You get the call no one wants. A nurse twists an ankle on a hotel stairwell after a double shift. A field tech is rear-ended two miles from a client site. A sales rep is hurt grabbing dinner between meetings. The injury is real, the medical bills start to pile up, and the adjuster says, Sorry, your commute is not covered. That sinking feeling is usually tied to a doctrine called the coming-and-going rule. If you travel for work, that rule can either slam the door or leave it cracked open, depending on the facts.

I have handled hundreds of these cases for traveling employees, their managers, and the companies that rely on them. The patterns repeat, but the details decide outcomes. What follows is a practical guide to how the rule works, where it bends, and what evidence helps. Think of this as a map, not a guarantee. Different states apply the doctrine in different ways, and small factual wrinkles can move a case from "no" to "yes."

What the coming-and-going rule actually says

The basic rule: injuries that occur while commuting to and from a fixed place of work are generally not compensable under workers compensation. The rationale is simple. The risk of public streets is considered a normal, shared risk that exists for everyone, not a risk particular to the employment. So if you clock out from the factory and get in a fender bender at a stoplight on your usual route home, most states say that is not covered.

That rule creates predictable friction with modern jobs. Plenty of employees do not report to a single fixed site. Nurses rotate among facilities. Sales reps spend days on the road. Utility crews deploy wherever the lines go down. With those realities, courts developed exceptions and special doctrines that are as important as the rule itself.

Why traveling employees are different

Most states recognize a traveling employee doctrine. If an employee's job requires travel away from the employer's premises, many offsite activities fall within the course of employment until the employee returns home. The law treats travel as part of the job, not a personal commute. Under this view, risks incidental to travel often become work risks.

That does not mean everything is covered. Personal errands and significant deviations can break the chain. But in my experience, when an employer expects someone to live out of a suitcase, or to move from site to site all day, judges are more willing to view the journey as part of the job's fabric.

The handful of tests that decide gray areas

Insurers and judges tend to ask the same questions, even if they use different labels:

- Was the trip primarily for the employer's benefit, or for a personal purpose?
- Did the employer control, direct, or expect the travel, including timing or route?
- Was the employee on a special mission or errand outside normal hours or routine?
- Did the employee deviate for a personal frolic, and if so, how long and how far?
- Was the risk encountered one that the job exposed the employee to more than the general public?

Those questions show up in decisions about company cars, mileage reimbursement, hotel injuries, meal breaks, and short detours. The answers swing outcomes.

The special-errand and dual-purpose doctrines

Two doctrines soften the coming-and-going rule for nonroutine trips.

Special errand applies when an employer asks an employee to perform a specific task outside the ordinary commute, such as picking up supplies on the way in, making an after-hours run to a site, or attending an early client meeting at a different location. If the trip is at the employer's request and not part of the usual pattern, many states cover it from door to door.

Dual purpose comes up when a trip serves both personal and business reasons. If the business purpose would have required the trip even without the personal one, injuries during the travel are often covered. For example, if you drive to a distant training, then visit family nearby, and you are hurt en route to the training, coverage is stronger. On the flip side, if you would not have made the trip but for the personal reason, adding a small business errand often will not convert the whole journey into work.

Concrete scenarios I see again and again

A traveling nurse drives three facilities in a day. At 7 p.m., leaving the third site to head to a hotel arranged by the agency, she is sideswiped. I would argue she is a traveling employee, the agency controlled her schedule, and the journey to the hotel is part of the trip's necessities. Most states cover this.

A field technician with a company van leaves home, grabs breakfast two blocks off the normal route, then heads to the first assignment. A cyclist hits him in the drive-thru lane. Insurers often deny, saying breakfast was a personal detour. We counter with the personal comfort doctrine, which recognizes reasonable acts like eating or using the restroom during travel as incidental to employment. Two blocks and ten minutes is usually a minor deviation. Coverage is plausible.

A regional sales manager attends a trade show. After hours, he meets a client for dinner and sprains an ankle on a cracked sidewalk outside the restaurant. Meal injuries for traveling employees are frequently covered, especially when client cultivation is part of the role. Where it gets tricky is late-night bar hopping with no client present. Alcohol and purely social activities can push the case out of bounds.

A construction supervisor drives directly from home to a remote jobsite as required by the employer. The company pays a daily travel stipend and mandates a 6 a.m. Arrival. She is rear-ended at 5:30 a.m. On the only road to the site. Some states treat this as a special mission because there is no fixed worksite and the employer dictated the travel. Others still apply the coming-and-going rule unless the employer provided transportation or controlled the route. Documentation of the employer's requirements becomes critical.

Company vehicle, mileage reimbursement, and control

Employees often assume that driving a company car guarantees coverage. It does not. A company vehicle can show employer control and benefit, which helps, but the key is why you were driving and under what directions. A rigid dispatch schedule, GPS tracking, and an expectation to take calls on the road all support coverage. A loose arrangement where the vehicle is just a perk used to drive to a fixed office looks more like a normal commute.

