

Governing Committee

Meeting Agenda

Date	Time	Location	Staff Contact
February 9, 2022	9:30 AM	Webinar Teleconference	Eric S. Riley
1901 Harrison Street, 17th Floor • Oakland, CA 94612 • 415.777.0777 • Fax 415.778.7007 • www.wcirb.com • wcirb@wcirb.com			

Released: February 3, 2022

To Members of the Governing Committee, WCIRB Members and All Interested Parties:

This meeting is Open to the Public.

Please use this [link](#) to register for the meeting webinar. After registering, you will receive a confirmation email containing information about the meeting.

I. Approval of Minutes

Meeting held December 15, 2021

II. Additions to the Agenda

III. Ratification of Actions of WCIRB Committees

A. Classification and Rating Committee Meeting Held October 26, 2021

IV. Unfinished Business

V. New Business

September 1, 2022 Regulatory Filing

VI. Next Meeting Date:

A. March 8, 2022 Annual Meeting of WCIRB Membership

B. April 20, 2022 WCIRB Governing Committee Meeting

VII. Adjournment

Antitrust Notice

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Classification and Rating Committee

Meeting Minutes

Date	Time	Location	Staff Contact
October 26, 2021	9:30 AM	Webinar Teleconference	Brenda Keys

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Released: November 1, 2021

Members:

WCF National Insurance
Insurance Company of the West
National Union Fire Insurance Company of Pittsburgh PA
Preferred Employers Insurance Company
Security National Insurance Company
State Compensation Insurance Fund
Zenith Insurance Company

Represented By:

Christine Closser
Janice Romero
Ellen Sonkin
Christine Glynn
Matt Zender
Gregory Hanel
Sarah Elston

California Department of Insurance

Yvonne Hauscarriague
Brentley Yim

WCIRB

Brenda Keys, Chair
Bill Mudge
David Bellusci
Mary Corning
Brian Gray
Kristen Marsh
Tony Milano
Eric Riley
Serina Wu
Julia Zhang

The meeting of the Classification and Rating Committee was called to order at 9:30 AM followed by a reminder of applicable antitrust restrictions, with Ms. Brenda Keys, Senior Vice President and Chief Legal Officer, presiding.

* * * * *

Approval of Minutes

The Minutes of the meeting held on September 22, 2021 were distributed to the Committee members in advance of the meeting for review. As there were no corrections to the Minutes, a motion was made, seconded and unanimously approved to adopt the Minutes as written.

Notice

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Item III-A

Review of Dual Wage Classification Thresholds

The Committee members were reminded that, in 2016, the Committee adopted a modified process for the analysis of dual wage classification thresholds that includes an analytical review of the wage thresholds for each of the dual wage classifications every other year. The Agenda included a draft report analyzing all dual wage classification thresholds for September 1, 2022.

WCIRB staff presented a summary of the analytical approaches and results for each classification. Staff noted that, given the impact of the COVID-19 pandemic on the California economy, several economic measures for the construction industry were reviewed. This review did not contraindicate staff's analytical approaches for updating the dual wage classification thresholds as (a) the pandemic's impact on the construction industry in 2020 was less significant compared to the impact on other industries and (b) the effective date of the updated thresholds of September 1, 2022 is past the period most significantly impacted by the pandemic.

During the discussion, Committee members noted that some of the indicated increases in the thresholds were somewhat larger than indicated in the prior review. Staff explained that these increases are impacted by the larger than normal gap between the effective date of the current thresholds of January 1, 2020 and the proposed effective date of September 1, 2022, which is due to the transition to regulatory filings with September 1 effective dates. Staff noted that the next scheduled biannual review of the dual wage thresholds will be for policies effective September 1, 2024.

Following staff's presentation and the Committee's discussion, a motion was made, seconded and unanimously passed to recommend that the proposed changes to the dual wage classification thresholds be included in the WCIRB's September 1, 2022 Regulatory Filing.

Item III-B Payroll Limitations

The Committee was reminded that each year, WCIRB staff reviews current wage and payroll limits in the *California Worker's Compensation Uniform Statistical Reporting Plan—1995* (USRP) in light of projected wage inflation. The Committee was advised that the projected wage inflation from the current to the next filing period is approximately 3.4%. This wage inflation projection is based on the average wage forecasts from the UCLA Anderson School of Business and California Department of Finance.

The Committee reviewed the recommended changes to the maximum and minimum payroll limits and the per taxicab minimum that were included in the Agenda materials. Staff reminded the Committee that the proposed maximum payroll recommendation includes six classifications for which payroll limitations were approved by the Insurance Commissioner in his Decision on the September 1, 2021 Regulatory Filing.

Following staff's presentation, a motion was made, seconded and unanimously passed to propose that the following recommended payroll limitation adjustments be included in the September 1, 2022 Regulatory Filing.

Wage and Payroll Limitation Recommendations					
Class Code	Phraseology	Current		Recommended for September 1, 2022	
		Payroll Minimum	Payroll Maximum	Payroll Minimum	Payroll Maximum
7365	<i>Taxicab Operations</i> (per year per taxicab)	\$39,700	N/A	\$41,000	N/A
7607(1)	<i>Video Post-Production</i> (per year per employee)	N/A	\$144,300	N/A	\$149,500
7607(2)	<i>Audio Post-Production</i> (per year per employee)	N/A	\$144,300	N/A	\$149,500
7610	<i>Radio, Television or Commercial Broadcasting Stations</i> (on-air personalities, entertainers and musicians/per year per person)	N/A	\$144,300	N/A	\$149,500
8601(1)	<i>Engineers</i> (per year per employee)	N/A	N/A	N/A	\$149,500
8601(2)	<i>Oil or Gas Geologists or Scouts</i> (per year per employee)	N/A	N/A	N/A	\$149,500
8601(4)	<i>Forest Engineers</i> (per year per employee)	N/A	N/A	N/A	\$149,500
8741	<i>Real Estate Agencies</i> (per year per employee)	N/A	N/A	N/A	\$149,500

Wage and Payroll Limitation Recommendations					
Class Code	Phraseology	Current		Recommended for September 1, 2022	
		Payroll Minimum	Payroll Maximum	Payroll Minimum	Payroll Maximum
8743	<i>Mortgage Brokers</i> (per year per employee)	N/A	\$144,300	N/A	\$149,500
8749	<i>Mortgage Bankers</i> (per year per employee)	N/A	N/A	N/A	\$149,500
8801	<i>Credit Unions</i> (per year per employee)	N/A	N/A	N/A	\$149,500
8803	<i>Auditing, Accounting or Management Consulting Services</i> (per year per employee)	N/A	\$144,300	N/A	\$149,500
8808	<i>Banks</i> (per year per employee)	N/A	N/A	N/A	\$149,500
8820	<i>Law Firms</i> (per year per employee)	N/A	\$144,300	N/A	\$149,500
8822	<i>Insurance Companies</i> (per year per employee)	N/A	N/A	N/A	\$149,500
8859(1)	<i>Computer Programming or Software Development</i> (per year per employee)	N/A	\$144,300	N/A	\$149,500
8859(2)	<i>Internet or Web-Based Application Development or Operation</i> (per year per employee)	N/A	\$144,300	N/A	\$149,500
9151	<i>Theaters – musical entertainment</i> (performers and directors of performers/per year per person)	N/A	\$144,300	N/A	\$149,500
9156	<i>Theaters – dance, opera and theater companies</i> (performers and directors of performers/per year per person)	N/A	\$144,300	N/A	\$149,500
9181	<i>Athletic Teams or Athletic Facilities – players, umpires, referees and game officials</i> (per season per player)	N/A	\$144,300	N/A	\$149,500

Wage and Payroll Limitation Recommendations					
Class Code	Phraseology	Current		Recommended for September 1, 2022	
		Payroll Minimum	Payroll Maximum	Payroll Minimum	Payroll Maximum
9610	<i>Motion Pictures – production</i> (actors, musicians, producers and the motion picture director/per year per person)	N/A	\$144,300	N/A	\$149,500
N/A	Executive Officers, Partners, Individual Employers and Members of a Limited Liability Company	\$55,900	\$144,300	\$57,200	\$149,500

Item III-C

Physical Audit Threshold

The Committee was advised that the *California Workers' Compensation Uniform Statistical Reporting Plan—1995* (USRP) requires that all policies that generate a final premium at or above a specific threshold amount are subject to physical audit. The threshold has historically been set at a level that corresponds approximately with eligibility for experience rating so that the vast majority of payroll reflected in an experience rating calculation is subject to physical audit. The threshold has been reviewed on a regular basis and adjusted as appropriate to maintain the same approximate volume of policies subject to the physical audit requirement. The Committee was reminded that the physical audit threshold was last changed to \$10,500 effective January 1, 2020.

WCIRB staff summarized the two analytical approaches for computing the indicated level of the physical audit threshold for the September 1, 2022 Regulatory Filing. Based on the approximate average of these two indications, the indicated physical audit threshold for policies incepting on or after September 1, 2022 is approximately \$9,500. However, since the threshold was last changed for January 1, 2020 and is intended to be changed relatively infrequently and there is significant uncertainty to the future economic recovery after the COVID-19 pandemic, staff recommended maintaining the current physical audit threshold of \$10,500 for September 1, 2022. The Committee agreed with staff's recommendation that the physical audit threshold should not be revised effective September 1, 2022.

Item III-D

COVID-19 Claims in Experience Rating

The Committee was reminded that, given the unique nature of the COVID-19 exposure and the emerging pandemic, at the April 14, 2020 meeting, the Committee had recommended that claims arising directly from a COVID-19 diagnosis be excluded from the experience modification computation. This recommendation was reflected in the WCIRB's July 1, 2020 Regulatory Filing and adopted by the Insurance Commissioner.

The Committee was also reminded that while the Governing Committee approved making this recommendation to the Insurance Commissioner at the April 17, 2020 meeting, a Governing Committee member noted that there is a safety component related to the occurrence of COVID-19 claims at an employer's workplace and that it would be appropriate to consider removing the COVID-19 experience rating exclusion at some time after the initial emergency period. As a result, staff evaluated whether COVID-19 claims incurred in the future should continue to be excluded from experience rating.

Staff noted that the COVID-19 workers' compensation claim environment has changed significantly since the experience rating exclusion of COVID-19 claims was first recommended and adopted. In the early months of the pandemic, relatively little was known about how COVID-19 was transmitted, there was little in the way of widely accepted workplace safety protocols and tens of thousands of COVID-19 workers' compensation claims were being filed. Also, at the time, it was unclear to what extent some COVID-19 illnesses would be "presumed compensable" and, with some segments of the economy largely shutdown, the exposure to workplace COVID-19 varied dramatically by industry and within industry segment depending on whether the industry was deemed "essential" and how widely its workers were exposed to the public and other workers. In contrast, at this time, more than 18 months since the pandemic began, transmission of the virus is better understood, workplace safety protocols in consideration of the widespread availability of COVID-19 vaccines are available, the number of COVID-19 infections and workers' compensation claim filings are dropping, California Senate Bill No. 1159 has been in effect since September 2020 specifying when a worker has a rebuttable presumption of compensability that their COVID-19 infection is work-related and most businesses have re-opened or will be re-opening soon. As a result, staff is recommending that COVID-19 claims incurred after September 1, 2022 be included in experience modification computations.

