

## **IC 21-16-2**

### **Chapter 2. EARN Indiana Program**

#### **IC 21-16-2-1**

##### **EARN Indiana program; established**

Sec. 1. There is established an employment aid readiness network (EARN) Indiana program to be administered by the commission.  
*As added by P.L.2-2007, SEC.257. Amended by P.L.272-2013, SEC.5.*

#### **IC 21-16-2-2**

##### **EARN Indiana fund; established; administration**

Sec. 2. (a) The EARN Indiana fund is established to provide reimbursement to eligible employers who enter into agreements with the commission under this chapter.

(b) The fund consists of appropriations from the state general fund and contributions from private sources.

(c) The expenses of administering the fund shall be paid from money in the fund.

(d) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited in the fund.

(e) Money in the fund at the end of a particular fiscal year does not revert to the state general fund but remains available to be used for providing reimbursements under this chapter.

*As added by P.L.2-2007, SEC.257. Amended by P.L.234-2007, SEC.49; P.L.272-2013, SEC.6.*

#### **IC 21-16-2-3**

##### **Agreements with eligible employers**

Sec. 3. In order to implement the provisions of this chapter, the commission shall enter into agreements with eligible employers for the operation of the EARN Indiana program as provided in this chapter.

*As added by P.L.2-2007, SEC.257. Amended by P.L.272-2013, SEC.7.*

#### **IC 21-16-2-4**

##### **Agreements; conditions**

Sec. 4. An agreement entered into under this chapter must:

(1) provide for employment by the eligible employer of eligible students:

(A) for a minimum average of twelve (12) hours per week; and

(B) a maximum average of:

(i) twenty (20) hours per week, if the student is enrolled in courses at the time of employment; or

(ii) forty (40) hours per week if the employment occurs during the summer term and the student is not enrolled in

- courses during the summer term;
- (2) provide for the reimbursement, to the extent possible under the then current biennial appropriation, by the state to the employer of at least fifty percent (50%) of the federal minimum hourly wage for each hour worked by the student for the employer;
  - (3) provide that any work performed by a student under this chapter must not result in the displacement of employed workers or impair existing contracts for services;
  - (4) provide that any work performed by a student under this chapter shall not involve any partisan or nonpartisan political or sectarian activities;
  - (5) provide that wage rates must be established by the eligible employer, but must not be less than the current federal minimum wage rate; and
  - (6) contain any other provisions necessary to carry out this chapter.

*As added by P.L.2-2007, SEC.257. Amended by P.L.272-2013, SEC.8.*

#### **IC 21-16-2-5**

##### **Repealed**

*(Repealed by P.L.272-2013, SEC.9.)*

#### **IC 21-16-2-6**

##### **Repealed**

*(Repealed by P.L.272-2013, SEC.10.)*

#### **IC 21-16-2-7**

##### **Eligible employers; duties**

Sec. 7. An eligible employer that wishes to participate in the EARN Indiana program under this chapter must:

- (1) submit to the commission, by the date specified by the commission and in the format specified by the commission, a job description for each job that the eligible employer will offer to eligible students under the program;
- (2) submit to the commission, by the date specified by the commission, one (1) or more statements reporting:
  - (A) the wages paid by the eligible employer to each eligible student; and
  - (B) the amount of time worked by each eligible student employed by the eligible employer; and
- (3) sign an agreement agreeing to administer the program according to the published rules and program guidelines as outlined by the commission.

*As added by P.L.2-2007, SEC.257. Amended by P.L.272-2013, SEC.11.*

#### **IC 21-16-2-8**

##### **Work study funds considered as financial aid**

Sec. 8. Funds received by students under this chapter must not be considered as financial aid and must not be used in determining awards under the provisions of IC 21-12-3, IC 21-12-4, and IC 21-12-5.

*As added by P.L.2-2007, SEC.257. Amended by P.L.272-2013, SEC.12.*

#### **IC 21-16-2-9**

##### **Priority for small businesses**

Sec. 9. In entering into agreements under section 3 of this chapter with eligible employers described in IC 21-16-1-6(4), the commission shall give priority to eligible employers that are organized as small businesses.

*As added by P.L.272-2013, SEC.13.*