Multi-State Workers' Compensation Compliance Checklist

Use this checklist to audit your workers' compensation compliance across every state where you have employees. Work through each section systematically. Check each item as completed. Items marked with ★ are critical — non-compliance can result in criminal charges, stop-work orders, or personal officer liability.

SECTION 1 — Employee Location Mapping

- ☐ Identify every state where you currently have employees (including remote workers) ★
- ☐ List all states where employees travel to for work — even temporarily ★
- ☐ Document states where you have project-based or seasonal workers
- ☐ Identify states where subcontractors work on your behalf (some states hold you responsible)
- ☐ Map all physical locations: offices, job sites, warehouses, depots
- ☐ Review independent contractor relationships — verify IC classification is defensible in each state ★
- ☐ Confirm employee home-state coverage for remote workers who work from home ★

SECTION 2 — Coverage Verification

- ☐ Verify your policy lists every state where you have employees in Item 3.A ★
- ☐ Confirm 'All Other States' (Item 3.C) coverage is in place for incidental exposure states
- ☐ Verify monopolistic states (WA, OH, ND, WY) have separate state fund coverage — confirm WA L&I;, OH BWC, ND WSI, and WY WEM accounts are each current ★
- ☐ Purchase stop-gap / employers liability coverage for each monopolistic state ★
- ☐ Verify California-specific coverage if any employees work in CA — even temporarily ★
- ☐ Confirm NY, NJ, PA, DE policies meet those states' own bureau requirements
- ☐ Review policy for any state exclusions that could leave you exposed ★
- ☐ Verify USL&H; (Longshore) coverage if employees work on or near navigable waters

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SECTION 3 — Classification & Payroll Accuracy

- ☐ Review all employee classification codes — ensure each worker's duties match assigned code
- ☐ Verify payroll is allocated to the correct states for multi-state employees
- ☐ For WA: confirm quarterly L&I; hours reporting is accurate by risk classification ★
- ☐ Confirm executive officer payroll is handled correctly (inclusion/exclusion per state rules)
- ☐ Verify subcontractor certificates of insurance are current — uninsured subs may be added to your payroll ★
- ☐ Review prior audit results — address any misclassification findings before next audit
- ☐ Maintain payroll records segregated by state for audit readiness
- ☐ Verify agriculture, domestic, or other potentially exempt workers are correctly categorized

SECTION 4 — Workplace Posting & Notice Requirements

- ☐ Post required workers' compensation notice at each work location in each state ★
- ☐ For WA: post L&I; 'Notice to Workers' (F416-081-000) at all Washington locations ★
- ☐ For OR: post 'Workers' Compensation Notice to Employees' at all Oregon locations ★
- ☐ For CA: post 'Notice to Employees — Injuries Caused by Work' at all California locations ★
- ☐ Ensure notices are current — update when coverage or insurer changes
- ☐ Provide new-hire notice of workers' compensation coverage in states that require it
- ☐ Maintain records of notice posting for audit purposes

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SECTION 5 — Injury Reporting & Claims Management

- ☐ Know each state's employer injury reporting deadline — they vary significantly ★
- ☐ For WA: report serious injuries/fatalities to L&I; within 8 hours; other injuries within 5 days ★
- ☐ For OR: file First Report of Injury within 5 days of employer knowledge ★
- ☐ For CA: provide DWC-1 claim form to injured worker within 1 business day of knowledge ★
- ☐ Establish a documented return-to-work program (reduces claims costs in all states)
- ☐ Train supervisors on injury reporting procedures for each state
- ☐ Maintain OSHA 300 logs as required (separate from workers' comp reporting)
- ☐ Implement post-incident investigation protocols — document facts immediately
- ☐ Assign claims contacts by state — know who handles each state's claims

SECTION 6 — Safety Program Requirements

- ☐ For WA: establish safety committee if 11+ employees (required by L&I;) ★
- ☐ For OR: establish safety committee if 11+ employees (required by OR-OSHA) ★
- ☐ For CA: maintain written Injury & Illness Prevention Program (IIPP) — required for all CA employers ★
- ☐ Document safety committee meeting minutes and maintain for required retention period
- ☐ Conduct and document required safety meetings / toolbox talks
- ☐ Maintain written hazard communication program where required
- ☐ Review experience modification factor annually — understand how to improve it
- ☐ Implement return-to-work / modified duty program to control costs

SECTION 7 — Annual Program Review

- ☐ Review coverage at policy renewal — have operations, states, or headcount changed?
- ☐ Provide updated payroll and employee counts by state to your broker
- ☐ Review experience modification factors for all states — dispute any errors promptly

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- ☐ Confirm subcontractor insurance requirements and certificate collection process
- ☐ Review prior year claims — identify trends and address underlying causes
- ☐ Verify any new states where you may have acquired employees through hiring or acquisition
- ☐ Confirm corporate officer inclusions/exclusions are documented and filed correctly
- ☐ Review any state law changes affecting coverage requirements in your operating states

Need help completing this checklist? First Underwriters Insurance Brokers specializes in multi-state workers' compensation programs for Pacific Northwest businesses. We can audit your current coverage, identify gaps, and build a compliant program across all states where you operate.

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