The Committee discussed WCIRB staff's recommendation at length. A Committee member noted that, at this time, it is expected that COVID-19 claims will continue to arise in the foreseeable future, although likely at a lower rate than for much of 2020 and there is much more information available as to the virus' transmission and recommended employer safety protocols. Another Committee member, while supporting the recommendation, asked if any thought has been given to the treatment of claims arising in future pandemics. Staff advised that the WCIRB as well as other rating bureaus are considering modeling potential long-term costs resulting from future pandemics, but at this point, the treatment of claims arising from future pandemics in experience rating would be considered on a case-by-case basis.

Following the discussion, a motion was made, seconded and unanimously passed to recommend that the proposed rule changes regarding the inclusion of COVID-19 claims incurred on or after September 1, 2022 in experience modification computations, be included in the September 1, 2022 Regulatory Filing.

Item III-E

COVID-19 – Basis of Payroll

The Committee was reminded that, in 2020, the Insurance Commissioner adopted two regulations that provided for special treatment of payroll during the California statewide stay-at-home order that resulted from the COVID-19 pandemic and concluded within specified periods of the stay-at-home order being lifted. The Committee was advised that the Governor issued an Executive Order on June 11, 2021 that rescinded the California statewide stay-at-home order and WCIRB staff, therefore, recommended that the elimination of these rules be proposed in the September 1, 2022 Regulatory Filing.

A Committee member asked if it would be confusing to remove the reference to these rules from the unit statistical reporting regulations since unit statistical reports (USR) that may be impacted by these rules will be filed after the rule is eliminated from the regulations. WCIRB staff clarified that the rules are effective as of the effective date of a policy, so any unit statistical reporting would use the regulations that are in effect as of the effective date of the policy to which that USR pertains.

Following the discussion, a motion was made, seconded and unanimously passed to include the proposed changes in the September 1, 2022 Regulatory Filing.

Item III-F

Food Packaging and Processing – Container Manufacturing

2163, Bottling – beverages – no spirituous liquors, wine or beer

2063, Dairy Products or Ice Mfg.

2113, Fish or Seafood Products Mfg. – including packaging

2116, Fruit or Vegetable Juice or Concentrate Mfg.

2111(3), Fruit or Vegetable Pickling

2111(1), Fruit or Vegetable Preserving – including canning

2117, Fruit or Vegetable Processing – frozen

2095, Meat Products Mfg.

2111(2), Olive Handling – sorting, curing and canning

4831, Vitamin or Dietary Supplement Mfg. – compounding, blending or packaging only – not manufacturing ingredients

2142(1), Wineries

2121, Breweries

2142(2), Distilling

2142(3), Vinegar Mfg.

The Committee was advised that WCIRB staff reviewed the 29 classifications in the *Food Packaging and Processing* Industry Group to evaluate the differentiated classification treatment for the manufacture of containers when performed by employers that also package or process food. There are currently three different classification approaches reflected: (1) footnotes directing that the manufacture of containers be treated as a General Inclusion, (2) footnotes directing that bottle or can manufacturing shall be separately classified or (3) no specific direction – thus indicating that the General Inclusions rule applies. A copy of the draft report detailing the WCIRB's findings and recommendations was provided to the Committee in the Agenda.

During the presentation, the Committee was informed that staff evaluated the appropriate classification treatment for the manufacture of containers when performed by employers assigned to the *Food Packaging and Processing* Industry Group classifications to determine whether a uniform classification treatment could be established that is consistent with the General Inclusions rule and the unnecessary footnotes could be eliminated.

Staff explained that the General Inclusions rule directs that, unless otherwise indicated in a classification's phraseology, certain specified operations "[a]re included in all classifications other than Standard Exception classifications." Among those operations delineated in the General Inclusions rule is the "manufacturing of containers such as bags, barrels, bottles, boxes, cans, cartons or packing cases." Absent specific direction to the contrary, the manufacture of containers in connection with an employer's primary operations is not separately classified.

The treatment of container manufacturing has been a particular focus within the *Food Packaging and Processing* Industry Group classifications as most packaged or processed foods require some type of container. This issue was addressed on numerous occasions during the 1960s, 1970s and 1980s when employers requested that their container manufacturing operations be separately classified. As a result, footnotes were added to 10 classifications directing that the manufacture of cans or bottles be separately classified based on a finding that it was not typical or usual for employers within these classifications to manufacture their own cans or bottles and therefore such operation should not be considered a general inclusion.

Staff explained that with respect to employers with payroll reported in classifications directing that container manufacturing shall be separately classified (see Exhibit 1), a review of the Classification Inspection Reports for those employers found no instances of employers manufacturing their own cans,

bottles or other containers and no payroll was reported in Classifications 3220, *Can Mfg.*, or 4114, *Glassware Mfg.* Thus, while container manufacturing has never been a prevalent operation within these classifications, or the food processing and packaging industry in general, based on a review of how the industry currently operates, employers assigned to classifications directing that container manufacturing shall be separately classified no longer manufacture their own containers.

Staff advised the Committee that there appears to be no compelling reason for the continued disparate treatment of can and bottle manufacturing within the *Food Packaging and Processing* Industry Group. While establishing a uniform treatment across the Industry Group would not result in the reclassification of any employer's operations, it would advance the goal of having a consistent set of rules for the Industry Group.

Lastly, staff noted that a footnote in Classification 2113, *Fish or Seafood Products Mfg.*, which, in addition to requiring that can manufacturing be separately classified, also requires that the rendering of fish oil be separately classified. Staff's review of Inspection Reports and Unit Statistical Reports did not find any instances where employers that process or package fish and seafood also render or otherwise manufacture fish oil.

Based on the findings detailed in the report, the WCIRB recommended that the *Food Packaging and Processing* Industry Group classifications be updated to remove any reference to either the separate classification of container manufacturing or the General Inclusions rule. In that the footnote in Classification 2113 regarding fish oil rendering no longer reflects current operations, the WCIRB also recommended that it be deleted. In addition, the WCIRB recommended amending the footnotes in each of the subject classifications to clarify the intended application and provide direction as to how related operations should be classified, and for consistency with other changes.

Following staff's presentation, a motion was made, seconded and unanimously passed to recommend that the proposed changes be included in the September 1, 2022 Regulatory Filing.

Exhibit 1: Food Packaging and Processing Classifications

- I. Classifications with footnotes directing that the manufacture of containers shall be separately classified

Code	Phraseology
2063	<i>Dairy Products or Ice Mfg.</i>
2142(2)	<i>Distilling</i>
2113	<i>Fish or Seafood Products Mfg.</i>
2116	<i>Fruit or Vegetable Juice or Concentrate Mfg.</i>
2111(1)	<i>Fruit or Vegetable Preserving</i>
2117	<i>Fruit or Vegetable Processing – frozen</i>
2095	<i>Meat Products Mfg.</i>
2111(2)	<i>Olive Handling – sorting, curing and canning</i>
2142(3)	<i>Vinegar Mfg.</i>
2142(1)	<i>Wineries</i>

- II. Classifications with footnotes directing, either explicitly or implicitly, that the manufacture of containers be treated as a General Inclusion

Code	Phraseology
2163	<i>Bottling</i>
2121	<i>Breweries</i>
4831	<i>Vitamin or Dietary Supplement Mfg.</i>

- III. Classifications with no specific direction – thus indicating that the General Inclusion rule applies

Code	Phraseology
2003	<i>Bakeries or Cracker Mfg.</i>
4717	<i>Butter Substitutes Mfg.</i>
4683(2)	<i>Cottonseed Oil Mfg. or Refining</i>
6504	<i>Food Products Mfg. or Processing – N.O.C.</i>
2108	<i>Fruit – citrus fruit packing and handling – including storage</i>
2109	<i>Fruit – dried fruit packing and handling</i>
2107	<i>Fruit – fresh fruit packing and handling</i>
2102	<i>Fruit or Vegetable Evaporation or Dehydrating</i>
2111(3)	<i>Fruit or Vegetable Pickling</i>
2123	<i>Fruit or Vegetable Processing – fresh – ready-to-eat</i>
2014(1)	<i>Grain or Rice Milling</i>
2002	<i>Macaroni Mfg.</i>
0096	<i>Nut Hulling, Shelling or Processing</i>
2030	<i>Sugar Mfg. or Refining – beet or cane – including beet dumps</i>
4686(1)	<i>Vegetable Oil Mfg. or Refining – N.O.C.</i>
8209	<i>Vegetables – fresh vegetable or tomato packing and handling</i>

Item III-G

Proposed Classification Enhancements to the *California Workers' Compensation Uniform Statistical Reporting Plan—1995*

The Committee was reminded that the WCIRB continually reviews the standard classifications contained in the *California Workers' Compensation Uniform Statistical Reporting Plan—1995* to ensure that the intended application of each classification is comprehensive and clear. WCIRB staff identified several classifications that could be clarified and, therefore, recommended revisions for clarity, consistency and to provide direction about how related operations are classified.

As there were no questions about the proposed changes, a motion was made, seconded and unanimously passed to recommend that the proposed changes be included in the September 1, 2022 Regulatory Filing.

Item III-H

Proposed Non-Substantive Amendments

The Committee was advised that the WCIRB was proposing several non-substantive changes to the *California Workers' Compensation Uniform Statistical Reporting Plan—1995* (USRP) and *California Workers' Compensation Experience Rating Plan—1995* (ERP) for clarity, internal consistency, consistency with the Workers Compensation Insurance Organizations' (WCIO) Worker Compensation Policy Reporting Specifications (WCPOLS) and the California Department of Industrial Relations' Fiscal Year Assessments, and to use gender-neutral terminology.

As there were no questions about the proposed changes, a motion was made, seconded and unanimously passed to recommend that the proposed changes to the USRP and ERP be included in the WCIRB's September 1, 2022 Regulatory Filing.

Item III-I Potential Classification Studies

WCIRB staff summarized the classification studies proposed to be conducted in 2021-2022 for inclusion in the September 1, 2023 Regulatory Filing. The Committee was advised that these studies were identified based on stakeholder input and results of the new WCIRB Classification Health Check tool, a data-driven approach developed in 2020 for detecting classifications that warrant further analysis.

Staff presented a summary of recently completed exploratory research in Phase I of the food and beverage study and recommended focusing on an in-depth review of Classifications 8078 and 9079 including hotel-operated restaurants, whether separate classifications should be created for the potential restaurant segments identified in Phase I, and treatment of tips in the premium basis in Phase II in 2022. Several Committee members suggested additional issues to consider in Phase II, such as the administration of classification procedures around hours of restaurant operations, delivery operations, banquet services provided by a hotel restaurant in comparison with catering services and gathering additional input from the restaurant industry on the potential inclusion of tips in the basis of premium. Staff agreed to evaluate these issues and indicated that the WCIRB will continue to meet with industry stakeholders for feedback on any potential changes to the classification procedures, including the treatment of tips in the basis of premium in the restaurant industry. The Committee expressed strong support for continuing the analysis of this industry as recommended by staff as it involves large classifications with potentially very distinct segments.

