176.295 NONRESIDENT EMPLOYERS; FOREIGN CORPORATION.

Subdivision 1. **Affidavit of inability to effectuate service.** Where a petitioner, an employee, or an employee's dependent cannot serve a petition for compensation or other notice on an employer because the employer is a nonresident or a foreign corporation, the petitioner may file an affidavit with the chief administrative law judge stating that the petitioner is unable to effectuate service.

Subd. 2. **Action in district court.** When a petitioner has filed an affidavit of inability to effectuate service pursuant to subdivision 1 with the chief administrative law judge, the petitioner may also file a complaint against the employer in district court. The complaint must be filed in the county in which the employee resided at the time of the injury or death. The complaint shall be commenced and pursued in the same manner as other civil actions in district court. The complaint shall state that a petition for compensation has been filed with the court, and shall be accompanied by a verified copy of the affidavit of inability to effectuate service. The complaint shall also state the facts upon which the right to compensation or other relief is based.

Subd. 3. **Attachment, garnishment; service by publication.** The remedies of attachment and garnishment are available to the petitioner in the district court action. Service of summons may be made by publication.

Subd. 4. **General appearances; security, bond.** Where the employer makes a general appearance in the district court action and files a bond or security approved by the commissioner of the Department of Labor and Industry, or where an insurer appears generally in the action and assumes liability for any award which may be rendered against the employer, the district court shall dismiss the action.

History: *1953 c 755 s 45; Ex1967 c 1 s 6; 1973 c 388 s 89-91; 1986 c 444; 2022 c 32 art 2 s 3,4; 2025 c 39 art 2 s 68*