



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**  
(Implements RCW 34.05.310)  
Do **NOT** use for expedited rule making

**Agency:** Department of Labor and Industries

**Subject of possible rule making:** The Department is considering modifying rules in four specific areas:

- Rules applicable to the classification and reporting of professional sports teams (WAC 296-17-35203(1), 296-17A-6706, 296-17A-6707, 296-17A-6809, and 296-17A-7102);
- Rules applicable to the classification of employers operating spas (WAC 296-17A-6109, 296-17A-6204, and 296-17A-6501);
- Rules applicable to the classification of reforestation employment (WAC 296-17A-1007, 296-17A-5004, and 296-17A-5006); and
- Rules applicable to the classification of farming operations (WAC 296-17A-4802 through 296-17A-4813).

**Statutes authorizing the agency to adopt rules on this subject:** RCW 51.04.020 and RCW 51.16.035

**Reasons why rules on this subject may be needed and what they might accomplish:**

- Professional sports teams' classifications may need more clarity to ensure consistency in our practices for classifying coaches in the off-season. Classification 7102 should be considered for repeal since no employer has reported in 7102 for many years.
- Certain classification updates should be considered to ensure fair and consistent treatment of all businesses operating spas.
- The Department will consider reducing the number of sub-classifications in the reforestation industry to simplify reporting in that industry.
- The Department will consider clarifying the verbiage in classifications describing farming operations to make them easier to understand and apply.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**

No other state, local or federal agency regulates workers' compensation rates.

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe):

We have received suggestions from businesses assigned affected classifications, and from business organizations that represent such businesses.

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:** Employers can get information on our rulemaking process at

<http://www.lni.wa.gov/LawRule/ruleProcess.asp> and can submit comments electronically to [Richard.Bredeson@lni.wa.gov](mailto:Richard.Bredeson@lni.wa.gov) or by calling (360) 902-4985.

**DATE**  
05/06/2014

**NAME (TYPE OR PRINT)**  
Joel Sacks

**SIGNATURE**

**TITLE**  
Director

**CODE REVISER USE ONLY**

**OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED**

**DATE: May 06, 2014**

**TIME: 9:05 AM**

**WSR 14-10-065**