Following staff's presentation and the Committee's discussion, the consensus of the Committee was that the following classification studies should be conducted in 2021-2022 for consideration in the September 1, 2023 Regulatory Filing.

2021/2022 Classification Studies	Anticipated Commitment (L,M,H) ¹
Food and Beverage Classifications	Very High
Review Classifications in Order to Determine Inclusion of Clerical Office, Clerical Telecommuter and Outside Sales Activities:	
• Classification 8748, <i>Automobile or Truck Dealers – vehicle salespersons</i>	Moderate
Not Otherwise Classified (N.O.C.) Classifications:	
• Classification 9061, <i>Clubs – N.O.C.</i>	High
Low Credibility Classification Studies:	
• Classification 4312, <i>Newspaper Delivery</i>	Low to Moderate
Classification Payroll Limitations – Additional Classifications	Low
Electronics Industry Group	Low

¹ Estimated WCIRB staff resource commitment: "Low" corresponds to an estimate of below 100 hours, "Moderate" corresponds to an estimate of between 100 and 250 hours, "High" corresponds to an estimate between 251-400 hours, and "Very High" corresponds to an estimate in excess of 400 hours.

Item III-J

2022 Schedule of Meetings

The following schedule of Classification and Rating Committee meetings for the coming year was presented to the Committee members and approved. The Committee members were advised that the WCIRB intends to hold hybrid meetings in 2022 so that fully vaccinated Committee members may attend either in person or virtually.

Day of Week	Date & Time	Content
Tuesday	February 1, 2022 at 9:30 AM	Review classification relativities for September 1, 2022 Regulatory Filing
Tuesday	May 17, 2022 at 9:30 AM	Review September 1, 2023 Regulatory Filing matters
Tuesday	August 9, 2022 at 9:30 AM	Review September 1, 2023 Regulatory Filing matters
Tuesday	November 1, 2022 at 9:30 AM	Review September 1, 2023 Regulatory Filing matters

Additional dates to note:

March 2022 (date TBD)	Annual Meeting of the Membership
July 20-21, 2022	Annual WCIRB Conference

The meeting was adjourned at 11:30 AM.

* * * * *

Note to Committee Members: These Minutes, as written, have not been approved. Please refer to the Minutes of the meeting scheduled for February 1, 2022 for approval and/or modification.

Item V

September 1, 2022 Regulatory Filing

The Classification and Rating (C & R) Committee is recommending changes to the *California Workers' Compensation Uniform Statistical Reporting Plan—1995* (USRP) and *California Workers' Compensation Experience Rating Plan—1995* (ERP) for inclusion in the WCIRB's September 1, 2022 Regulatory Filing. The changes, if approved, would take effect September 1, 2022.

A copy of the draft Regulatory Filing, excluding the proposed 2022 experience rating eligibility threshold, classification relativities, Table I, *Expected Loss Rates and D-Ratios*, and Table II, *Primary Thresholds*, is being provided to the Governing Committee for review and approval. (These tables of values, for which methodologies underlying their development are separately approved by the C & R or Actuarial Committees, have been excluded from the Agenda materials due to their voluminous nature.) If the Governing Committee approves the draft filing, the WCIRB anticipates submitting it to the California Department of Insurance by the end of February.

A. WCIRB Classification Research and Studies

In preparation for the September 1, 2022 Regulatory Filing, WCIRB staff conducted several classification studies which resulted in proposed USRP changes that the C & R Committee is recommending to provide clarity and consistency and to restructure several classifications into more homogenous statistically credible classifications that are reflective of current industry operations.

1. Computer Programming in the Electronics Manufacturing Industry

As part of a multi-year effort, the WCIRB conducted a study with respect to the assignment of computer programmers and/or design engineers retained by employers assigned to the two largest classifications in the *Electronics* Industry Group, Classifications 3681¹ and 4112, *Integrated Circuit and Semiconductor Wager Mfg.* Computer programming operations that support an employer's own electronics manufacturing operations are typically assignable to Classification 8810, *Clerical Office Employees*, based on the Standard Exceptions rule. The WCIRB found that the computer programming, clerical and outside sales operations of Classifications 3681 and 4112 employers have significantly lower loss to payroll ratios and varied claim characteristics than the statewide experience reported in Classifications 8810 and 8742, *Salespersons – Outside*. As a result given the significant differences in the loss to payroll experience of employees in this industry performing programming, clerical and outside sale operations relative to statewide experience and the relatively high proportion of high salaried employees, the C & R Committee is recommending establishing companion Classification 8874, subject to the USRP's annual payroll limitation, with five alternate phraseologies to apply to the hardware and software design and development, clerical and outside sales operations performed in connection with manufacturing operations assigned to Classifications 3681 and 4112.

2. Standard Exception Study

The WCIRB studied Classification 4512, *Biomedical Research Laboratories – including outside operations*, as part of a multi-year effort to systematically review classifications to identify those that would be improved by the inclusion of clerical or outside sales activities. The WCIRB found that the line of demarcation between employees engaged exclusively in clerical office work and those performing biomedical research operations is not always clear and that the clerical operations of biomedical research laboratories have better loss to payroll ratios than the statewide Classification 8810 experience and the typical causes of injury and claim severity for the clerical office employees of biomedical research laboratories is more similar to Classification 4512 than to Classification 8810 as a whole. With respect to outside sales, however, the WCIRB found that those operations

¹ Classification 3681 consists of four alternate phraseologies (or suffixes): 3681(1), *Instrument Mfg. – electronic – professional or scientific – N.O.C.*; 3681(2), *Computer or Computer Peripheral Equipment Mfg. – N.O.C.*; 3681(3), *Telecommunications Equipment Mfg.*; and 3681(4), *Audio/Video Electronic Products Mfg.*

conducted by Classification 4512 employers were different from Classification 4512 operations and the extent of Classification 8742 exposure varies significantly among employers assigned to Classification 4512. As a result, the C & R Committee is recommending that Classification 4512 be amended to include Clerical Office Employees and Clerical Telecommuter Employees but does not recommend amending the classification to include Outside Salespersons.

3. Tile and Cabinet Stores and Stone Material Dealers

The WCIRB conducted a comprehensive study of employers engaged in the sale of tile, cabinets and stone material to determine if employers that specialize in the sale of tiles and cabinets should be combined into a single classification and how to classify the sale of stone material, stone slabs or fabricated stone products by such stores. Based on the findings of the study, the C & R Committee is recommending that Classification 8059, *Stores – tile*, be amended to include the sale of kitchen and bathroom cabinets and to separately classify store salespersons or cashiers engaged in stocking, handling or delivering building materials to Classification 8232(2), *Building Material Dealers – commercial*, when the sale of building materials exceeds 10% of gross receipts. Classification 8232(2) is also being amended to include the sale of stone material, stone slabs or fabricated stone products and that if the sale of store merchandise, including tile, cabinets, electrical or plumbing supplies exceeds 25% of gross receipts, employees who sell, stock, handle or deliver store merchandise would be assignable to the appropriate Stores Industry Group classification.

4. Other Classification Changes

The C & R Committee is also recommending amendments to (a) eliminate the classifications for underground mining because those classifications did not develop sufficient data to produce statistically credible pure premium rates and reassign those operations, as well as eliminate the related Special Industry Classification Procedures for the Mining industry; (b) amend the classification for carnivals and circuses to remove circus operations and reassign them to theatres – not motion picture and theatres – dance, opera or theatre companies; (c) increase the hourly wage dual wage classification thresholds to reflect wage inflation since the thresholds were last amended; (d) clarify the application of multiple classifications as a result of the WCIRB's continual efforts to ensure that the intended application of each classification is comprehensive and clear.

B. COVID-19 Claims

The C & R Committee evaluated whether COVID-19 claims should continue to be excluded from experience rating given that there is a safety component related to the occurrence of COVID-19 claims at an employer's workplace. The Committee noted that, at this time compared to when exclusion of COVID-19 claims was adopted in early 2020, more is understood about the transmission of COVID-19, workplace safety protocols are better established in consideration of the widespread availability of COVID-19 vaccinations, California Senate Bill No. 1159 has been in effect since September 2020 specifying when a worker has a reputable presumption of compensability that their COVID-19 infection is work related and most businesses have reopened. Therefore, the C & R Committee is recommending to sunset the exclusion of COVID-19 claims from experience rating for claims with injuries dates on or after September 1, 2022.

C. Additional Recommended Amendments

In addition to the changes noted above, the C & R Committee is recommending changes to (1) update the expected loss ranges in the Experience Rating Plan corresponding to each primary threshold to reflect the most current available experience, (2) amend the USRP to remove the special treatment of payroll related to the COVID-19 pandemic, (3) update the WCIRB's mailing address and (4) make non-substantive amendments for clarity and consistency with related regulations.

The C & R Committee is also recommending amendments to the minimum and maximum payroll limitations for executive officers, partners, individual employers and members of a limited liability company, as well as other payroll limitations relevant to specific classifications to reflect the increase in

wage levels that has occurred since the minimum and maximum payroll limitations were last amended in 2021. Additionally, the C & R Committee is recommending an increase to the minimum annual payroll per taxicab from \$39,700 to \$41,000 to reflect wage inflation since the minimum was last amended.

Section A**Recommended Amendments to the *California Workers' Compensation Uniform Statistical Reporting Plan—1995*****Title 10, California Code of Regulations, Section 2318.6****Effective September 1, 2022**

The WCIRB recommends that the following amendments to the *California Workers' Compensation Uniform Statistical Reporting Plan—1995* (Uniform Statistical Reporting Plan) be approved effective September 1, 2022 and applied to a policy with an effective date on or after September 1, 2022.

Part 1 — General Provisions

Amend Part 1, *General Provisions*, Section I, *Introduction*, Rule 3, *Effective Date*, to show that the effective date of the amended Uniform Statistical Reporting Plan is 12:01 AM, September 1, 2022.

PROPOSED**Section I — Introduction**

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3. Effective Date

The provisions of this Plan are effective at 12:01 AM, September 1, ~~2024~~2022. When an amendment to this Plan is approved, a notice summarizing the amendment and its effective date, as specified by the Insurance Commissioner, will be published by the WCIRB.

This Plan and all amendments thereto, unless otherwise specifically provided, shall apply to a policy with an effective date on or after the effective date of the amendment.

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Amend Part 1, *General Provisions*, Section V, *Inquiries, Complaints and Requests for Action, Reconsideration and Appeals*, Rule 3, *Complaints and Requests for Action*, to update the WCIRB's mailing address.

