



Venue for Cases Involving Remote Workers is the Location Where Corporate Decisions are Made

AS REMOTE WORK CONTINUES to reshape the modern workplace, courts are adapting longstanding legal frameworks to reflect this new reality. A recent decision by a New Jersey federal judge ruled that a remote worker's physical location is no longer the primary factor in determining where an employment case should be heard, signaling a shift toward prioritizing where corporate decisions are made.

Case Background

The case, *Papa v. IAT Insurance Group, Inc.*, was filed by Rosemarie Papa, a New Jersey resident who worked remotely as an employee trainer for IAT Insurance Group. The dispute began in late 2023 when Papa alleged she experienced verbal abuse from her supervisor during a Zoom meeting. She later raised concerns in follow-up virtual meetings. The situation escalated when the company issued her a final written warning that resulted in the loss of certain employment benefits. Following a leave of absence and medical clearance to return to work, she was offered a different position, which she declined. Papa ultimately sued IAT, alleging age and disability discrimination, retaliation, and a hostile work environment.

The Venue Dispute: NJ vs NC

The central legal question was not immediately about the merits of the discrimination claims, but rather where the case should be heard. Papa argued that New Jersey was appropriate because she worked remotely from that state and experienced the alleged discriminatory conduct there, including the disciplinary notices. The employer, however, sought to transfer the case to the Eastern District of North Carolina, where its headquarters and human resources operations were based and where the relevant employment decisions were made..

A Shift in Legal Precedent

In a March 3 ruling, Judge Christine O'Hearn of the U.S. District Court for the District of New Jersey sided with the employer and ordered the case transferred to North Carolina. Her analysis highlights a significant shift in how courts determine the proper venue for employment lawsuits involving remote workers. Historically, as in *Dilmore v. Alion Science and Technology Corp.*, courts often prioritized the location where an employee physically received notice of an adverse action, such as their home office.

However, modern rulings are moving away from the employee's residence to focus on where the underlying corporate decisions were actually made. Cases such as *Greico v. Alacrity Adjusting Solutions* and *Wilson v. JPMorgan Chase* demonstrate that the location of the decision-makers now often carries more legal weight than where the remote worker happens to be stationed. In addition to the location of decision-making, Judge O'Hearn cited practical considerations such as the physical location of witnesses and the overall convenience for both parties.

Implications for Employers and Employees

The *Papa* ruling underscores a significant development for employers and HR professionals managing remote employees. For those organizations with a distributed workforce, the decision provides a level of protection against being pulled into far-flung courts. For remote workers, it highlights the potentially complicated reality that, even if a conflict happens in their home office, the litigation that follows may take place hundreds of miles away where the corporate decision originated. ■

If you would like more information about the shift in venues for remote worker cases, contact the NIEDWESKE LAW FIRM, LLC at 908-738-8500 and one of our highly skilled employment attorneys will assist you.