

**BUSINESS
WORKSHOP**

Employers liable over state lines

Many people think that they can't sue companies in states where they don't do business.

But a recent decision by the Pennsylvania Supreme Court confirmed that someone can sue a company that has an employee living in Pennsylvania but working in another state if the employee is involved in a work-related accident in the Keystone state.

In the case, an employee lived in Pennsylvania but worked in New Jersey. While

driving home from work in a company vehicle, the employee was in an accident on a Pennsylvania road. The driver of the other car claimed the accident was the employee's fault, and filed a personal injury lawsuit in Pennsylvania.

The employer argued that it only does business in New York and New Jersey, and therefore the driver could not sue the company in Pennsylvania courts. But the injured driver claimed that by employing a Pennsylva-

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nia resident, the company fell under the Commonwealth's long-arm statute, which gives Pennsylvania courts jurisdiction over companies that receive any type of business benefit from Pennsylvania. The Pennsylvania Supreme Court agreed with the driver, noting that a company that has an employee living in Pennsylvania receives a "business benefit" and therefore can be sued in the Pennsylvania courts.

The employer also argued that

workers' compensation laws state that commuting to and from work is the worker's responsibility, not the employer's. But because the employee was driving a company-owned vehicle, the court ruled that the accident was work-related.

The court's decision is a reminder that employers are responsible for work-related accidents involving employees. Any one injured in a work-related accident involving an employee residing in Pennsylvania may

be able to sue the employer in Pennsylvania, regardless of whether the company does any business in Pennsylvania.

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Business workshop is a weekly feature from local experts offering tidbits on matters affecting business. To contribute, contact Business Editor Brian Hyslop at bhslop@post-gazette.com.