PROPOSED**Section V – Inquiries, Complaints and Requests for Action, Reconsideration and Appeals**

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3. Complaints and Requests for Action

An insured employer, insurer, or other aggrieved person seeking review of the WCIRB's decision, action, or omission to act, or review of the manner in which this Plan, or any other applicable regulations of the Insurance Commissioner, has been applied in connection with its workers' compensation insurance shall serve the WCIRB with a written Complaint and Request for Action pursuant to the regulations found at Title 10, California Code of Regulations, Sections 2509.40 *et seq.* Complaints and Requests for Action must be served on the WCIRB at the following address:

WCIRB
~~1221 Broadway, Suite 900~~ 1901 Harrison Street, 17th Floor
Oakland, CA 94612
Attention: Complaints and Reconsideration
Fax 415.371.5204
customerservice@wcirb.com

Upon receipt of a Complaint and Request for Action, the WCIRB shall respond in accordance with the regulations found at Title 10, California Code of Regulations, Sections 2509.40 *et seq.* Any change resulting from such response shall be applied in accordance with the rules of this Plan or other applicable statutes or regulations. If a loss correction is required pursuant to the Revision of Losses rule, the current experience rating for purposes of the application of that rule shall be the experience modification in effect

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Part 2 — Policy Reporting Requirements

Amend Section III, *Reporting Requirements*, Rule 1, *Header Record (Record 01)*, Subrule a, *Legal Nature of Insured Code*, for consistency with the Workers Compensation Insurance Organizations' (WCIO) Workers Compensation Policy Reporting Specifications (WCPOLS).

PROPOSED

Section III – Reporting Requirements

1. Header Record (Record 01)

All Header Record (Record 01) data and fields shall be reported as required for California in WCPOLS and as further detailed below.

a. Legal Nature of Insured Code

Report the code that best describes the type of entity(ies) being insured.

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The use of "99", Other, is only permitted if none of the other values are applicable. If reporting "99", further detail in Text for "Other" Legal Nature of ~~Entity~~Insured shall be provided.

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Part 3 — Standard Classification System

Amend Section III, *General Classification Procedures*, Rule 4, *Standard Exceptions*, Subrule c, *Standard Exception Classification Procedures*, for consistency with previously approved changes.

PROPOSED

Section III – General Classification Procedures

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4. Standard Exceptions

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c. Standard Exception Classification Procedures

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- (2) Where a classification phraseology specifically includes Clerical Office Employees, Clerical Telecommuter Employees or Outside Salespersons, ~~or both~~, such employees shall be assigned to that classification regardless of whether their work is conducted at the same or at a separate location.

A list of classifications that include Clerical Office Employees, Clerical Telecommuter Employees or Outside Salespersons, ~~or both~~, can be found in Appendix IV.

Example

An employer operates as a physicians' practice at 1534 Elm Street, employing doctors, nurses and receptionists. All operations at this location are assignable to Classification 8834, *Physicians' Practices and Outpatient Clinics – all employees – including Clerical Office Employees and Clerical Telecommuter Employees*. At a separate location, 3415 Oak Street, the employer maintains a clerical office staff who conduct all of the billing and scheduling in support of the Elm Street operations. Since the Oak Street operations support the employer's Elm Street medical office (assigned to Classification 8834), the operations at the separate Oak Street location are also assignable to Classification 8834.

- (3) When an employer's clerical office staff meet the definition of Clerical Office Employees, are engaged in operations in connection with other operations performed by the employer and such other operations are assigned to two or more classifications, one or more of which includes Clerical Office Employees and one or more of which does not include Clerical Office Employees, the payroll of the clerical office staff shall be assigned in accordance with the following:

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- (d) The procedures stated above for classifying an employer's clerical office staff shall also apply when classifying an employer's clerical telecommuter staff, as well as its outside salespersons ~~staff~~ (see example below).

Example

At location 1, an employer operates an outpatient clinic assigned to Classification 8834, *Physicians' Practices and Outpatient Clinics – all employees – including Clerical Office Employees and Clerical Telecommuter Employees*. At location 2, the same employer operates a convalescent nursing facility – assigned to Classification 8829(2), *Convalescent Nursing Facilities – including supervisors and receptionists*. In an area that is separate from all other work-places, the employer maintains clerical and administrative office staff who work exclusively at the office to conduct payroll and billing activities in support of both the outpatient clinic and the convalescent nursing facility. Under Scenario A (below), the convalescent nursing facility assigned to Classification 8829 (which does not specifically include Clerical Office Employees/Clerical Telecommuter Employees) generates more payroll than the outpatient clinic and, therefore, the clerical office staff working in support of both operations are assignable to Classification 8810. Under Scenario B, since the outpatient clinic generates more payroll than the convalescent nursing facility, the clerical office staff working in support of both operations are assignable to Classification 8834. In both scenarios, regardless of which operation generates more payroll, the clerical office staff working exclusively in support of the convalescent nursing facility are assignable to Classification 8810, and the clerical office staff working exclusively in support of the outpatient clinic are assignable to Classification 8834.

Scenario	Location 1: Outpatient Clinic Payroll	Location 2: Convalescent Nursing Facility Payroll	Clerical Employees Working in Support of Both the Outpatient Clinic and the Convalescent Nursing Facility
A	\$200,000	\$655,000	8810, Clerical Office Employees
B	\$750,000	\$655,000	8834, Physicians' Practices and Outpatient Clinics – all employees – including Clerical Office Employees and Clerical Telecommuter Employees

Example

An employer operates an automobile and truck parts store, assignable to Classification 8046, *Stores – automobile or truck parts or accessories – wholesale or retail – including ~~Inside Salespersons or~~ Outside Salespersons*. This employer also maintains a department for the repair of automobiles or trucks on a fee basis, and employees engaged in these operations are assignable to Classification 8389, *Automobile or Truck Repair Facilities*. The employer maintains outside sales staff to conduct marketing and outside sales operations in support of the automobile and truck parts store and promote the service and repair operations. Under Scenario C (below), the vehicle repair operations assigned to Classification 8389 (which do not specifically include Outside Salespersons) generate more payroll than the auto parts store operations assigned to Classification 8046 and, therefore, the outside sales staff working in support of both operations are assignable to Classification 8742. Under Scenario D, since the auto parts store operations generate more payroll than the vehicle repair operations, the outside sales staff working in support of both operations are assignable to Classification 8046. In both scenarios, regardless of which operation generates more payroll, outside sales staff working exclusively in support of the repair operations are assignable to Classification 8742, and outside sales staff working exclusively in support of the auto parts store operations are assignable to Classification 8046.

Scenario	Auto Parts Store Payroll	Vehicle Repair Payroll	Assigned Classification for Outside Salespersons Working in Support of Both the Auto Parts Store and Vehicle Repair
C	\$200,000	\$655,000	8742, <i>Salespersons – Outside</i>
D	\$750,000	\$655,000	8046, <i>Stores – automobile or truck parts or accessories – wholesale or retail – including inside Salespersons or Outside Salespersons</i>

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Amend Section III, *General Classification Procedures*, Rule 5, *General Inclusions*, Subrule k, and Rule 6, *General Exclusions*, Subrule g, for consistency with previously approved changes, and eliminate Rule 7, *Coronavirus Disease 2019 (COVID-19)* as the rule is no longer necessary.

PROPOSED

Section III – General Classification Procedures

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5. General Inclusions

The operations listed below are included in all classifications other than Standard Exception classifications. Except as provided in Section VII, *Standard Classifications*, general inclusions shall not be separately classified, all other provisions contained herein notwithstanding. Any operation described by a general inclusion shall nevertheless be subject to division of payroll if conducted as a separate and distinct enterprise and having no relation to the operations described by any other classification.

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- k. Unmanned Aircraft System (aerial drone) operation – aircraft system and payload total combined weight of less than 55 pounds – all members of the operating crew. Operations performed in support of the employer's Construction or Erection operations shall be classified in accordance with Part 3, Section IV, Rule 2, *Construction or Erection Work*. Operating crew members working remotely from a home or office location with no exposure outside of the clerical office shall be classified as 8810, *Clerical Office Employees*, or 8871, *Clerical Telecommuter Employees*, subject to the Standard Exceptions rule.

6. General Exclusions

Subject to division of payroll rules, the following operations are excluded from all classifications, including Standard Exceptions, unless specifically included in the language of the classification. Operations described by general exclusions shall require division of payroll, notwithstanding that the classification word may include the term *all* as in such phrases as *all employees*, *all operations*, etc.

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- g. Unmanned Aircraft System (aerial drone) operation – aircraft system and payload total combined weight of 55 pounds or heavier – all members of the operating crew. Operating crew members working remotely from an home or office location with no exposure outside of the clerical office shall be classified as 8810, *Clerical Office Employees*, or 8871, *Clerical Telecommuter Employees*, subject to the Standard Exceptions rule.

~~7. Coronavirus Disease 2019 (COVID-19)~~

- ~~a. Effective as of the date of a California statewide stay-at-home order and concluding sixty (60) days after the order is lifted, the payroll of an employee who meets the definition of a Clerical Office Employee, as detailed in Rule 4a, *Classifications 8810, Clerical Office Employees, and 8871, Clerical Telecommuter Employees*, and whose payroll for the balance of the policy period is not assignable to a standard classification that specifically includes Clerical Office Employees, shall be assigned to Classification 8810, *Clerical Office Employees*.~~

~~A single employee's payroll may be divided between Classification 8810 and another classification only once during this time period. Once the employee's duties are no longer exclusively clerical in nature, Classification 8810 shall not be assigned.~~

- ~~b. Effective as of the date of a California statewide stay-at-home order and concluding thirty (30) days after the order is lifted, payments made to an employee, including but not limited to sick or family leave payments, while the employee is performing no duties of any kind in service of the employer shall be excluded from remuneration; however, the excluded amounts shall be no greater than the employee's regular rate of pay.~~
- ~~c. Employers must maintain records that document the change in duties and that segregate such payments during the timeframes specified above.~~

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Amend Section IV, *Special Industry Classification Procedures*, to revise Rule 2, *Construction or Erection Work*, and Rule 8, *Labor Contractors*, for clarity and consistency with previously approved changes and (2) eliminate Rule 5, *Mining*, as these procedures are no longer necessary because the rules specific to mining are either no longer relevant or are redundant with general rules contained in the USRP.

PROPOSED

Section IV – Special Industry Classification Procedures

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2. Construction or Erection Work

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When an employer retains one or more employees as members of a crew that operates Unmanned Aircraft Systems (aerial drones) with an aircraft system and payload total combined weight of less than 55 pounds in connection with its construction or erection operations, such members of the Unmanned Aircraft System (aerial drone) operating crew shall be classified as 8720(4), *Unmanned Aircraft System Operation*, provided they are engaged exclusively in such operations, or are engaged in such work for any portion of their time and devote the balance of their time to clerical office duties or outside sales.

Employees who are members of an Unmanned Aircraft System (aerial drone) operating crew and also perform or supervise construction or erection operations shall be classified based on the construction or erection operations they supervise or perform. Operating crew members working remotely from an home or office location with no exposure outside of the clerical office shall be classified as 8810, *Clerical Office Employees*, or 8871, *Clerical Telecommuter Employees*, subject to the Standard Exceptions rule.

