

# Bulletin

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## **WORKERS' COMPENSATION BULLETIN 15-2**

**Date: January 2015**

**To:** Workers' Compensation Coordinators  
Safety & Loss Control Contacts

**Subject:** Advisory on Telecommuting Offices Located Outside of Minnesota

### **Background:**

If you have employees who telecommute and perform any part of their State of Minnesota job duties in a home office that is located outside the boundaries of the State of Minnesota, please be aware that you might need to purchase workers' compensation liability coverage in the states were these home offices are located.

While state employees are covered by us for workers' compensation purposes in all telecommuting situations, state laws in other states might still require us as an employer to have workers' compensation coverage specific to their states laws where we have employees working. In the event of an injury that occurs while working in a home office located in another state, a State of Minnesota employee could claim workers' compensation benefits under the workers' compensation laws in that state in lieu of receiving Minnesota workers' compensation benefits. We cannot ask employees to waive this right as part of any approval process for their telecommuting situation.

Failure to carry workers' compensation coverage in other states when required to carries a financial penalty or fine.

### **Action Requested**

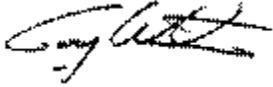
Please review all telecommuting situations in your agencies in which the employees' other office or home office is located outside the State of Minnesota. If you have these situations, you are probably required by law to have workers' compensation liability coverage in the state where the employee(s) are telecommuting from.

Please note that this bulletin only addresses telecommuting situations. Employees who are in travel status or who are temporarily in another state as part of their regular job duties are covered under Minnesota workers' compensation laws and there is no need to purchase a workers' compensation policy in the other state. And, there is no need for a workers' compensation policy in another state if an employee occasionally takes work home with them and their home is located outside of Minnesota. It is only likely that a workers'

compensation policy is required in other states when there is a regular office or work location established in the other state. A home office is considered a work location in most states under telecommuting situations.

If you have questions, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Westman". The signature is fluid and cursive, with a prominent initial "G" and "W".

Gary Westman, Manager  
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