



# Does Worker's Comp Cover Unpaid Trainees?

# Q:

Our association hires some of our members to function as clinic group leaders several weekends a year. They receive wages and expense reimbursement, and they are covered by worker's compensation and liability insurance. While they are being trained for this work, their expenses are reimbursed, but they do not receive wages. At a recent national meeting of officials from associations of our type, an official

from another association said that it was their understanding that employees would not be covered by worker's compensation insurance unless they were receiving wages.

My question is: Are employees covered by worker's compensation insurance when they are being trained if they receive expense reimbursement but no wages? Does the answer to this question apply to all states in the Midwest or only to certain states?

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is a matter of state law, or in some cases, a state agency or state court interpretation of the law. Therefore, the answer could be quite different in neighboring states. If you have uncertainty about the law in other states, the simplest solution is to contact the state agency responsible for worker's compensation matters and ask to talk to a worker's compensation specialist. In most cases, the specialist can give you the answer over the phone and will send you the applicable provisions of the law. Obviously, another option is to contact a lawyer specializing in worker's compensation in each state for which this issue is important to your association.

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# A:

Worker's compensation laws vary from state to state. The answer to your question

in Wisconsin where your association is headquartered is "yes," worker's compensation insurance is available to those being trained, even if they receive no wages. I would stress, however, that this

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