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5. Mining

a. Payroll Basis

~~No reduction in payroll shall be made on account of powder, explosives, detonator, blacksmithing tools, care of lamps or other materials or services furnished by the operators. Where employees work on the basis of a share in the future profits, their earnings must be included upon a definite agreed wage basis, which wage basis in no event shall be less than \$12.00 per shift of eight (8) hours per employee. Where the actual remuneration is less than \$12.00 per shift of eight (8) hours per employee, a wage of not less than \$12.00 per shift of eight (8) hours per employee must be used.~~

~~Notwithstanding any other provisions contained herein, when lodging is provided by the employer, the market value of such lodging to the employee shall be included in payroll.~~

b. Standard Exceptions

~~Draftspersons engaged exclusively within the office of such work and Clerical Office Employees engaged exclusively in keeping the books and records shall be treated as Standard Exceptions, and their payroll shall be assigned to Classification 8810, *Clerical Office Employees*.~~

c. Definition of "Surface Employees" as used in Classification 1124, *Mining—underground—surface employees*

~~Only those employees of underground mines whose work is exclusively on the surface shall be assigned to Classification 1124. These employees include, but are not limited to, hoist engineers, top persons, blacksmiths, compressor persons, and employees engaged in land clearing and the construction and maintenance of all buildings, roads, ditches and flumes.~~

d. Shops

~~Machine shop, blacksmith shop, sawmill or mine car repair shop shall be assigned to Classification 1122, *Mining—surface*, or Classification 1124, *Mining—underground—surface employees*, depending upon the type of mine.~~

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8. Labor Contractors

The classification of workers provided to a client under any type of employee leasing arrangement (temporary or otherwise) shall be determined as though the workers are employees of the client. The limitations and conditions of the classification(s) so assigned and all Standard Classification System rules pertaining thereto shall be applicable.

Clerical office staff retained by the labor contractor to conduct its internal officeown clerical functions shall be assigned to Classification 8810, *Clerical Office Employees*, or 8871, *Clerical Telecommuter Employees*, subject to the Standard Exceptions rule, notwithstanding that temporary or leased workers are assigned to classifications that specifically include Clerical Office Employees or Clerical Telecommuter Employees.

Examples

A labor contractor provides a shipping clerk to a client that operates a woodworking shop that produces furniture and cabinets. The woodworking shop operations are assigned to Classifications 2883, *Furniture Mfg. – wood*, and 2812, *Cabinet Mfg. – wood*. The shipping clerk works exclusively in the cabinet department (2812) preparing cabinets for shipment. The shipping clerk is assigned to Classification 2812.

A labor contractor staffs an administrative office for a client operating a hospital. The hospital operations are assigned to Classification 9043, *Hospitals – all employees – including Clerical Office Employees, Clerical Telecommuter Employees and Outside Salespersons*. Normally, an administrative office would be assigned to Classification 8810, *Clerical Office Employees*; however, the phraseology of Classification 9043 includes Clerical Office Employees. Therefore, the administrative office staff provided to the hospital is assigned to Classification 9043.

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Amend Section V, *Payroll – Remuneration*, Rule 1, *Payroll – Remuneration*, Subrule j, *Executive Officers*, Subrule k, *Partners*, Subrule l, *Individual Employers*, and Subrule m, *Members of a Limited Liability Company*, to adjust the minimum and maximum payroll limitations for executive officers, partners, individual employers, and members of a limited liability company to reflect wage inflation since the minimum and maximum payroll limitations were last amended in 2021.

PROPOSED**Section V – Payroll – Remuneration****1. Payroll – Remuneration**

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j. Executive Officers

The entire remuneration earned by each executive officer during the policy period shall be used as the payroll, subject to a minimum remuneration of ~~\$55,900~~\$57,200 per annum and a maximum remuneration of ~~\$144,300~~\$149,500 per annum for each executive officer covered under the policy. This provision also applies to executive officers of a corporation while the corporation is covered as a member of a partnership or joint venture operation and to executive officers of a limited liability company.

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k. Partners

If the policy covers one or more partners as employee(s) during the policy period, the entire remuneration earned by such partner(s) during such coverage (including the annual amount of wages, salary, emoluments or profits of each such partner) shall be included in the payroll, subject to a minimum remuneration of ~~\$55,900~~\$57,200 per annum and a maximum remuneration of ~~\$144,300~~\$149,500 per annum for each partner so included. This provision also applies to partners of a partnership while such partnership is covered as a member of another partnership or joint venture.

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I. Individual Employers

If an individual employer is covered under the policy, the entire remuneration earned by such person during the policy period (including the annual amount of wages, salary, emoluments or profits of such person) shall be included in payroll, subject to a minimum remuneration of ~~\$55,900~~57,200 per annum and a maximum remuneration of ~~\$144,300~~149,500 per annum for such person.

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m. Members of a Limited Liability Company

If the policy covers one or more members as employee(s) during the policy period, the entire remuneration earned by such member(s) during such coverage (including the annual amount of wages, salary, emoluments or profits of each such member) shall be included in the payroll, subject to a minimum remuneration of ~~\$55,900~~57,200 per annum and a maximum remuneration of ~~\$144,300~~149,500 per annum for each member so included. This provision also applies to managers of a limited liability company when the limited liability company is manager-managed.

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Examples – for subrules j, k, l and m

A person joined a partnership as a partner effective week 27 of a 52-week policy period. The person did not work as an employee prior to becoming partner. The partner drew only \$400 per week as partner and no other earnings were distributed to the partner. (\$400 x 26, or \$10,400, was drawn during the policy period.) The prorated weekly minimum payroll for partners based upon Subrule k, above, is more than \$10,400 (~~\$55,900~~57,200 ÷ 52 x 26 = ~~\$27,950~~28,600). The reportable payroll for this partner must therefore be increased by ~~\$17,550~~18,200 to equal the prorated minimum remuneration for this person's 26 weeks as partner (\$10,400 + ~~\$17,550~~18,200 = ~~\$27,950~~28,600).

An employee is promoted to an executive officer position effective week 40 during a 52-week policy period. The individual was paid an annual salary of \$150,000 for the policy period. Payroll for weeks 1 through 39 is \$112,500. The earnings for the 13-week period as executive officer are reduced to the prorated executive officer maximum remuneration based upon Subrule j above (~~\$144,300~~149,500 ÷ 52 x 13 = ~~\$36,075~~37,375). The total reportable payroll for this individual is \$112,500 + ~~\$36,075~~37,375 = ~~\$148,575~~149,875.

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Amend Section VI, *Administration of Classification System*, Rule 1, *Inspection of Employer's Premises*, to update the WCIRB's mailing address.

PROPOSED

Section II – Section VI – Administration of Classification System**1. Inspection of Employer's Premises**

- a. The WCIRB has authority to inspect the premises of any employer for classification assignment purposes.
- b. The WCIRB shall be responsible for conducting a comprehensive inspection program to ensure that insurers use the proper classifications in reporting payroll and losses.
- c. Questions concerning the WCIRB's inspection program may be directed to:

WCIRB Customer Service
~~1221 Broadway, Suite 900~~ 1901 Harrison Street, 17th Floor
 Oakland, CA 94612
 888.229.2472 (CAWCIRB)
 Fax 415.778.7272
 customerservice@wcirb.com

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Amend Section VII, *Standard Classifications*, Rule 1, *Classification Section*, subrule a, *Industry Groups*, for consistency with other industry group naming conventions and to eliminate Mining from the list of industry groups as it is no longer necessary with the elimination of Classifications 1123 and 1124, resulting in some mining operations falling outside of this industry grouping, and leaving only two mining classifications remaining.

PROPOSED

Section VII – Standard Classifications

1. Classification Section

This section contains an alphabetical listing of classifications that describe most occupations, employments, industries and businesses. The classifications are organized as follows:

a. Industry Groups

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(3) Electronics Industry

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~~(8)~~ Mining

~~(98)~~ Municipal, State or Other Public Agencies

~~(409)~~ Petroleum Industry

~~(4410)~~ Plastic Products Manufacturing

~~(4211)~~ Printing, Publishing and Duplicating

~~(4312)~~ Property Management/Operation

(4413) Recycling and Refuse Management

(4514) Sign Industry

(4615) Stores

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Amend Section VII, *Standard Classifications*, Rule 2, *Standard Classifications*, as follows:

Amend Classification 3805(1), *Aircraft Engine Mfg. or Rebuilding*, to clarify the intended application and provide direction as to how related operations should be classified.

PROPOSED

AIRCRAFT ENGINE MFG. OR REBUILDING

3805(1)

This classification applies to manufacturing or rebuilding aircraft engines when such operations are not performed in connection with aircraft manufacturing.

~~Employers that remove or install engines or otherwise work~~ The repair, rebuilding or modification of aircraft engines, when performed directly on the aircraft or in connection with the removal and reinstallation of engines, components or accessories by the same employer shall be classified as 7428(3), *Aircraft Remanufacture, Conversion, Modification and Repair Companies*.

The manufacture or repair of machined aircraft components ~~and/or~~ accessories (not aircraft engines) by employers approved by the Federal Aviation Administration, when such operations are not performed directly on the aircraft or in connection with the removal and reinstallation of engines, components or accessories by the same employer, shall be classified as 3831, *Machine Shops – aircraft components*, in accordance with the provisions of the Multiple Enterprises rule.

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Amend Classification 7410, *Aircraft Operation – agricultural – dusting, spraying or seeding – not members of the flying crew*, which is part of the Aircraft Operation Industry Group, for consistency with previously approved changes.

PROPOSED

AIRCRAFT OPERATION

AIRCRAFT OPERATION – agricultural – dusting, spraying or seeding – not members of the flying crew

7410

This classification applies to the ground operations of employers engaged in the aerial application of materials, including but not limited to pesticides, insecticides, fungicides, fertilizers,

herbicides and seeds onto farmlands. This classification also includes the ground operations of employers engaged in the aerial application of insecticides for mosquito control purposes. Ground operations include but are not limited to mixing and loading materials onto the aircraft, directing pilots during application of materials and aircraft fueling, service and repair.

This classification also applies to the operating crew of Unmanned Aircraft Systems (aerial drones) with an aircraft system and payload total combined weight of 55 pounds or heavier used for agricultural operations, including but not limited to dusting, spraying and seeding, in accordance with the General Exclusions rule. See Section III, Rule 6, *General Exclusions*.

The operating crew of Unmanned Aircraft Systems (aerial drones) with a total combined weight of 55 pounds or heavier used for other than agricultural operations shall be separately classified as 7428(1), *Aircraft Operation – other than agricultural or scheduled air carriers – not members of the flying crew*, in accordance with the General Exclusions rule. See Section III, Rule 6, *General Exclusions*.

The operating crew of Unmanned Aircraft Systems (aerial drones) with a total combined weight of less than 55 pounds shall be classified in accordance with Section III, Rule 5, *General Inclusions*.

The shop repair of Unmanned Aircraft Systems (aerial drones) with a total combined weight of 55 pounds or heavier by the manufacturer shall be classified as 3830(2), *Unmanned Aircraft System Mfg.*

The repair of Unmanned Aircraft Systems (aerial drones) with a total combined weight of 55 pounds or heavier on a fee basis, or repair work performed by the manufacturer away from shop shall be classified as 7428(3), *Aircraft Remanufacture, Conversion, Modification and Repair Companies*.

Unmanned Aircraft Systems (aerial drones) operating crew members working remotely from an home or office location with no exposure outside of the clerical office shall be classified as 8810, *Clerical Office Employees*, or 8871, *Clerical Telecommuter Employees*, subject to the Standard Exceptions rule. See Section III, Rule 4, *Standard Exceptions*.

