



**RULE-MAKING ORDER
PERMANENT RULE ONLY**

**CR-103P (December 2017)
(Implements RCW 34.05.360)**

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: May 21, 2019

TIME: 12:50 PM

WSR 19-11-109

Agency: Department of Labor & Industries

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) July 1, 2019 (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: The department reviewed these chapters and made revisions to:

- Update and clarify information and references in multiple classifications in general, and in classifications impacted by the 2018 stores rulemaking;
- Correct errors in classification information that occurred in a past rulemaking;
- Correct typographical errors; and
- Implement changes required by Chapter 278, Laws of 2018 (SB 6199) passed by the legislature in 2018.

The purpose of this rulemaking is not to make substantive changes to how employers are classified, but review and revise the reporting and classification rules to ensure they are accurate, clear and understandable. These amendments will not impact employer reporting or rates.

Citation of rules affected by this order:

New:

Repealed:

Amended: WAC 296-17-31001 Introduction

WAC 296-17-31006 Application process

WAC 296-17-31007 Owner/officer coverage and coverage for exempt employments

- WAC 296-17A-2009-00 Building material dealers and lumber yards
- WAC 296-17A-2009-01 Electrical supply dealers
- WAC 296-17A-2009-04 Pump, plumbing, irrigation, and pipe supply dealers
- WAC 296-17A-2009-06 HVAC supply dealers
- WAC 296-17A-4502 Radio, television, recording, video production, and cable service providers; all other employees
- WAC 296-17A-4504-00 Theatres
- WAC 296-17A-4903-09 Inspection for insurance or valuation
- WAC 296-17A-6303 Sales personnel with outside duties, messengers, insurance producers or surplus line brokers, social workers and dieticians employed by a home health care service
- WAC 296-17A-6303-21 Home health care services: Social workers and dietitians
- WAC 296-17A-6305-00 Stores: Clothing – Retail
- WAC 296-17A-6305-04 Stores: Western wear, including tack - Retail
- WAC 296-17A-6406-00 Retail sales and inventory services, N.O.C.
- WAC 296-17A-6406-17 Variety and general stores
- WAC 296-17A-6407-00 Wholesale stores, N.O.C. - Including combined wholesale and retail store operations
- WAC 296-17A-6411-19 Coin, stamp, rare metals, and collectible cards
- WAC 296-17A-6411-20 Book, videos, electronic games, newspapers, magazines, and comic books
- WAC 296-17A-6511 Chore services/home care assistants
- WAC 296-17A-6512-00 Home care services/home care referral registry (HCRR)
- WAC 296-17A-6603-01 Auction or estate sales: Antiques or general household furnishings
- WAC 296-17A-6605-00 Actors and performers, N.O.C.

WAC 296-17A-6605-01 Musicians, N.O.C.
 WAC 296-17A-6605-03 Players, entertainers and musicians hired by a theatre, N.O.C.
 WAC 296-17A-6608-00 Motion picture production
 Suspended:

Statutory authority for adoption: RCW 51.04.020 and RCW 51.16.035

Other authority: n/a

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 19-08-077 on April 2, 2019 (date).
 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:
 Address:
 Phone:
 Fax:
 TTY:
 Email:
 Web site:
 Other:

**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	___	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	___	Amended	<u>17</u>	Repealed	___
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	___	Amended	<u>17</u>	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	___

Date Adopted: May 21, 2109

Signature:

Name: Joel Sacks

A handwritten signature in black ink that reads "Joel Sacks". The signature is written in a cursive style with a large initial 'J' and 'S'.

Title: Director