|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **State** | **State Workers' Comp Division** | **Workers' Compensation Statute** | **Covered Employees** | **Persons Not Covered** |
| Alabama | [Alabama Department of Labor](https://labor.alabama.gov/wc/) | Alabama Code §25-5-1 et seq. | Most employees are covered. | * Domestic servants * Farm laborers * Casual employees * Employees of business with less than five people * Licensed real estate brokers * Product demonstrators |
| Alaska | [Department of Labor & Workforce Development](http://labor.alaska.gov/wc/) | AS §23.30.005, et. seq | Most employees are covered including any person employed by the State or its political subdivision or a person employing one or more persons in connection with a business or industry carried on in Alaska. | * Part-time babysitters * Domestic servants * Harvest and similar transient help * Contract entertainers * Statutorily-defined taxi cab drivers * Statutorily defined commercial fishermen |
| Arizona | [Industrial Commission of Arizona](http://www.ica.state.az.us/Claims/Claims_main.aspx/) | Arizona Revised Statutes Annotated §§ 23-901, et seq | Every person in the service of the state, any political subdivision, or any person in the service of any employer subject to the workers' compensation provisions is considered to be an employee. | * Casual employees or not in the usual course of a trade * Independent contractors |
| Arkansas | [Arkansas Workers' Compensation Commission](http://www.awcc.state.ar.us/) | Arkansas Code Annotated § 11-9-101 et seq | Any person, including a minor, whether lawfully or unlawfully employed under any contract of hire, written or oral, express or implied. | * Agricultural farm laborers * State employees * Casual employees * Inmates |
| California | [Department of Industrial Relations](http://www.dir.ca.gov/dwc/dwc_home_page.htm) | California Labor Code Division 3, section 2700 through Division 4.7, section 6208 | Every person in the service of an employer under any appointment or contract of hire or apprenticeship, express or implied, oral or written, whether lawfully or unlawfully employed. | * Domestic employees employed by his or her parent, spouse, or child * Deputy sheriffs or deputy clerks * Persons performing services in return for aid or sustenance only * Persons officiating amateur sporting events (including intercollegiate or interscholastic sports events) * Any person performing voluntary services at or for a non-profit recreational camp or as a ski patroller |
| Colorado | [Department of Labor and Employment](https://www.colorado.gov/cdle/dwc) | Colorado Revised Statutes § 8-40-101, et seq | Every person in the service of any person, association of persons, firm, or private corporation, under any contract of hire, express or implied, including aliens and also including minors, whether lawfully or unlawfully employed. | * Inmates * Volunteers * Drivers under a lease agreement with a common carrier or contract carrier |
| Connecticut | [Workers' Compensation Commission](http://wcc.state.ct.us/) | Connecticut General Statutes Sections 31-275 through 31-355a, et seq | Any person who has entered into or works under any contract of service or apprenticeship with an employer. | * Sole proprietor or business partners * Independent contractors * Casual employees |
| Delaware | [Department of Labor](http://dia.delawareworks.com/workers-comp/) | Delaware Code Annotated Title 19, §§ 2301-2397 | Every person in service of any corporation, association, firm or person under any contract of hire or performing services for a valuable consideration | * A spouse and minor children of a farm employer if they are not named in an endorsement to the farm employer's contract of insurance * Casual employees * Any person to whom articles or materials are furnished or repaired, or adopted for sale in the employee's own home, or on the premises not under the control or management of the employer |
| District of Columbia | [Department of Employment Services](http://does.dc.gov/page/workers-compensation-does) | District of Columbia Code Annotated §32-1501, et seq | Every person, including a minor, in the service of another under any contract of hire or apprenticeship, written or implied, | * An employee whose employer is an uninsured sub-contractor can assert a claim against the general contractor |
| Florida | [Department of Financial Services](http://www.myfloridacfo.com/division/wc/) | Chapter 440, Florida Statutes, et seq. | Every person in the service of any person, association of persons, firm, or private corporation, under any contract of hire, express or implied, including aliens and also including minors, whether lawfully or unlawfully employed. | * Independent contractor (excluding the construction industry) * Licensed real estate brokers * Bands, orchestras, and musical and theatrical performers, including disc jockeys * Causal employees, * Volunteers (most) * Certain taxicab, limousine, or other passenger vehicle-for-hire drivers * Some sports officials |
