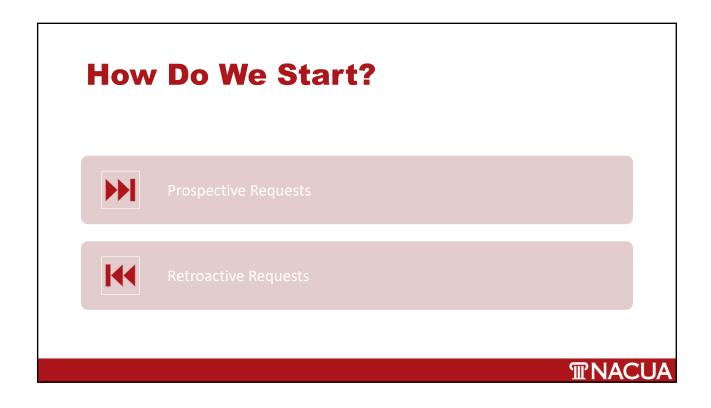
TNACUA Webinar

Practical and Legal Considerations for Managing a Multi-State Workforce

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Agenda	Framing and Context	
	How Do We Start?	
	Principals for Assessing Risk	
	Practical Considerations	
	Insurance Considerations	
	Privacy/Cybersecurity	
	Union Issues	
	Personal Jurisdiction and Conflict of Laws	
	Practical Takeaways	

How Did We Get Here?



General Principles for Assessing Risk Employment laws vary from state to state

Courts/agencies typically apply the law where employee is located

A physical campus presence is not required

General
Principles
for
Assessing

- What laws should we be concerned about?
 - Business registration
 - Required notices/postings/policies
 - Background checks
 - Wage and hour
 - Benefits
 - Taxes
 - Workers' compensation
 - Leaves
 - Discrimination
 - Whistleblower
 - Required trainings
 - Expense reimbursements
 - · Severance agreements





Practical Considerations	
Time zones	
Workday flow	
In-person requirements	
Equipment/supplies	
	TNACL

The Hundred Thousand Dollar Question "We would like to allow remote employment in State X. What do we need to know about key differences in employment laws of State X vs. our own state?"



State-Specific Laws

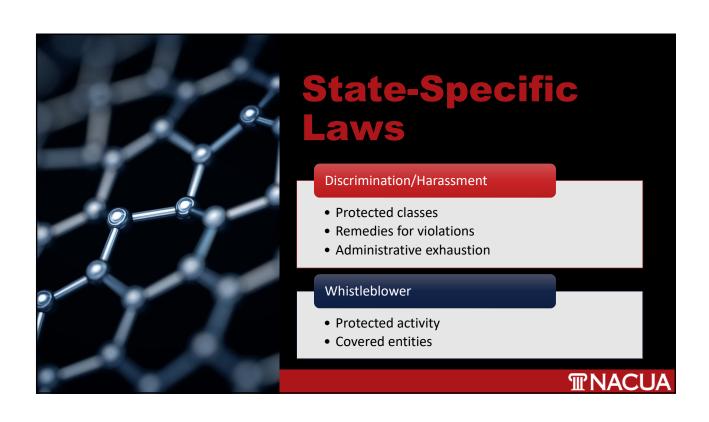
Leaves

- Paid leave laws
- Mini-FMLA laws
- State disability funds
- Obscure protected leaves

Workers' Compensation/OSHA

- Carrier Issues
- Home workspaces

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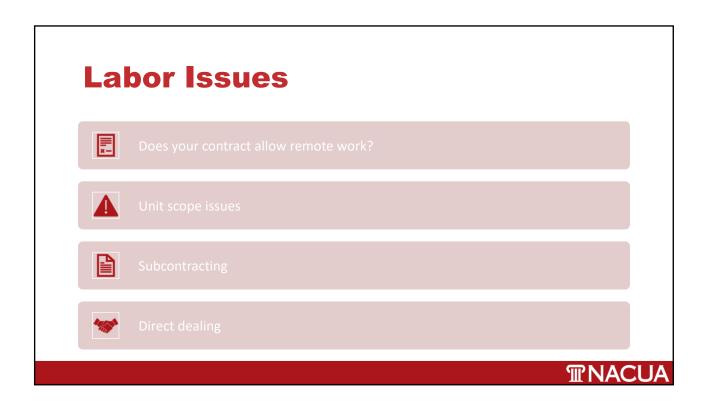


StateSpecific Laws Required harassment training Expense reimbursement Severance agreements Other

State-Specific Laws • Independent Contractors • Common law vs. statute • Different agencies = different tests • New laws (CA, MA)









Litigation Issues Personal Jurisdiction • Where can you be sued? • Can you sue an employee in your home state? Venue • Litigating in an unfamiliar jurisdiction • Choice of counsel Conflicts of Laws





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