

Statement from WSI Regarding Workers' Compensation Coverage for Flood Fighters

The following is intended to provide guidance as to who is covered by WSI workers' compensation coverage during times of disaster including spring flooding.

A key determination when determining whether flood fighters are covered by workers' compensation is whether the employee is under the direction and control of their employer. If an employee is directed by an employer to participate in flood fighting activities, WSI will consider the employee covered, even if their hours extend beyond the normal work shift. On the other hand, if employees are simply released by their employer, without specific direction, to help in the flood fighting activities, they are not covered by worker's compensation coverage during their flood fighting activities. Additionally, employees who are injured while protecting their own property will be viewed by WSI as being outside the scope of their employment and those injuries are not compensable.

Employers, defined as sole proprietors, partners and corporate officers, have the option of covering themselves on their WSI workers' compensation policies. For those employers who have secured optional coverage, activities will likely be covered to the extent they are related to the protection of business property or assets.

Organizations such as political subdivisions, civic groups and churches who use volunteers to assist in disaster response may establish a volunteer policy to provide coverage for those individuals. Coverage must be secured and volunteers preregistered with WSI in advance of any participation in volunteer activities. The cost for volunteer coverage is \$15.60 per volunteer subject to a minimum premium of \$250.