Also refer to companion Classification 7409, *Aircraft Operation – agricultural – dusting, spraying or seeding – members of flying crew*.

* * * * *

Amend Classification 7428(1), *Aircraft Operation – other than agricultural or scheduled air carriers – not members of the flying crew*, which is part of the Aircraft Operation Industry Group, for consistency with previously approved changes.

PROPOSED

AIRCRAFT OPERATION

AIRCRAFT OPERATION – other than agricultural or scheduled air carriers – not members of the flying crew – including gate and ticket counter personnel at airports – N.O.C. 7428(1)

This classification applies to the ground operations of employers engaged in aircraft operations not more specifically described by another *Aircraft Operation* Industry Group classification, including but not limited to charter passenger or cargo air transport; air ambulance services; air freight services (nonscheduled); aerial firefighting; aerial exhibitions; aerial patrol; aerial

advertising, skywriting, sightseeing or survey work; aerial log lifting and transport; and aerial news reporting. Ground operations include but are not limited to loading or unloading baggage or freight; assisting passengers with boarding or disembarking the aircraft; assisting passengers with ticket information or checking baggage; and aircraft fueling, service or repair.

This classification also applies to the operating crew of Unmanned Aircraft Systems (aerial drones) with an aircraft system and payload total combined weight of 55 pounds or heavier used for other than agricultural operations, in accordance with the General Exclusions rule. See Section III, Rule 6, *General Exclusions*.

The operating crew of Unmanned Aircraft Systems (aerial drones) with a total combined weight of 55 pounds or heavier used for agricultural operations, including but not limited to dusting, spraying or seeding, shall be separately classified as 7410, *Aircraft Operation – agricultural – dusting, spraying or seeding – not members of the flying crew*, in accordance with the General Exclusions rule. See Section III, Rule 6, *General Exclusions*.

The operating crew of Unmanned Aircraft Systems (aerial drones) with a total combined weight of less than 55 pounds shall be classified in accordance with Section III, Rule 5, *General Inclusions*.

The shop repair of Unmanned Aircraft Systems (aerial drones) with a total combined weight of 55 pounds or heavier by the manufacturer shall be classified as 3830(2), *Unmanned Aircraft System Mfg.*

The repair of Unmanned Aircraft Systems (aerial drones) with a total combined weight of 55 pounds or heavier on a fee basis, or repair work performed by the manufacturer away from shop shall be classified as 7428(3), *Aircraft Remanufacture, Conversion, Modification and Repair Companies*.

Unmanned Aircraft Systems (aerial drones) operating crew members working remotely from an home or office location with no exposure outside of the clerical office shall be classified as 8810, *Clerical Office Employees*, or 8871, *Clerical Telecommuter Employees*, subject to the Standard Exceptions rule. See Section III, Rule 4, *Standard Exceptions*.

Instructors who are not members of the flying crew shall be separately classified as 8868, *Colleges or Schools – private – not automobile schools – professors, teachers or academic professional employees*, and ground photographic laboratory employees shall be separately classified as 4361(1), *Photographers*.

Also refer to companion Classification 7424(1), *Aircraft Operation – other than agricultural or scheduled air carriers – members of the flying crew*.

* * * * *

Amend Classification 3830(1), *Aircraft or Spacecraft Mfg.*, to provide direction as to how related operations should be classified.

PROPOSED

AIRCRAFT OR SPACECRAFT MFG. – including foundry operations

3830(1)

This classification applies to the manufacture of aircraft, including but not limited to fixed wing airplanes and helicopters. This classification also applies to the manufacture of aerospace

products, including but not limited to missiles, rockets and other spacecraft. This classification also applies to the manufacture of light sport aircraft ~~and~~or hang gliders.

This classification includes foundry operations performed in connection with the aircraft or spacecraft manufacturing operations.

All members of the flying crew for aircraft operations, including but not limited to test flight operations performed by the manufacturer shall be classified in accordance with Section III, Rule 6, *General Exclusions*.

The manufacture of Unmanned Aircraft Systems (aerial drones) with a total combined weight of 55 pounds or heavier shall be classified as 3830(2), *Unmanned Aircraft System Mfg.*

The manufacture of Unmanned Aircraft Systems (aerial drones) with a total combined weight of less than 55 pounds shall be classified as 3681(1), *Instrument Mfg. – electronic*.

The manufacture of communication satellites shall be classified as 3681(3), *Telecommunications Equipment Mfg.*

Aircraft engine manufacturing or rebuilding not in connection with aircraft manufacturing by the same employer shall be classified as 3805(1), *Aircraft Engine Mfg. or Rebuilding*.

~~The~~Employers that are approved by the Federal Aviation Administration and manufacture or repair of machined aircraft components ~~performed by employers that are approved by the Federal Aviation Administration, when such operations are not performed directly on the aircraft or in connection with components that are removed from and later reinstalled on the aircraft, or accessories (not aircraft engines) shall be classified as 3831, Machine Shops – aircraft components, provided the employer does not perform such operations directly on the aircraft or remove and reinstall the components or accessories.~~

The repair, ~~and~~ rebuilding or modification of aircraft components ~~and parts or accessories, including aircraft engines, when such operations are performed directly on the aircraft or in connection with the removal and reinstallation of components that are removed from and later reinstalled on the aircraft or accessories by the same employer,~~ shall be classified as 7428(3), *Aircraft Remanufacture, Conversion, Modification and Repair Companies*.

Aircraft operation, demonstration or flight testing shall be separately classified.

* * * * *

Amend Classification 7428(3), *Aircraft Remanufacture, Conversion, Modification and Repair Companies*, to clarify the intended application and provide direction as to how related operations should be classified.

PROPOSED

AIRCRAFT REMANUFACTURE, CONVERSION, MODIFICATION AND REPAIR COMPANIES – 7428(3) not engaged in the original manufacturing of aircraft

This classification applies to the repair, ~~and~~ rebuilding or modification of aircraft. This classification includes the manufacture or repair of machined aircraft components and parts, accessories or engines when such operations are performed directly on the aircraft or in connection with the removal and reinstallation of engines, components that are removed from and later reinstalled on the aircraft or accessories by the same employer. This classification also includes but is not limited to aircraft cleaning, ~~and~~ detailing and aircraft fueling on a fee basis.

Employers that are approved by the Federal Aviation Administration and ~~engage in the manu-~~
~~facture or repair of machined aircraft components and/or accessories (not aircraft engines)~~ shall
 be classified as 3831, *Machine Shops – aircraft components*, provided the employer does not
~~remove or install parts or otherwise work directly on the aircraft~~ perform such operations directly
 on the aircraft or remove and reinstall the components or accessories.

Aircraft engine manufacturing or rebuilding not in connection with aircraft manufacturing by the
 same employer shall be classified as 3805(1), *Aircraft Engine Mfg. or Rebuilding*.

The shop repair of Unmanned Aircraft Systems (aerial drones) with a total combined weight of
 55 pounds or heavier by the manufacturer shall be classified as 3830(2), *Unmanned Aircraft
 System Mfg.*

Also refer to companion Classification 7424(1), *Aircraft Operation – other than agricultural or
 scheduled air carriers – members of the flying crew*.

* * * * *

Amend Classification 9016(1), *Amusement or Recreational Facilities – N.O.C. – all employees other than
 those engaged in the operation or maintenance of amusement devices, restaurants or retail stores*, for
 consistency with other proposed changes.

PROPOSED

AMUSEMENT OR RECREATIONAL FACILITIES – N.O.C. – all employees other than those en- 9016(1) gaged in the operation or maintenance of amusement devices, restaurants or retail stores

This classification applies to the operation of amusement or recreational facilities, including but
 not limited to amusement parks, water parks, miniature golf courses, batting cages, bumper car
 facilities, archery ranges, water excursions/tours, laser tag, airsoft or paintball facilities, Nordic
 (cross-country) ski facilities and zoos, including veterinarians employed by zoos.

This classification also applies to the operation of golf driving ranges that are not operated by
 golf courses or country clubs.

This classification also applies to automobile or horse race-track operations by employers that
 are not public agencies.

This classification also applies to the operation of athletic or sports venues, including ballparks
 and stadiums, during non-sporting activities, including but not limited to concerts and exhibitions.

Boat marinas or boat rental facilities shall be classified as 9016(4), *Boat Marina and Boat Rental
 Operation*.

Golf courses or country clubs shall be classified as 9060, *Clubs – country or golf*.

Traveling carnivals or circuses shall be classified as 9185, *Carnivals or Circuses*.

The operation of events, including but not limited to farmers' markets, flea markets, street fairs,
 swap meets, art or antique festivals, trade shows (public or private), fun runs, foot races, cycling
 events, marathons, triathlons and athletic charity events shall be classified as 9095, *Event Mar-
 ket, Festival or Trade Show Operation*.

The operation of race-tracks by public agencies shall be classified as 9410/9420, *Municipal, State or Other Public Agency Employees*.

Bowling centers shall be classified as 9092(1), *Bowling Centers*.

Billiard halls shall be classified as 9092(2), *Billiard Halls*.

Skating rinks or skate parks shall be classified as 9092(3), *Skating Centers*.

Also refer to companion Classification 9180(1), *Amusement or Recreational Facilities – N.O.C. – operation or maintenance of amusement devices*.

If an employee who performs duties described by Classification 9016(1) also performs duties described by Classification 9180(1), the payroll of that employee may be divided between Classifications 9016(1) and 9180(1), provided the employer maintains accurate records supported by time cards or time book entries that show such division. See Section V, Rule 3, *Division of Single Employee's Payroll*.

Restaurants, retail stores or hotels shall be separately classified.

* * * * *

Amend Classification 9180(1), *Amusement or Recreational Facilities – N.O.C. – operation or maintenance of amusement devices – including ticket collectors connected therewith*, for clarity and consistency with other proposed changes.

PROPOSED

AMUSEMENT OR RECREATIONAL FACILITIES – N.O.C. – operation or maintenance of amusement devices – including ticket collectors ~~connected therewith~~ 9180(1)

This classification applies to the operation or maintenance of amusement devices at recreational facilities, including but not limited to amusement parks, zoos, water parks, miniature golf courses, batting cages, bumper car facilities, archery ranges, water excursions/tours and laser tag, airsoft or paintball facilities.

This classification also applies to guided tours for water-based activities or water-based athletic or fitness instructional programs at locations other than swimming pools, including but not limited to surfing, scuba, kayaking, paddle boarding or kite surfing on lakes, bays, rivers or oceans.

This classification also applies to guided wilderness expeditions; motorsports operations; or ski instructors, ski patrol personnel or employees engaged in ski trail grooming at ski resort locations that exclusively provide Nordic (cross-country) skiing activities. This classification also applies to the detonation of fireworks for pyrotechnic displays.

Traveling carnivals ~~or circuses~~ shall be classified as 9185, *Carnivals or Circuses*.

Employers that operate boat marinas and boat rental facilities shall be classified as 9016(4), *Boat Marina and Boat Rental Operation*.

Bowling centers shall be classified as 9092(1), *Bowling Centers*.

Billiard halls shall be classified as 9092(2), *Billiard Halls*.

Skating rinks or skate parks shall be classified as 9092(3), *Skating Centers*.