| Georgia | [Georgia State Board of Workers' Compensation](http://sbwc.georgia.gov/) | Official Code of Georgia Annotated §§ 34-9-1, et seq | Employees of a business that employee three or more employees and some unpaid persons can be considered employees under limited circumstances. | * Rail common carriers engaged in interstate or intrastate commerce * Farm laborers * Domestic servants * Licensed real estate salespeople or associate brokers * Independent contractors |
| Hawaii | [Department of Labor and Industrial Relations](http://labor.hawaii.gov/) | Hawai`i Revised Statutes, Chapter 386 | Any individual in the employment of another person. | * Some exceptions for primary and secondary contractors |
| Idaho | [Industrial Commission](http://www.iic.idaho.gov/) | Idaho Code § 72-101, et. seq. | Any person who has entered into the employment or who works under contract of service or apprenticeship with, an employer. | * Domestic servants * Casual workers * Pilots of agricultural spraying or dusting planes * Real estate brokers and real estate salesmen * Volunteer ski patrollers * Officials of athletic contests involving secondary schools |
| Illinois | [Illinois Workers' Compensation Commission](http://www.iwcc.il.gov/) | 820 Illinois Compiled Statutes Annotated 305/1, et seq. | Every person under the service of another or under a contract for hire. Certain businesses are considered "extra-hazardous" with all employees covered automatically by law. | * Real estate brokers/salespeople on commission * Farmers * Jurors |
| Indiana | [Workers' Compensation Board of Indiana](http://www.in.gov/wcb/) | Ind. Code § 22-3-1-1 et seq. | Every person, including minors, contractors or apprenticeship, written or implied, except one whose employment is both casual and not in the course of trade, business, occupation, or profession of the employer. | * Railroad engineers, firemen, conductors, brakemen, flagmen, baggage men,   Foremen in charge of yard engines,  Employees of a fire or police department, of any municipality who partake in a firefighter's or police officer's pension fund,  Casual laborers,  Farm or agricultural employees,  Household employees. |
| Iowa | [Iowa Workforce Development](http://www.iowaworkforce.org/wc/) | Iowa Code §85.1 et seq. | All employees not specifically excepted are covered. | * Household employees earning less than $1,500 during 12 months prior to an injury * Casual employees earning less than $1,500 for 12 consecutive months prior to an injury * Agricultural employees where the employer's nonexempt cash payroll is less than $2,500 for the preceding calendar year * Relatives of farm employer and employer's spouse * Officers of family farm * Some officers of a corporation |
| Kansas | [Department of Labor](http://www.dol.ks.gov/workcomp/default.aspx) | Kansas Statutes Annotated §44-501 et seq | Any person who has entered into the employment of or works under any contract of service or apprenticeship with an employer. | N/A |
| Kentucky | Kentucky Labor Cabinet | Kentucky Revised Statutes § 342.0011 et seq.; 803 Kentucky Administrative Regulations. 25:009 et seq. | All persons, including minors, lawfully or unlawfully employed under any contract of hire; helpers, paid or not, if hired with the knowledge of the employer; corporate executive officers; volunteer fire, police, civil defense personnel or trainees and members of the National Guard on active duty; newspaper sellers or distributors | * Domestic servants, if there are less than two regularly employed in a private home for 40 hours or less per week * Maintenance, repair and similar employees employed in a private home if the employer has no other employees subject to Workers' Comp |
| Louisiana | [Louisiana Workforce Commission](http://www.laworks.net/WorkersComp/OWC_MainMenu.asp) | Louisiana Revised Statutes Annotated §23:1021 et seq. Louisiana Revised Statutes Annotated §33:2581 | Most persons in an employment setting including all persons in the service of the state, or a political subdivision or of any incorporated public board, or under any appointment or contract of hire. | * Employees of private residential household and private unincorporated farms * Musicians and performers under contract |
| Maine | [Workers' Compensation Board](http://maine.gov/wcb/) | Maine Revised Statutes Annotated, title 39-A, or 39-A M.R.S.A. § 101 et seq. | Every person in the service of another under any contract of hire, express or implied, oral or written." | * Independent contractors * Persons engaged in maritime employment covered under admiralty law * Certain agricultural employees |
| Maryland | [Workers' Compensation Commission](http://www.wcc.state.md.us/) | Maryland Code Ann., Lab & Empl. §9-101 (2014) et seq.; Code of Maryland Regulations (COMAR) Title 14, §09.01.01 et seq. | Any regular payroll employee is a covered employee while in the service of an employer | * Independent contractors * Various other persons employed |
