



COVERAGES

WHO WE ARE

WSI is an exclusive, employer-financed, no-fault insurance state fund covering workplace injuries and deaths. Coverage is provided without limits, other than the limits placed on individual benefits such as the maximum weekly disability benefit.

Presumption of Employment

- Each person who performs services for another for remuneration is presumed to be an employee of the person for whom the services are performed.
- An employer who asserts an individual is an independent contractor, rather than an employee has the burden of proving the fact.

COVERAGE REQUIREMENTS



All North Dakota employers, with limited exceptions, are required to secure coverage for their full-time, part-time, seasonal, or occasional employees prior to hiring.

WSI Coverage Is Mandatory for North Dakota Employers If:

- An employer hires employees to work in North Dakota
- Employees are working at a business location in North Dakota

WSI Coverage Is Mandatory for Out-Of-State Employers If:

- Employment results in significant contacts with North Dakota, or enters into employment agreements in North Dakota

An Employer Has Significant Contacts with North Dakota When:

- Any employee earns or would have been expected to earn 25% or more of the employee's gross annual wage or income from that employer for services rendered within North Dakota, or
- 25% of the employer's gross annual payroll is payable to employees for services rendered in North Dakota, or
- An employer hires an employee in North Dakota for work in North Dakota. If you come into North Dakota and hire workers here, WSI coverage is required.

Remote Workers (Telework)

- If you are a North Dakota based business and you hire employees to work in/from states other than North Dakota, (example: telecommuting) you must obtain workers' compensation coverage in that state.
- WSI is unable to write coverage for employees that do not work in North Dakota.
- Out-of-state employers with employees working remotely from North Dakota must secure WSI coverage for those employees.



COVERAGES CONTINUED



ELECTIVE COVERAGES



- Owner, partner, corporate officer or spouse
- Employer's children under the age of 22
- Certain licensed real estate brokers
- Newspaper delivery personnel
- Farm and ranch labor
- Certain custom farm operations
- Household domestic workers
- Place of worship
- Professional athletes - contact sports only
- Specified tribal operations

Agricultural Work and Custom Operations Coverage

Agricultural work is exempt from mandatory workers' compensation coverage unless any of the following occur:

- The North Dakota based custom farm operation provides services inside the state for 31 days or more.
- The custom farm operation is based outside this state and comes into North Dakota to perform custom work for any length of time.

Volunteer Coverage

Any volunteer organization may contract with WSI for insurance protection for its own members while they are engaged in specific activity provided for in the volunteer contract.

Vocational Training & Work Evaluation Programs Coverage

An organization may contract with WSI for the coverage of participants in a program of vocational training or work evaluation.

Tribal Coverage

Coverage is elective if:

- The business entity is an "Arm of the Tribe" to which sovereign immunity applies.
- The business entity is owned by a member of a tribe and is operating within the territories of tribal land.

Coverage is mandatory if:

- The business entity is operating within the territories of tribal land and is not owned by a tribal member.
- The business entity is owned by a member of a tribe and is operating outside the territories of tribal land.

To apply for mandatory or elective coverage visit
[WORKFORCESAFETY.COM >> EMPLOYERS](https://www.workforcesafety.com)

