



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Washington State Department of Labor and Industries

- Preproposal Statement of Inquiry** was filed as WSR 14-10-065 ; 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: Rules applicable to the classification and reporting of:

- Professional sports teams (WAC 296-17A-6706, 296-17A-6707, 296-17A-6809, and 296-17A-7102);
- Employers operating spas (WAC 296-17A-6109, 296-17A-6204, and 296-17A-6501);
- Reforestation employment (WAC 296-17A-1007, 296-17A-5004, and 296-17A-5006);
- Farming operations (WAC 296-17A-4802, 296-17A-4803, 296-17A-4804, 296-17A-4805, 296-17A-4806, 296-17A-4808, 296-17A-4809, 296-17A-4810, 296-17A-4811, 296-17A-4812, 296-17A-4813, 296-17A-7301, 296-17A-7302, and WAC-296-17A-7307).

Hearing location(s): Department of Labor and Industries
 Room S117
 7273 Linderson Way SW
 Tumwater, Washington 98504

Submit written comments to:

Name: Richard Bredeson
 Address: Department of Labor and Industries
 P.O. Box 44148
 Tumwater, WA 98504-4148
 e-mail Richard.Bredeson@lni.wa.gov
 fax (360)902-5830 by (date) September 12, 2014 at 5:00 p.m.

Date: September 12, 2014 Time: 9:30 a.m.

Assistance for persons with disabilities: Contact
Office of Information and Assistance by August 21, 2014
 TTY (360) 902-5797

Date of intended adoption: January 6, 2015

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

- Amending language to reflect the agreement negotiated with the industry in 2011 that allows professional and semi-professional sports teams to report coaches in Classification 6706 during the off season.
- Repeal classification 7102 because no employer has reported in 7102 for years.
- Amending language to include distinctions for spas and eliminate the need for the current advisement on classifying spas.
- Amending language to consolidating some reforestation industry subclassifications with very low reporting to reduce the administrative burden on employers and department staff. The reporting in these subclassifications is too minimal for gathering data and comparing hazards.
- Amending language to clarify the verbiage in classifications describing farming operations to make them easier to understand and apply.

These proposed changes will not change employer rates or reporting requirements.

Reasons supporting proposal:

These changes will make it easier for agency staff and customers to understand and apply the risk classifications and subclassifications for workers' compensation, and help ensure fair and consistent rating for employers. As part of this rulemaking, the Department also intends to review these chapters as required by SSB 5679 (Chapter 30, 2013 Laws 2nd Special Session) to make changes where possible to reduce the regulatory burden on employers insured with the State Fund.

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? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Federal Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| State Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

DATE

July 22, 2014

NAME

Joel Sacks

SIGNATURE

TITLE

Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
 STATE OF WASHINGTON
 FILED

DATE: July 22, 2014

TIME: 8:40 AM

WSR 14-15-115

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

Name of proponent: Washington State Department of Labor and Industries

- Private
 Public
 Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Richard Bredeson	Tumwater, Washington	(360) 902-4985
Implementation.... Les Hargrave	Tumwater, Washington	(360) 902-4298
Enforcement..... Victoria Kennedy	Tumwater, Washington	(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.

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, they are exempted from a small business economic impact statement.

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.