. URM: urmucddirs@cu.edu
 - b. Legal: karyn.hardy@ucdenver.edu
 - c. HR: florie.montoya@ucdnever.edu
8. Upon approval, the Department records the applicant information in the "List".
9. In all cases, the intern/trainee is entered into the HR Personnel System (HCM) as a Person of Interest.
10. All documents are kept at the Department per University Record Retention Policy.