Mileage reimbursement alone is not determinative. Some Visit website courts see it as neutral, a basic expense pass-through. Others consider generous reimbursement a sign that travel is integral to the job. Pay stubs, policy manuals, and assignment sheets help show which side you are on.

Parking lots, sidewalks, and the premises rule

Your commute may not be covered on public streets, but injuries on the employer's premises or an area the employer controls usually are. The definition of "premises" does a lot of work. A fall in the company parking lot, a trip on the walkway the company maintains, or an accident in a garage the employer leases for employees often qualifies. Many disputes turn on control. If the building owner runs the lot for multiple tenants and the employer has no special rights, coverage gets harder.

There is also the threshold question of when you have effectively started or ended your workday. In several states, once your feet hit the employer's lot, you are in the course of employment. If you walk through a public plaza and are injured before reaching the building, you may still be outside coverage. I have won cases by proving the employer assigned specific parking spots and paid for the lot, which brought the area inside the premises rule.

Meals, hotels, and the personal comfort doctrine

For traveling employees, reasonable activities that support the trip are generally covered. Sleep, meals, and hygiene are not optional; they are incidental to the job. If you twist a knee stepping out of a hotel shower during a multi-day assignment, there is a strong argument for coverage. If you are hurt leaving a bar at 2 a.m., the facts get muddy. The further you get from reasonable necessities and the more the activity looks purely social or risky, the weaker the claim.

I once represented a claims adjuster injured while jogging near her hotel before a long day of depositions. The carrier denied, calling it a personal workout. We showed that the employer encouraged wellness, the route was a short hotel loop, and the employee kept the same routine on every trip to manage stress and back pain aggravated by long sittings. The judge found coverage. Small details moved the needle: the consistent habit, the employer's wellness emails, and the lack of a risky setting.

Remote and hybrid work complicates the picture

Home can be a workplace. When an employer authorizes regular remote work and assigns tasks to be performed at home, the course of employment can begin at the home office door, not the corporate lobby. I have seen coverage for injuries sustained walking from a home office to the garage to load boxes for a day of client visits. The same person, slipping on ice backing out for a day at the main office, often falls back into the coming-and-going rule. The line is activity-based. Were you engaged in a work task or still in the normal commute?

Employers who require employees to start the day by logging on at home before driving to a site muddy that water. A time-stamped login followed by a drive directly to a customer, with a scheduled 8 a.m. Call taken in the car, looks like the workday started at home.

Rideshare, carpools, and public transit

The vehicle type rarely changes the rule. A normal bus or train commute is not covered in most states. Carpools arranged privately by coworkers are usually treated like any other commute, unless the employer organizes, mandates, or pays for them in a way that shows control. Company-sponsored shuttles, on the other hand, often bring the trip into the course of employment. If you are hurt boarding a shuttle the employer charters, especially on property the employer controls, coverage is more likely.

Rideshare adds a twist. If the employer directs you to take an Uber from the airport to a client site as part of a trip, injuries en route typically fit within the traveling employee doctrine. If you decide to Uber from home to the office to avoid parking, that looks like a personal commute.

Independent contractors and misclassification

Workers compensation applies to employees, not true independent contractors. But many "1099" arrangements crumble under scrutiny. If the company controls your schedule, supplies the tools, sets rates, and you work only for them, you may be an employee in substance. I have obtained benefits for traveling nurses, delivery drivers, and installers who were labelled contractors but functioned like staff. The travel analysis only starts after the employment status question is answered correctly.

Alcohol, horseplay, and substantial deviations

Employers point to intoxication and horseplay to defeat claims, and sometimes they are right. The arc of the evening matters. A beer with a client over dinner during a trip is often considered part of doing business. A round of shots with friends three hours after the dinner ended is not. If you are injured during a personal frolic, coverage can break even if you snap back to a work task moments later. Courts look at distance from the work purpose, time spent off task, and whether you resumed the business trip in a meaningful way.

Short detours versus complete departures

Not every personal stop kills a claim. Courts forgive small, reasonable deviations. Picking up a sandwich, using a restroom, or stopping for fuel typically remains within coverage for a traveling employee. Two extra miles and ten minutes may be immaterial. A 30-minute detour to shop for a birthday gift starts to look like a substantial deviation. Facts that help include receipts, GPS data, and a credible timeline that shows the stop was minor.

Documenting the case the right way

When a traveling injury happens, the evidence that decides the case often sits in the margins: calendar invites, dispatch notes, per diem forms, and texts.

