

● WORKERS' COMPENSATION LAW

STATUTORY CITATION: Minn. Stat. §§ 176.001 – 176.862

GENERAL SUMMARY: The Minnesota workers' compensation law makes most employers in the state liable for compensation in every case of personal injury or death of an employee arising out of and in the course of employment, without regard to the question of negligence. Depending on the circumstances of each such case, compensation benefits may include, among others, (1) weekly cash payments to the employee in lieu of lost wages, (2) medical, surgical and hospital treatment, medicines, supplies and related items, and (3) death benefits. To meet their liability, subject employers must either purchase workers' compensation insurance coverage through a commercial insurance carrier, or obtain authorization from the state as a self-insurer. An employer who fails to secure the payment of compensation risks substantial monetary penalties.

With some exceptions, the obligation to provide compensation to their injured employees applies to anyone who employs another person to perform a service for hire.

PROVISIONS APPLICABLE TO AGRICULTURE: Farmworkers employed by a farm operator or other agricultural establishment which paid at least \$8,000 in cash wages for farm labor in the preceding calendar year are entitled to workers' compensation in the event of injury, disability or death sustained in the course of their employment.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY — *Workers' Compensation Division, Minnesota Department of Labor and Industry, St. Paul, Minnesota 55155 (651-284-5005; toll-free 800-342-5354).* The Division is responsible for monitoring compliance with the workers' compensation law and for resolving disputes between workers, employers and insurance carriers regarding claims and benefits. In general, compensation must commence within 14 days of notice to the employer of a compensable injury. No benefits are due until the employer has actual knowledge of the occurrence of the injury or receives written notice of the incident from the worker or a dependent of the worker. Moreover, as a rule, an action or proceeding to determine or recover compensation must be initiated within 6 years of the date of the accident on which the claim is based.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY — *None.*