



# RULE-MAKING ORDER

**CR-103P (May 2009)**  
(Implements RCW 34.05.360)

Agency: Department of Labor and Industries

**Permanent Rule Only**

**Effective date of rule:**

**Permanent Rules**

- 31 days after filing.
- Other (specify) July 1, 2012 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

- Yes
  - No
- If Yes, explain:

**Purpose:**

This rulemaking is being adopted to make housekeeping updates to a number of reporting rules and classifications in the workers' compensation program. The adoption will correct text and reference errors, format for better readability, update language to reflect technology changes, and make classification instructions and/or definitions clearer. The amendments do not change any of our current reporting requirements.

**Citation of existing rules affected by this order:**

Repealed: None  
 Amended: See Attachment 1  
 Suspended: None

**Statutory authority for adoption:** RCW 51.04.020, RCW 51.16.035, and RCW 51.16.100

**Other authority :**

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 12-07-068 on March 20, 2012.  
 Describe any changes other than editing from proposed to adopted version: N/A

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: \_\_\_\_\_ phone ( ) \_\_\_\_\_  
 Address: \_\_\_\_\_ fax ( ) \_\_\_\_\_  
 e-mail \_\_\_\_\_

**Date adopted:** May 22, 2012

**NAME (TYPE OR PRINT)**  
Judy Schurke

**SIGNATURE**

**TITLE**  
Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
 STATE OF WASHINGTON  
 FILED  
**DATE: May 22, 2012**  
**TIME: 9:19 AM**  
**WSR 12-11-109**

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

<b>Federal statute:</b>	New	_____	Amended	_____	Repealed	_____
<b>Federal rules or standards:</b>	New	_____	Amended	_____	Repealed	_____
<b>Recently enacted state statutes:</b>	New	_____	Amended	_____	Repealed	_____

**The number of sections adopted at the request of a nongovernmental entity:**

New	_____	Amended	_____	Repealed	_____
-----	-------	---------	-------	----------	-------

**The number of sections adopted in the agency's own initiative:**

New	<u>0</u>	Amended	<u>46</u>	Repealed	<u>0</u>
-----	----------	---------	-----------	----------	----------

**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	<u>0</u>	Amended	<u>46</u>	Repealed	<u>0</u>
-----	----------	---------	-----------	----------	----------

**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	<u>0</u>	Amended	<u>46</u>	Repealed	<u>0</u>

---

---

**Chapter 296-17 WAC General Reporting Rules, Audit and Recordkeeping, Rates and Rating System for Workers' Compensation Insurance and Chapter 296-17A Classifications for Washington Workers' Compensation Insurance.**

This rulemaking is being proposed for housekeeping updates to a number of classifications and reporting rules in the workers' compensation program. The proposal is to correct text and reference errors, update language which has changed as a result of technology, and make classification instructions and/or definitions clearer.

- WAC 296-17-31002 General rule definitions  
Remove reference to 6302, which no longer exists.
- WAC 296-17-31006 Application process  
Update all language referring to master application (Department of Licensing's change to Department of Revenue).
- WAC 296-17-310171 How to report hours for employees supporting multiple business operations  
Remove 6302, which no longer exists.
- WAC 296-17-31027(4) Temporary staffing services  
Correct references in WAC 296-17-757 through 296-17-76213 to 296-17A-7104 through 296-17A-7122.
- WAC 296-17-35203(9)(b) Special reporting instruction  
Clarify a taxi recordkeeping requirement.
- WAC 296-17-920 Assessment for Supplemental pension fund  
Correct self insurance WAC reference from WAC 296-15-060 to WAC 296-15-229.
- WAC 296-17A-0107 Utility line construction: Underground, N.O.C.  
Add clarifications for installation of lighting standards in various places.
- WAC 296-17A-0217 Concrete flatwork – construction and/or repair: N.O.C.  
Add language to 0217 that concrete curbing may be reported in 0301 (landscaping).
- WAC 296-17A-0219 Construction specialty services  
Add clarifications for installation of lighting standards in various places.
- WAC 296-17A-0301 Landscape construction operations, N.O.C.  
Add language to 0301 that concrete curbing may be reported in 0301 (landscaping).
- WAC 296-17A-0302 Brick, block, rock and slate work, N.O.C.  
Add clarifications in language of tile, floor covering, marble, etc.
- WAC 296-17A-0307 Heating, air conditioning, and ventilation  
Clarified exclusion for showrooms.