Here is a short, practical checklist I give clients and supervisors after a travel-related injury:

- Report the injury in writing to a supervisor as soon as possible, and note the assignment, destination, and purpose of the travel.
- Save travel documents: hotel confirmations, flight itineraries, mileage logs, expense receipts, and meeting agendas.
- Capture the scene: photos of the roadway or hotel area, contact info for witnesses, and any police or incident reports.
- Preserve digital breadcrumbs: GPS location history, rideshare receipts, phone call logs, calendar entries, and route maps.
- Get prompt medical care and tell the provider it was a work injury during travel, so records link the condition to the assignment.

Small omissions can cause big headaches. A missing agenda or a vague report that leaves out "I was headed to the customer site" hands the carrier an easy denial.

What insurers argue, and how we respond

Common defenses show up on repeat. You were commuting like anyone else. You took a personal detour. You were off the clock. The employer did not control your route. The accident happened far from the jobsite. The activity was personal, risky, or purely social.

We answer with the travel nature of the role, the employer's directions and expectations, and concrete benefits to the employer. I have flipped denials by producing a dispatch text that set a 7 a.m. Onsite arrival, a hotel folio showing a multi-night stay, and a screenshot of the navigation route sent by the supervisor. In another case, a mileage policy that reimbursed portal to portal undercut the carrier's claim that the day started at the first site. The goal is to anchor the travel to work in ways that feel practical and inevitable.

State-by-state differences to respect

Doctrines share names but not edges. Some states have a broad traveling employee rule that presumes coverage until the traveler returns home, subject to willful misconduct or significant deviation. Others take a narrower view, scrutinizing each activity for work necessity. A few emphasize employer control, while others focus on benefit or risk exposure. Even within a state, appellate cases can carve out exceptions for industries like construction, home health, and public safety.

If your work crosses state lines, the proper jurisdiction matters. The place of hire, the employer's location, the injury site, and where you primarily work can all influence which state's law applies. That choice can make or break a travel claim.

Timelines, notices, and medical direction

Deadlines matter. Most states require prompt notice to the employer, often within days. Filing deadlines for formal claims range from months to a few years, but waiting weakens credibility and creates gaps in medical proof. When you see a doctor, be clear you were injured during work travel. That statement anchors the causation in your records and reduces later fights.

Many states allow the employer or insurer to direct initial care to approved providers. Others let you choose your own doctor after the first visit or from a panel. Follow the rules, but do not let the process delay necessary treatment. If you are sent to an independent medical exam, remember it is neither independent nor treatment. It is an evaluation for the carrier. Be truthful and concise.

Third-party claims and subrogation

If a third party causes your travel injury, such as a negligent driver or a hotel with unsafe stairs, you may have a civil claim in addition to workers compensation. The comp carrier will likely have a lien on your recovery. Coordinating both matters avoids surprises and preserves net recovery. Evidence from one case, like a crash reconstruction, can bolster the other.

Settlements and long-term consequences

Travel injuries are often orthopedic: neck, back, knees, shoulders. They can become chronic if not managed early. If settlement is on the table, consider future medical needs, job changes, and the tax-free nature of comp benefits. In Medicare-eligible cases, a Medicare Set-Aside may be required to protect benefits. Impairment ratings and work restrictions influence the value. Do not rush a settlement before the condition reaches maximum medical improvement and before you understand the full scope of residual limitations.

A few quick anchors to remember

Use these as mental guardrails when thinking about coverage for travel injuries:

- The more your employer directs and benefits from the travel, the stronger the claim.
- Small, reasonable personal acts during travel usually remain covered, but long detours can break coverage.
- Company vehicles and mileage help, but purpose and control decide the day.
- Premises matter. Employer-controlled parking and shuttles often pull you into coverage sooner.
- Details win. Calendars, routes, receipts, and supervisor instructions are often the difference.

A short story about a near miss that became a win

A home-health physical therapist called me after an adjuster denied her claim. She slipped on a client's icy front step at 7:10 a.m. While carrying a treatment bag. The carrier said she was "coming and going" because she had not clocked in yet, and they argued she could have started the day at the clinic. We dug in. Her employer's policy required therapists to go straight to the first patient to preserve clinic space for acute intakes, and her mobile app auto-clocked at the patient's geofence. We pulled the visit schedule, the app's geolocation records, and a text from the supervisor reminding the team to "head straight to visits today." The judge found she was a traveling employee engaged in a required task from the moment she left home. What changed the outcome were two lines in a policy manual and one text.

Closing guidance from a workers compensation lawyer who has been there

Traveling for work adds risk and complexity to already long days. When injuries happen between points A and B, adjusters may default to the coming-and-going rule without asking what the job truly required. Push back with facts. Make the travel visible. Tie it to employer directions. Show the benefit to the business.

If you are unsure whether your situation fits, talk to a knowledgeable workers compensation lawyer early. A short consult can surface the documents and details that matter, preserve deadlines, and set a plan before memories fade. I have seen strong cases start as denials simply because no one connected the dots between the itinerary, the policy, and the injury. With careful documentation and a clear story about why you were on that road, that stairwell, or that hotel corridor, the law often meets you where the work really happens.