The operation of Alpine (downhill) ski resorts, including the operation of Nordic (cross-country) ski trails at Alpine ski resort locations, shall be classified as 9184, *Ski Resorts – Alpine*.

Also refer to companion Classification 9016(1), *Amusement or Recreational Facilities – N.O.C. – all employees other than those engaged in the operation or maintenance of amusement devices, restaurants or retail stores*.

If an employee who performs duties described by Classification 9180(1) also performs duties described by Classification 9016(1), the payroll of that employee may be divided between Classifications 9016(1) and 9180(1), provided the employer maintains accurate records supported by time cards or time book entries that show such division. See Section V, Rule 3, *Division of Single Employee's Payroll*.

Restaurants, retail stores or hotels shall be separately classified.

* * * * *

Amend Classification 9181, *Athletic Teams or Athletic Facilities – players, umpires, referees and game officials*, to increase the annual payroll limitation for players from \$144,300 to \$149,500 per player per season to reflect wage inflation since the payroll limitation was last amended in 2021.

PROPOSED

ATHLETIC TEAMS OR ATHLETIC FACILITIES – players, umpires, referees and game officials 9181

The entire remuneration of each player shall be included, subject to a maximum of ~~\$144,300~~\$149,500 per season. When a player works for two or more teams in the same sport during the season, the ~~\$144,300~~\$149,500 per player maximum shall be prorated.

This classification applies to the players, playing managers, and umpires, referees and game officials who monitor play, of professional and amateur athletic teams, including all players on the salary list of the insured whether regularly played or not. This classification also applies to umpires, referees and game officials in connection with youth or recreational athletic teams or facilities.

Season shall include preseason and postseason exposure.

Also refer to companion Classification 9182, *Athletic Teams or Athletic Facilities – all employees other than players, umpires, referees and game officials*.

If an employee who performs duties described by Classification 9181 also performs duties described by Classification 9182, the payroll of that employee may be divided between Classifications 9181 and 9182, provided the employer maintains accurate records supported by time cards or time book entries that show such division. See Section V, Rule 3, *Division of Single Employee's Payroll*.

* * * * *

Amend Classification 7607(2), *Audio Post-Production*, to increase the annual payroll limitation from \$144,300 to \$149,500 per person to reflect wage inflation since the payroll limitation was last amended in 2021.

PROPOSED

AUDIO POST-PRODUCTION – computer or electronic – all employees – including Clerical Office Employees, Clerical Telecommuter Employees and Outside Salespersons 7607(2)

The entire remuneration of each employee shall be included, subject to a maximum of ~~\$144,300~~ **\$149,500** per year. When the policy is in force for less than a 12-month period, the maximum payroll amount shall be prorated based upon the number of weeks in the policy period.

This classification applies to employers engaged exclusively in computer or electronic audio post-production operations for other concerns in connection with audio or music recording or mixing, or scoring of motion pictures, television features, commercials or similar productions, including dubbing type work and incidental studio recording, on a contract basis.

This classification does not apply to computer or electronic audio post-production operations performed in connection with audio duplication on a contract basis. This classification also does not apply to computer or electronic audio post-production operations performed by the same employer in connection with audio or music recording or mixing, or scoring of motion pictures, television features, commercials or similar productions.

Video post-production operations performed in connection with motion pictures, television features, commercials or similar productions for other concerns on a contract basis shall be classified as 7607(1), *Video Post-Production*.

Audio or music recording studios shall be classified as 7610, *Radio, Television or Commercial Broadcasting Stations*.

* * * * *

Amend the cross-reference for Classification 3681(4), *Audio/Video Electronic Products Mfg.*, which is part of the Electronics Industry Group, to rename the Electronics Industry Group for consistency with other proposed changes.

PROPOSED

AUDIO/VIDEO ELECTRONIC PRODUCTS MFG. – all other employees

See Electronics ~~Industry~~.

* * * * *

Establish a new cross-reference for Classification 8874(4), *Audio/Video Electronic Products Mfg. – hardware or software design or development*, which is part of the Electronics Industry Group, for consistency with other proposed changes.

PROPOSED

AUDIO/VIDEO ELECTRONIC PRODUCTS MFG. – hardware or software design or development

See Electronics.

* * * * *

Amend Classification 8803, *Auditing, Accounting or Management Consulting Services*, to increase the annual payroll limitation from \$144,300 to \$149,500 per person to reflect wage inflation since the payroll limitation was last amended in 2021.

PROPOSED

AUDITING, ACCOUNTING OR MANAGEMENT CONSULTING SERVICES – all employees – including Clerical Office Employees and Clerical Telecommuter Employees **8803**

The entire remuneration of each employee shall be included, subject to a maximum of ~~\$144,300~~\$149,500 per year. When the policy is in force for less than a 12-month period, the maximum payroll amount shall be prorated based upon the number of weeks in the policy period.

This classification applies to the provision of accounting or auditing services to other concerns on a fee basis, including but not limited to traveling to customers' locations, reviewing records, inventorying assets, preparing tax documents, providing accounting advice and ensuring regulatory compliance of financial records. This classification also applies to consulting firms that provide managerial advice to other concerns on a fee basis.

Consulting firms providing services limited to computer programming or software development to other concerns on a fee basis shall be classified as 8859(1), *Computer Programming or Software Development*.

Law firms that provide legal services on a fee basis shall be classified as 8820, *Law Firms*.

This classification does not apply to accounting, auditing or management consulting operations performed by the same employer in connection with its other separately classified operations.

* * * * *

Amend Classifications 5185/5186, *Automatic Sprinkler Installation*, to increase the hourly wage threshold from \$29.00 to \$32.00 per hour to reflect wage inflation since the threshold was last amended in 2020.

PROPOSED

AUTOMATIC SPRINKLER INSTALLATION – within buildings – including shop, yard or storage operations – employees whose regular hourly wage does not equal or exceed ~~\$29~~32.00 per hour **5185**

This classification applies to the installation, service and repair of automatic fire suppression sprinkler systems that disperse water or fire suppressant powder, gas or liquid chemicals within commercial and residential buildings.

The inspection and certification of automatic sprinkler systems on a job basis shall be classified as 8720(1), *Inspection for Insurance, Safety or Valuation Purposes*, provided the employer performs no service or repair work at the same job or location. If the employer performs sprinkler system inspection and certification and also performs service or repair work at the same job or location, all operations shall be assigned to Classifications 5185/5186.

The sale and service of portable fire extinguishers shall be classified as 8018, *Stores – wholesale*.

AUTOMATIC SPRINKLER INSTALLATION – within buildings – including shop, yard or storage operations – employees whose regular hourly wage equals or exceeds ~~\$29~~32.00 per hour **5186**

Assignment of this classification is subject to verification at the time of final audit that the employee's regular hourly wage equals or exceeds ~~\$29~~32.00 per hour. The payroll of an employee whose regular hourly wage is not shown to equal or exceed ~~\$29~~32.00 per hour shall be classified as 5185, *Automatic Sprinkler Installation*.

This classification applies to the installation, service and repair of automatic fire suppression sprinkler systems that disperse water or fire suppressant powder, gas or liquid chemicals within commercial and residential buildings.

The inspection and certification of automatic sprinkler systems on a job basis shall be classified as 8720(1), *Inspection for Insurance, Safety or Valuation Purposes*, provided the employer performs no service or repair work at the same job or location. If the employer performs sprinkler system inspection and certification and also performs service or repair work at the same job or location, all operations shall be assigned to Classifications 5185/5186.

The sale and service of portable fire extinguishers shall be classified as 8018, *Stores – wholesale*.

* * * * *

Amend Classification 3828, *Automobile or Truck Parts Rebuilding*, which is part of the Automotive Industry Group, to provide direction as to how related operations should be classified.

PROPOSED

AUTOMOTIVE INDUSTRY

AUTOMOBILE OR TRUCK PARTS REBUILDING – including incidental machining 3828

This classification applies to employers engaged in the machining and rebuilding of automobile, truck or motorcycle parts. The operations include but are not limited to engine rebuilding, cylinder reboring, valve grinding, turning down brake drums or rotors, rebabbiting, carburetor ~~and/or~~ alternator rebuilding, and fuel ~~and/or~~ water pump rebuilding. This classification does not apply to employers that remove or install parts or otherwise perform repair work directly upon automobiles, trucks or motorcycles on a fee basis. Automobile or truck service or repair facilities shall be assigned to the applicable *Automotive* Industry Group classification.

This classification does not apply to automobile or truck parts machining and rebuilding operations that are performed in connection with the service or repair of automobiles or trucks by the employer; such operations shall be assigned to the applicable *Automotive* Industry Group classification.

Motorcycle service or repair facilities shall be classified as 8400, *Motorcycle Dealers or Repair Facilities*.

Payroll of a parts department, when more than 50% of the parts are sold commercially and are not machined or rebuilt by the employer nor used in the employer's machining or rebuilding operations, shall be separately classified as 8046, *Stores – automobile or truck parts or accessories*.

The manufacture of automobile parts shall be classified as 3840, *Automobile, Truck or Motorcycle Parts Mfg.*

* * * * *

Amend Classification 8388, *Rubber Tire Dealers*, which is part of the Automotive Industry Group, to clarify the intended application and provide direction as to how related operations should be classified.

PROPOSED

AUTOMOTIVE INDUSTRY

RUBBER TIRE DEALERS—~~wholesale or retail, or combined wholesale and retail – including inside salespersons, estimators, service writers, customer service representatives and, cashiers; repairing and adjusting tires away from the premises; and accessories and spare parts departments~~ 8388

This classification applies to dealers that sell rubber tires to commercial customers or the general public. This classification also applies to automobile, truck or bus service or repair facilities at which the sale of rubber tires exceeds 10% of the total gross receipts. Automobile, truck or bus service or repair facilities at which the sale of rubber tires does not exceed 10% of the total gross receipts shall be assigned to the applicable *Automotive* Industry Group classification.

Recapping or retreading of used tires shall be separately classified as 4420, *Rubber Tire Recapping or Retreading*.

* * * * *

Amend Classification 8808, *Banks*, to limit an employee's annual payroll to \$149,500.

PROPOSED

BANKS – all employees – including appraisers, bank guards and attendants, field auditors, office machine repair, Clerical Office Employees, Clerical Telecommuter Employees and Outside Salespersons **8808**

The entire remuneration of each employee shall be included, subject to a maximum of ~~\$XXX,XXX~~ \$149,500 per year. When the policy is in force for less than a 12-month period, the maximum payroll amount shall be prorated based upon the number of weeks in the policy period.

This classification applies to the operation of depository financial institutions that are licensed to perform financial services, including but not limited to accepting deposits, paying interest, clearing checks, making loans and exchanging currency. This classification also applies to depository financial institutions that operate entirely online or through electronic transactions.

The operation of properties away from the bank premises, including but not limited to trusts, repossessed properties and other business properties shall be separately classified.

Mortgage brokers shall be classified as 8743, *Mortgage Brokers*.

Mortgage bankers shall be classified as 8749, *Mortgage Bankers*.

Credit unions shall be classified as 8801, *Credit Unions*.