| Massachusetts | [Executive Office of Labor and Workforce Development](http://www.mass.gov/lwd/workers-compensation/) | Massachusetts General Laws, Chapter 152 | Any person in the service of another under any contract of hire, express or implied, oral or written. | * Masters of and seamen on vessels engaged in interstate or foreign commerce * Persons employed to participate in organized professional athletics * Real estate brokers and other sales people working on commission only * Persons employed by an employer engaged in interstate or foreign commerce but only so far as the laws of the United States provide for compensation * Casual employment |
| Michigan | [Department of Licensing and Regulatory Affairs](http://www.michigan.gov/wca) | Michigan Compiled Laws Annotated 418.101-941 | Any employee "in the service of another, under any contract of hire." | * Exclusions for smaller employers * Some agricultural employees and domestic workers and real estate brokers/agents |
| Minnesota | [Department of Labor and Industry](http://www.doli.state.mn.us/workcomp.asp) | Minnesota Statutes Annotated Ch. 175A and 176, et seq. | Any person who performs services for another for hire. | * Farmers or members of their family who exchange work with other farmers in the same community * Other various exceptions |
| Mississippi | [Workers' Compensation Commission](http://www.mwcc.state.ms.us/) | Section 71-3-1 et. seq., MISS. CODE ANN | Any person, including a minor, whether lawfully or unlawfully employed in the service of an employer under any contract of hire or apprenticeship, written or oral, express or implied. | * Independent contractors * Other various exceptions |
| Missouri | [Department of Labor and Industrial Relations](http://labor.mo.gov/dwc) | Chapter 287 R.S.Mo. 2005 | Any person in the service of an employer under contract of hire, appointment or election, including officers of corporations. | * Owner/operators of leased trucks in interstate commerce * Farm labor * Domestic servants * Family chauffeurs and licensed real estate agents * Inmates * Volunteers of tax exempt organizations * Sports officials, * Direct sellers |
| Montana | [Department of Labor and Industry](http://dli.mt.gov/) | Mont. Code Ann. § 39-71-101, et.seq | Most employed persons except for those listed in the statute. | * Domestic servants * Casual employment * Dependent member of employer's family * Certain sole proprietors * Real estate brokers or salesmen * Direct sellers * Certain officials at athletic events * Freelance photographers and authors * Newspaper carriers * Cosmetologist or barber services * Petroleum land workers * Professionals; jockeys * Ordained ministers * Officer or manager of a ditch company * Persons working for enrolled tribal members who operate solely within the exterior boundaries of Indian reservations |
| Nebraska | [Workers' Compensation Court](http://www.wcc.ne.gov/) | Nebraska Revised Statutes § 48-101 et. seq. | Employees of the state, every governmental agency created by it, and every employer in Nebraska, including nonresident employers performing work in the state employing one or more employees in the regular trade, business, profession, or vocation of such employer | * Domestic servants * Agricultural operations employees * Employees of railroad companies engaged in interstate or foreign commerce |
| Nevada | [Department of Business & Industry](http://business.nv.gov/) | Nev. Rev. Stat. Chapters 616A-616D, Nev. Rev. Stat. Chapter 617 | Every person in the service of an employer under any appointment or contract of hire or apprenticeship, express or implied, oral or written, whether lawfully or unlawfully employed. | * Casual employees * Theatrical or stager performers * Musicians whose services do not last more than two consecutive days * Domestic workers * Voluntary ski patrol * Sports officials paid a nominal fee * Any member of clergy * Real estate brokers * Direct sales persons working on commission |
| New Hampshire | [Workers' Compensation Division](http://www.nh.gov/labor/workers-comp/) | New Hampshire Revised Statutes Annotated 281-A | Any person in the service of an employer under any express or implied, oral or written, contract of hire | * Railroad employee engaged in interstate commerce * Direct sellers * Real estate brokers, agents or appraisers * People providing services as part of a residential placement for individuals with developmental, acquired or emotional disabilities |
| New Jersey | [Department of Labor and Workforce Development](http://lwd.dol.state.nj.us/labor/wc/wc_index.html) | New Jersey Statutes Annotated 34:15-1 et seq. | Most employees are covered with some exceptions. | * Independent contractors * Domestic workers * Employee who is willfully negligent * Inmates * Causal employees |
| New Mexico | [Workers' Compensation Administration](http://www.workerscomp.state.nm.us/) | New Mexico Workers' Compensation Act, New Mexico Statutes Annotated §§52-1-1, et seq | Most employees are covered. | * Farm employees * Domestic servants * Real estate agents * Persons who file a written waiver with the State of New Mexico |
