



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Labor and Industries

- Preproposal Statement of Inquiry was filed as WSR 13-03-124 ; or
 Expedited Rule Making--Proposed notice was filed as WSR _____; or
 Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

- Original Notice
 Supplemental Notice to WSR _____
 Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject) Chapter 296-17 WAC General Reporting Rules, Audit and Recordkeeping, Rates and Rating System for Washington Workers' Compensation Insurance, Chapter 296-17A WAC Classifications for Washington Workers' Compensation Insurance, and Chapter 296-17B WAC Retrospective Rating for Workers' Compensation Insurance.

Hearing location(s): Labor & Industries Building
Room S117
7273 Linderson Way SW
Tumwater, WA 98501

Date: May 8, 2013 Time: 1:00 p.m.

Date of intended adoption: May 21, 2013
(Note: This is **NOT** the effective date)

Submit written comments to:

Name: Jo Anne Attwood
Address: PO Box 44148
Olympia, WA 98504-4148

e-mail Joanne.attwood@lni.wa.gov
fax (360) 902-4799 by May 8, 2013, 5:00 p.m.

Assistance for persons with disabilities: Contact
Office of Information & Assistance by May 6, 2013
TTY (360) 902-5797

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

See Attachment 1 for a list of amended rules.

This rulemaking is needed to correct text and reference errors, format for better readability, update language to reflect technology changes, and make classification instructions and/or definitions clearer.

Reasons supporting proposal: See Attachment 1. Corrections and clarifications must be made to correct errors and clarify rules so that employers can better understand and comply with the classification system.

Statutory authority for adoption: RCW 51.04.020 and
RCW 51.16.035

Statute being implemented: RCW 51.16.035

Is rule necessary because of a:

- Federal Law? Yes No
 Federal Court Decision? Yes No
 State Court Decision? Yes No
 If yes, CITATION:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: March 19, 2013

TIME: 8:55 AM

WSR 13-07-059

DATE

March 19, 2013

NAME (type or print)

Joel Sacks

SIGNATURE

TITLE

Director

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: (person or organization) Department of Labor and Industries

- Private
- Public
- Governmental

Name of agency personnel responsible for:

| Name | Office Location | Phone |
|-----------------------------------|-----------------|----------------|
| Drafting..... Jo Anne Attwood | Tumwater, WA | (360) 902-4777 |
| Implementation.... Les Hargrave | Tumwater, WA | (360) 902-4298 |
| Enforcement..... Victoria Kennedy | Tumwater, WA | (360) 902-4997 |

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No. Explain why no statement was prepared.

The agency is exempt from conducting a small business economic impact statement since the proposed rules set or adjust fees or rates pursuant to legislative standards described in RCW 34.05.310(4)(f) and do not change current coverage options for employers and workers.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No: Please explain:

Since the proposed rules do not change any existing coverage options for employers or workers and adjust fees pursuant to legislative standards, they are exempted by RCW 34.05.328(5)(b)(vi) from the requirement for a cost-benefit analysis.

**Attachment 1
2013 Housekeeping Updates:**

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

| | |
|------------------------------------|---|
| WAC 296-17-31003 - | No-fault insurance |
| WAC 296-17-31004 (1), (2) - | Coverage requirements |
| WAC 296-17-31005 - | Employer/employee relationship |
| WAC 296-17-31007 - | Owner coverage |
| WAC 296-17-31008 - | Notification requirements |
| WAC 296-17-31017 (4) | Multiple classifications |
| WAC 296-17-310171 | How to report hours for employees supporting multiple business operations. |
| WAC 296-17-31025 | Change in business operations. |
| WAC 296-17-31026 | Reporting multiple business operations. |
| WAC 296-17-31029 | Insurance principles |
| WAC 296-17-870 (11) | Evaluation of actual losses |
| WAC 296-17-87301 | Definitions |

Chapter 296-17A WAC, Classifications for Washington Workers' Compensation Insurance

| | |
|----------------------------------|---|
| WAC 296-17A-0217 | Concrete flatwork |
| WAC 296-17A-0510 | Wood frame building: construction or alter. N.O.C. |
| WAC 296-17A-0516-00,01,02 | Building repair, remodeling and carpentry |
| WAC 296-17A-1101-06 | Delivery by retail and wholesale stores |
| WAC 296-17A-1102-02,04 | Interstate, Intrastate trucking |
| WAC 296-17A-1305 | Television cable companies – all other employees |
| WACs 296-17A-3402-28 | Heat treating metal |
| WAC 296-17A-3405 | Precision machined parts and products N.O.C.: Mfg. |
| WAC 296-17A-4501 | Radio or television broadcasting companies – field employees N.O.C. |
| WAC 296-17A-4502 | Radio, television, recording, video production, and cable service providers; all other |
| WAC 296-17A-5001-05 | Firewood cutting |

WAC 296-17A-5005

Logging: Mechanized operations

WAC 296-17A-5301

Employment Agencies

WAC 296-17A-6207

Carnivals

Chapter 296-17B WAC, Retrospective Rating for Workers' Compensation Insurance

WAC 296-17B-920 -

Hazard Group 2 tables