Department of Labor and Industries

Insurance Services Division

CR-103 Adoption Date: May 22, 2012

---

---

- WAC 296-17A-0502 Carpet, vinyl, tile and other floor or counter top covering: Installation or removal  
Add clarifications in language of tile, floor covering, marble, etc.
- WAC 296-17A-0504 Waterproofing, N.O.C.: Buildings or structures  
Add manual and mechanized language clarification.
- WAC 296-17A-0510 Wood frame building: Construction or alterations, N.O.C.  
Correct guideline to refer to 0516-02, rather than 0510-02.
- WAC 296-17A-0513 Interior finish carpentry  
Add clarifications in language of tile, floor covering, marble, etc.
- WAC 296-17A-0601 Electrical wiring in buildings; electrical wiring, N.O.C.; Permanent flood lighting: Installation  
Add clarifications for extension line hook-ups.
- WAC 296-17A-1005 Shake and/or shingle mills  
Correct reference from WAC 296-17-534 to WAC 296-17A-1002.
- WAC 296-17A-1103 Top soil, humus, peat and beauty bark dealers – yard operations  
Clarify language regarding excluded activities.
- WAC 296-17A-1501 Community action organizations – all other employees N.O.C.  
Add language “excludes businesses that provide only one type of service which is to be reported in the applicable classification.”
- WAC 296-17A-2102 Recycle, collection and receiving stations; rags, bottles, paper and metal container dealers, N.O.C.  
Add “computer recycle” to language.
- WAC 296-17A-2907 Wood cabinet, countertop, and fixture: Manufacturing, modifying or assembly  
Add clarifications in language of tile, floor covering, marble, etc.
- WAC 296-17A-3104 Soapstone or soapstone products: Manufacturing; marble cutting and polishing; slate milling; stone cutting or polishing, N.O.C.  
Add clarifications in language of tile, floor covering, marble, etc.
- WAC 296-17A-3406 Automobile or truck – detailing by contractor; glass tinting; windshield repair  
Add “or installation” to list of exclusions.
- WAC 296-17A-3411 Automobile: Service centers, repair shops or garages  
Add tire chain installation/roadside assistance.

- WAC 296-17A-3509 Statuary and ornament: Manufacturing  
Clarify for pouring concrete countertops at construction sites.
- WAC 296-17A-3602 Dental laboratories  
Add “Kiosks in mall that makes custom dental molds” to subclassification 05.
- WAC 296-17A-3905 Restaurants, N.O.C.  
Add language to include on site microbrewery operations when the beer is consumed in the restaurant.
- WAC 296-17A-4107 Business machine: Service, adjustment, repair, and installation, N.O.C.  
Add “computer recycle.”
- WAC 296-17A-4904 Clerical office: Insurance companies, agents or brokers  
Remove Title 48 references which are no longer correct.
- WAC 296-17A-4905 Hotels or motels.  
Clarify language regarding food service.
- WAC 296-17A-5301 Management consultant services, N.O.C.  
Add exception excluding businesses that do only computer consulting for others, which is to be reported in 5302.
- WAC 296-17A-5308 Community action organizations – Professional services and administrative employees  
Add language, “excludes businesses that provide only one type of service which is to be reported in the applicable classification.”
- WAC 296-17A-6103 Day nurseries or child day care centers; Officials for amateur athletic or cultural events, N.O.C.  
Update language in daycare subclassification 06 to better distinguish activities between 6103 and 6104. Remove from 6103-12 teachers and clerical office.
- WAC 296-17A-6104 Day nurseries or child day care centers – all other employment, N.O.C.  
Update language in daycare subclassification 06 to better distinguish activities between 6103 and 6104.
- WAC 296-17A-6303 Outside sales personnel, N.O.C.; messengers  
Add activities performed in a showroom as this is noted in the list of standard exception classes.
- WAC 296-17A-6303 Insurance sales personnel and claims adjusters  
Remove Title 48 references which are no longer correct.
- WAC 296-17A-6406 Retail stores, N.O.C.  
Remove “quick print” from classification.

- WAC 296-17A-6512 Home care services/home care quality authority (HCQA)  
Correct HCQA to Home Care Referral Registry.
- WAC 296-17A-6708 Professional motor vehicle or watercraft race drivers  
Add cross reference to the race driver reporting requirements.
- WAC 296-17A-7107 Temporary staffing services: Bakery, restaurant, or food sundry preparation; musicians or entertainers  
Correct and clarify some language concerning which classifications to use for certain activities.
- WAC 296-17A-7109 Temporary staffing services: Electronic, precision, and scientific equipment assembly; nonfield technician services  
Correct and clarify some language concerning which classifications to use for certain activities.
- WAC 296-17A-7112 Temporary staffing services: Agricultural operations  
Correct and clarify some language concerning which classifications to use for certain activities.
- WAC 296-17A-7113 Temporary staffing services: Janitorial, plant or facility supplemental maintenance and grounds keeping services  
Correct and clarify some language concerning which classifications to use for certain activities.
- WAC 296-17A-7115 Temporary staffing services: Cannery, bottling or food processing operations  
Correct and clarify some language concerning which classifications to use for certain activities.
- WAC 296-17A-7117 Temporary staffing services: Manufacturing operations, N.O.C.; specialty trades  
Correct and clarify some language concerning which classifications to use for certain activities.
- WAC 296-17A-7202 Real estate agencies  
Update real estate title references due to industry broker/name changes.