| New York State | [Workers' Compensation Board](http://www.wcb.ny.gov/) | Workers' Compensation Law of the State of New York | Most employees in the State of New York | * Domestic employees working less than 40 hours per week * Clergymen * Employees of municipalities and other political subdivisions who are not engaged in hazardous employment * Uniformed sanitation workers, firefighters and police officers in the employment of the City of New York * Babysitters and minors over the age of 14 engaged in casual employment in and about one-family * Longshoremen and harbor workers * Railroad employees * Anyone engaged in yard work or household chores or making repairs or painting in and about a one-family owner-occupied residence |
| North Carolina | [Industrial Commission](http://www.ic.nc.gov/) | N.C. Gen. Stat. §97 | Any person engaged in employment under any employment or contract of hire or apprenticeship, express or implied, oral or written, including aliens and also including minors, whether lawfully or unlawfully employed. | * Casual employees and those not in the course of the trade, business, profession or occupation of his or her employer |
| North Dakota | [Workforce Safety and Insurance](http://www.workforcesafety.com/) | North Dakota Century Code Title 65 (Chapters 65-01 through 65-10) | Every person who performs services for another for pay including all elected and appointed officials of the state and its political subdivisions, the legislative assembly, elective officials of the state's counties, and all elective peace officers of any city and aliens, county general assistance workers, and minors. | * Independent contractors * Casual employees * Any person who is engaged in an illegal enterprise or occupation * Spouse or child under the age of 22, of the employer * Real estate broker or real estate salesperson * Members of the board of directors of a business corporation * Newspapers delivery persons |
| Ohio | [Bureau of Workers' Compensation](https://www.bwc.ohio.gov/Default.aspx) | Ohio Revised Code §4121.01 et. seq. Ohio Administrative Code §4121-01 et. seq. | Any person in the service of the state, or any county or municipal corporation, and any person in the service of any person, firm, private or public corporation that employs one or more employees or operatives regularly in the same business or in or about the same establishment under any contract of hire, express or implied, oral or written | N/A |
| Oklahoma | [Workers' Compensation Court](http://www.owcc.state.ok.us/) | Okla. Stat. tit. 85, §§ 301-413 | Any person engaged in the employment of an employer covered by the terms of the Workers' Compensation Code including members of the Oklahoma National Guard and participants in a sheltered workshop program certified by the U.S. Department of Labor. | * Horticulture employees not employed in using motorized machines * Licensed real estate brokers * Employees providing services in medical care or social services program * Anyone employed by employer with less than five employees all related by blood or marriage * Employees of youth sports leagues qualifying as tax-exempt * Sole proprietors * Volunteers * Owner-operators who lease tractor-trailers or trucks for hire * Domestic servants in private home |
| Oregon | [Workers' Compensation Division](http://wcd.oregon.gov/) | Workers' Compensation Law. Or. Rev. Stat. § 656.001 | Any person, including a minor, whether lawfully or unlawfully employed, who works for pay, including salaried, elected and appointed officials of the state, state agencies, counties, cities, school districts and other public corporations. | * Inmate or ward of a state institution * Casual employees |
| Pennsylvania | [Bureau of Workers' Compensation](http://www.dli.state.pa.us/portal/server.pt/community/l_i_home/5278) | Worker's Compensation Act of June 24, 1996, P.L. 350, No. 57 | All natural persons who perform services for another for a valuable consideration | * Casual employees |
| Rhode Island | [Department of Labor & Training](http://www.dlt.ri.gov/wc/) | R.I. Gen. Laws. 27-7.1-1, et. seq.; | Any person who has entered into the employment of or works under the contract of service or apprenticeship with any employer. Any person employed by the State of Rhode Island | * Sworn employees employed by the State of Rhode Island * Casual employees * Farmers * Nursery workers * Farm laborers * Real estate brokers * Sales persons |
| South Carolina | [Workers' Compensation Commission](http://www.wcc.sc.gov/Pages/default.aspx) | S.C. Code Ann. § 42-1-110 et seq. | Every person engaged in employment under any appointment, contract of hire or apprenticeship, express or implied, oral or written including members of the State and National Guard | * Casual employees |
| South Dakota | [Department of Labor and Regulation](http://dlr.sd.gov/workerscomp/default.aspx) | SDCL Title 62 | Every person, including a minor, in the services of another under any contract of employment, express or implied. | * Volunteers * Independent contractors * Domestic servants working less than 20 hours in any calendar week and for more than six weeks in any thirteen week period * Farm or agricultural laborers |
