



News

Melissa Schafer Provides Best Practices on How Employers Can Mitigate Potential Liability for Remote Work Injuries

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Melissa Schafer – partner and co-leader of Hinshaw's national Labor and Employment Practice Group – recently discussed in a *The Business Journals* article the potential liability risks for employers where remote workers are injured at home. The article discussed a case where a JCPenney salesperson tripped over her dog and fractured her wrist while retrieving fabric samples at her home. After the salesperson sued, an Oregon appellate court ruled in her favor, saying the injury arose out of her employment for the retailer.

Schafer provided a series of best practices for employers, including the importance of educating employees on remote work safety, providing a clearly defined hybrid workplace policy, and properly informing workers' compensation insurance carriers.

Schafer said that companies should provide a safety checklist that includes recommendations on how to create and maintain a safe remote work environment and a clearly communicated hybrid workplace policy for their employees to sign. These policies should address questions such as if and when remote work is required and if there are specific types of tasks that must be completed at home. "Without a policy, you're kind of floating in no man's land," she said. "[Without a policy], you haven't given them enough of a roadmap in order to protect your business."

Schafer also noted that companies should accurately inform their workers' compensation insurance carriers on how many employees are working remotely and find out how remote workers' coverage may be affected. "You want to make sure that you've been honest and upfront. That way, they make sure their coverage is confirmed and there's no issue in case one of these random incidents may occur," she said.

[Read the full article](#)

"What happens when a remote worker is injured at home?" was published by *The Business Journals* on April 11, 2022.

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