

1 Department of Labor and Industry

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3 Adopted Permanent Rules Relating to Workers' Compensation;

4 Independent Contractors

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6 Rules as Adopted

7 5224.0010 PURPOSE.

8 The purpose of this chapter is to establish standards for
9 distinguishing between an employee and an independent contractor
10 for purposes of workers' compensation coverage under Minnesota
11 Statutes, sections 176.021 and 176.041. For those occupations
12 specifically discussed in parts 5224.0020 to 5224.0312, this
13 chapter establishes a "safe harbor" for assuring either
14 independent contractor or employee status in those occupations.
15 Where a worker is within the scope of the definition of a part,
16 but does not meet the safe harbor criteria for either
17 independent contractor or employee status, the determination
18 shall be made as described in part 5224.0320.

19 "Employee" as used in this chapter means a worker who is
20 not an independent contractor. The employee safe harbor
21 criteria are not intended to define "employee" under Minnesota
22 Statutes, section 176.011, subdivision 9, for any purpose other
23 than distinguishing workers who are not independent contractors.