| Tennessee | [Department of Labor and Workforce Development](http://www.tn.gov/labor-wfd/wcomp.shtml) | T.C.A. § 50-6-101, et seq | Every person under contract of hire or apprenticeship, written or implied, including a paid corporate officer | * Some undocumented workers |
| Texas | [Department of Insurance](http://www.tdi.texas.gov/wc/indexwc.html) | Texas Labor Code Annotated § 401.001 et. seq | Persons in the service of another under a contract of hire including anyone working in the usual course and scope of the employer's business who is temporarily asked to perform services outside the usual course and scope of the business and persons who are trainees under the Texans Work program. | * Independent contractors * Federal employees * Other excluded persons |
| Utah | [Labor Commission](http://laborcommission.utah.gov/divisions/IndustrialAccidents/index.html) | Utah Code Annotated §34A-2-101, et seq. | Employees include those engaged in government service, any express or implied contract of hire, lessees of mining property, and owners of a partnership or sole proprietorship if an election is made. | * Real estate agents or brokers |
| Vermont | [Department of Labor](http://labor.vermont.gov/workers-compensation/) | Vermont Statutes Annotated title 21, § 601 et seq | Persons who are employed works under a contract of service or apprenticeship with an employer | * Casual employees * Persons engaged in amateur sports * Persons engaged in farm or agricultural employment for an employer with an aggregate payroll of less that $10,000 per year * Members of an employer's family dwelling in the employer's house * Persons engaged in any type of service in or about a private dwelling * Sole proprietors or partners/owners of an unincorporated business * Real estate broker or real estate salespersons * Certain members of a corporation or LLC * Independent contractors * Assistant judges * Illegally hired minors |
| Virginia | [Workers' Compensation Commission](http://www.vwc.state.va.us/) | Virginia Workers' Compensation Act, Title 65.2 Code of Virginia 1950 | Persons, including aliens and minors, in the service of another under any contract of hire or apprenticeship, written or implied, whether lawfully or unlawfully employed | * Persons whose employment is not within the usual course of the employer's business |
| Washington | [Department of Labor and Industries](http://www.lni.wa.gov/) | RCW 51.04.010 to 51.98.080 | Employees, and independent contractors, the essence of whose contract is his or her personal labor including all officers of the state, state agencies, counties, municipal corporations, or other public corporations, or political subdivisions. | * Certain workers for businesses registered within the Registration of Contractors or licensed Electricians and Electrical Installations * Domestic servants * Home gardening and maintenance workers * Employees not in the course of the trade, business, or profession of the employer * Services performed in return for aid or sustenance * Sole proprietors or partners * Minor children employed by parents for agricultural activities on the family farm * Jockeys * Certain officers of a corporation * Entertainers for specific performances * Newspaper delivery * Services performed by an insurance producer * Services performed by a booth renter, and certain LLC activities |
| West Virginia | [Offices of the Insurance Commission](http://www.wvinsurance.gov/) | W. Va. Code § 23-1-1 et seq. | All persons in the service of employers and employed by them for the purpose of carrying on the industry, business, service or work in which they are engaged | * Domestic servants, * Employers of five or fewer full-time employees engaged in agricultural service * Church workers * Casual employees * Employees engaged in organized professional sports activities, including employers of trainers and jockeys engaged in thoroughbred horse racing * Volunteer rescue or police * Federal employees |
| Wisconsin | [Department of Workforce Development](http://dwd.wisconsin.gov/wc/default.htm) | Wis. Stat. §102.01-.89 (2011) | Most workers and contract workers | * Domestic servants * Most volunteers |
| Wyoming | [Department of Workforce Services](http://www.wyomingworkforce.org/employers-and-businesses/workers-compensation/Pages/workers-compensation-employer-services.aspx) | Wyoming Statutes § 27-14-101, et seq | Any person engaged in any extra hazardous employment under any appointment, contract of hire, or apprenticeship, express or implied, oral or written, and includes legally employed minors, aliens authorized to work by the United States DOJ. | * Casual employees * Sole proprietors * Officer of a corporation * Independent contractors * Professional athletes * Employee in a private home * Federal government employees * Elected officials * Volunteers * Members of LLCs * Foster parents * Childcare workers who are paid by the Wyoming Dept. of Family Services |