



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, 2015 (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: See Attachment 1 for a list of amended rules.

The Department intends to review these chapters and make revisions to:

- Correct typographical and other errors (such as invalid telephone numbers and out-of-date references),
- Revise wording and formatting to make the rules easier to understand and apply, and
- Incorporate and formalize existing agency practices (such as expressly including in a risk classification employment that the Department currently includes by interpretation or analogy).

The purpose of this rulemaking is not to make substantive changes to how the Department classifies employment, but to review and revise the classification plan to ensure it is clear and understandable. These changes will not change the way we calculate employer rates, our reporting requirements, or how we classify businesses.

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.

Citation of existing rules affected by this order:

Repealed: None
 Amended: See Attachment 1
 Suspended: None

Statutory authority for adoption: RCW 51.04.020 and RCW 51.16.035

Other authority :

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as **WSR 15-07-072, March 17, 2015.**

Describe any changes other than editing from proposed to adopted version:

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 19, 2015

NAME (TYPE OR PRINT)
Joel Sacks

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: May 19, 2015
TIME: 7:08 AM
WSR 15-11-063

**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:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

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

New	_____	Amended	<u>4</u>	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

Attachment 1

2015 Miscellaneous classification and rating rule changes

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

	WAC Numbers	WAC description	What is changing	Reason for change
1.	296-17-31014	Farming and agriculture	Add definition of a farm labor contractor to the agricultural reporting rules.	Classification and reporting rules refer to "farm labor contractor," yet no definition existed in the rules. The definition is taken from the Farm Labor Contracting rules in WAC 296-310-010.
2.	296-17A-3415	Factory built housing dealers	Spelling out that 3415 (factory built housing dealers) includes delivery to a customer from the dealer.	We have always included this kind of delivery in 3415, but confusion existed because it was not spelled out in 3415. Classification 0517 (set up of factory built housing units performed by a contractor) implied 3415 includes this delivery.
3.	296-17A-6207-04	Fireworks exhibition	Correct reference in text from 4601 (Fireworks manufacturing) to 3701 (Chemical mixing, blending and repackaging only: Fireworks manufacturing).	Exclusion currently points to 4601, which was repealed in 2010. Classification 3701 is the correct classification.
4.	296-17A-6303-03	Insurance sales personnel and claims adjusters	Remove "voluntary" from "to elect voluntary coverage" to read "to elect coverage."	Confusion could exist around whether the rule referred to volunteer coverage. The coverage being elected is not volunteer coverage.