Check cashing locations at which the fees charged for check cashing, deferred deposit transactions, money orders and wire transfers equal or exceed 75% of gross receipts shall be classified as 8850, *Check Cashers*.

* * * * *

Amend Classification 4512, *Biomedical Research Laboratories*, to include Clerical Office Employees and Clerical Telecommuter Employees.

PROPOSED

BIOMEDICAL RESEARCH LABORATORIES – all employees – including ~~outside operations~~ Clerical Office Employees and Clerical Telecommuter Employees **4512**

This classification applies to biomedical research, including outside operations, in fields such as medicine, pharmacology, pathology, toxicology and microbiology. The research may be

performed on a contract basis or in connection with the proprietary development of new products, medications or procedures to treat or cure diseases or conditions that cause illness.

This classification does not apply when the biomedical research is in connection with, or in support of, the commercial production of products or medications by the employer. Biomedical research in connection with other operations of the same employer is a General Inclusion. See Section III, Rule 5, *General Inclusions*.

The manufacturing, blending or packaging of drugs, medicines or pharmaceutical preparations that are intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease shall be classified as 4611, *Drug, Medicine or Pharmaceutical Preparations Mfg.*

The manufacture of serums, antitoxins, viruses or medical diagnostic test kits shall be classified as 5951, *Serum, Antitoxin or Virus Mfg.*

The diagnostic testing of human tissues, blood or other biologic specimens on a fee basis shall be classified as 8834, *Physicians' Practices and Outpatient Clinics*.

* * * * *

Amend Classification 8232(2), *Building Material Dealers*, to (1) include the sale of stone materials, stone slabs or fabricated stone products, and the sale of countertops, (2) provide direction to separately classify employees engaged in cashiering operations or selling, stocking, handling or delivering store merchandise when the sale of store merchandise at a single location exceeds 25% of gross receipts, (3) provide direction as to how related operations should be classified and (4) for clarity.

PROPOSED

BUILDING MATERIAL DEALERS – commercial – including counterpersons

8232(2)

This classification applies to the sale of building materials, including but not limited to sand, gravel, cement, drilling mud, brick, fencing wire, wallboard, doors, roofing ~~paper~~ materials, paneling, ~~decorative stone and foundation piers, stone slabs and fabricated stone products.~~ This classification also applies to the sale of countertops, including but not limited to granite, marble, limestone or other natural stone, quartz, engineered stone, laminate or solid surface countertops. This classification includes handling, stocking or delivery of building materials.

This classification also applies to the sale of used building materials, including incidental cleaning, trimming or cutting operations to prepare items for sale.

~~The operation of a store for~~ When, at a single location, the sale of store merchandise, including but not limited to tile, cabinets or hardware, electrical or plumbing supplies exceeds 25% of gross receipts, employees engaged in selling, stocking, handling or delivery of store merchandise shall be separately classified as 8010, Stores—hardware, electrical or plumbing supplies to the applicable Stores Industry Group classification; refer to Section IV, Special Industry Classification Procedures, Rule 6, Stores. Cashiers who ~~work in support of hardware, electrical or plumbing supplies~~ process store merchandise sales in addition to building material sales shall also be classified as 8010 assigned to the applicable Stores Industry Group classification.

The cutting or fabrication of stone materials, stone slabs or fabricated stone products shall be separately classified as 1803, Stone Cutting or Fabrication.

* * * * *

Amend Classification 9185, *Carnivals or Circuses*, to reassign circus operations to Classifications 9154, *Theaters – not motion picture*, and 9156, *Theaters – dance, opera or theater companies*.

PROPOSED

~~CARNIVALS OR CIRCUSES~~ – all employees – including Clerical Office Employees, Clerical Telecommuter Employees and Outside Salespersons **9185**

This classification applies to all operations of traveling carnivals that provide entertainment and amusement rides, including but not limited to transporting, setting up and taking down amusement sites and equipment, assisting patrons on and off rides, operating game booths and arcades, providing entertainment, selling and taking tickets, providing security, selling food and souvenirs, cleaning and maintaining equipment and premises, and operating and controlling amusement rides. ~~This classification also applies to all operations of circuses, including performers, entertainers and the care, feeding and training of circus animals.~~

Rental and operation of game booths at locations where no mechanical amusement rides are operated shall be classified as 8017(1), *Stores – retail*.

Amusement parks at fixed locations shall be classified as 9016(1)/9180(1), *Amusement or Recreational Facilities – N.O.C.*

The production of live dance, opera, dramatic, comedic, circus or other theatrical presentations before a live audience shall be assigned to companion Classifications 9156, *Theaters – dance, opera and theater companies*, or 9154, *Theaters – not motion picture – all employees other than performers and directors of performers*.

The operation of events, including but not limited to farmers' markets, flea markets, street fairs, swap meets, art or antique festivals, trade shows (public or private), fun runs, foot races, cycling events, marathons, triathlons and athletic charity events, shall be classified as 9095, *Event Market, Festival or Trade Show Operation*.

* * * * *

Amend Classifications 5403/5432, *Carpentry*, to increase the hourly wage threshold from \$35.00 to \$39.00 per hour to reflect wage inflation since the threshold was last amended in 2020.

PROPOSED

CARPENTRY – including the installation of interior trim, doors and cabinet work in connection therewith – employees whose regular hourly wage does not equal or exceed \$3539.00 per hour – N.O.C. **5403**

This classification applies to rough carpentry, or a combination of rough and finish carpentry operations in connection with the new construction or remodeling of residential or commercial buildings.

This classification also applies to the installation of shingle roofing or the installation or application of insulation materials in buildings or within building walls, but only if installed by the same employer that performs the carpentry work in constructing new buildings or additions to existing buildings at the same job or location. All other roofing shall be separately classified.

The making, erecting or stripping of forms in connection with concrete work shall be assigned to the appropriate concrete classification.

The installation of cabinets, fixtures or interior trim shall be classified as 5146(1), *Cabinet, Fixture or Trim Installation*, only if the employer performs no rough carpentry operations at the same job or location.

The installation of prefabricated doors, door frames or pre-glazed windows shall be classified as 5107, *Door, Door Frame or Pre-Glazed Window Installation*, only if the employer performs no rough carpentry operations at the same job or location.

The structural framing of residential or commercial structures using light gauge, cold formed steel studs and joists shall be classified as 5632/5633, *Steel Framing*.

CARPENTRY – including the installation of interior trim, doors and cabinet work in connection therewith – employees whose regular hourly wage equals or exceeds ~~\$35~~39.00 per hour – N.O.C. **5432**

Assignment of this classification is subject to verification at the time of final audit that the employee's regular hourly wage equals or exceeds ~~\$35~~39.00 per hour. The payroll of an employee whose regular hourly wage is not shown to equal or exceed ~~\$35~~39.00 per hour shall be classified as 5403, *Carpentry*.

This classification applies to rough carpentry, or a combination of rough and finish carpentry operations in connection with the new construction or remodeling of residential or commercial buildings.

This classification also applies to the installation of shingle roofing or the installation or application of insulation materials in buildings or within building walls, but only if installed by the same employer that performs the carpentry work in constructing new buildings or additions to existing buildings at the same job or location. All other roofing shall be separately classified.

The making, erecting or stripping of forms in connection with concrete work shall be assigned to the appropriate concrete classification.

The installation of cabinets, fixtures or interior trim shall be classified as 5146(1), *Cabinet, Fixture or Trim Installation*, only if the employer performs no rough carpentry operations at the same job or location.

The installation of prefabricated doors, door frames or pre-glazed windows shall be classified as 5107, *Door, Door Frame or Pre-Glazed Window Installation*, only if the employer performs no rough carpentry operations at the same job or location.

The structural framing of residential or commercial structures using light gauge, cold formed steel studs and joists shall be classified as 5632/5633, *Steel Framing*.

* * * * *

Amend Classification 8850, *Check Cashers*, for consistency with previously approved changes.

PROPOSED

CHECK CASHERS – all employees – including tellers, guards, Clerical Office Employees, Clerical Telecommuter Employees and Outside Salespersons 8850

This classification applies to each separate check cashing or money transfer location at which the fees charged for check cashing, deferred deposit transactions, payday loans, remittances, money orders or wire transfers equal or exceed 75% of gross receipts. ~~This classification includes Clerical Office Employees and Outside Salespersons at the same location or at separate locations.~~

Check cashing operations performed by retail stores where fees charged for check cashing, deferred deposit transactions, payday loans, remittances, money orders or wire transfers do not equal or exceed 75% of gross receipts shall be assigned to the applicable retail Stores Industry Group classification.

Banks shall be classified as 8808, *Banks*.

Credit unions shall be classified as 8801, *Credit Unions*.

* * * * *

Amend Classification 8840, *Churches, Temples, Mosques and Synagogues – clergy, professional assistants, organists or members of choir*, to clarify the intended application, provide direction as to how related operations should be classified and for consistency with previously approved changes.

PROPOSED

CHURCHES, TEMPLES, MOSQUES AND SYNAGOGUES – clergy, professional assistants, organists or members of choir – including Clerical Office Employees and Clerical Telecommuter Employees 8840

When lodging is provided by the employer, the total remuneration shall include the market value of such lodging to the employee.

Employees assigned to this classification provide spiritual leadership, teaching, counseling, guidance ~~and/or~~ support for their congregations. Employees include but are not limited to clergy, organists, choir directors ~~and/or~~ members, audio/video technicians, youth directors, Sunday school teachers, religious studies instructors ~~for religious studies~~, pastoral counselors, and clerical office ~~employees~~ or clerical telecommuter staff.

This classification also applies to nursery attendants, childcare employees ~~and/or~~ baby-sitters provided their duties are restricted to providing care for children or infants during religious services.

Overnight camps operated by the employer shall be separately classified as 9048(1), *Camps*. The operation of child day care centers where ~~by~~ services are provided to the public for a fee shall be separately classified as 9059, *Day Care Centers*.

The operation of retail stores for the display and sale of merchandise to congregation members or the general public shall be separately classified.

The operation of shops for the preparation and sale of coffee, tea or other nonalcoholic beverages to congregation members or the general public shall be separately classified as 8078(2), *Beverage Preparation Shops*.

The operation of academic schools for educating children in subjects, including but not limited to reading, language arts, mathematics, science, arts, history and geography shall be separately classified in accordance with the provisions of the Multiple Enterprises rule.

Also refer to companion Classification 9015(4), *Churches, Temples, Mosques and Synagogues – all employees other than clergy, professional assistants, organists, members of choir, Clerical Office Employees or Clerical Telecommuter Employees*.

If an employee who performs duties described by Classification 8840 also performs duties described by Classification 9015(4), the payroll of that employee may be divided between Classifications 8840 and 9015(4), provided the employer maintains accurate records supported by time cards or time book entries that show such division. Refer to Part 3, Section V, Rule 3.

* * * * *

Amend the cross-reference for Classification 9011(2), *Commercial and Residential Mixed-Use Building Operation – not Homeowners Associations – all other employees*, for consistency with other proposed changes.

PROPOSED

COMMERCIAL AND RESIDENTIAL MIXED-USE BUILDING OPERATION – not Homeowners Associations – all other employees – including resident employees and, resident Clerical Office Employees and resident Clerical Telecommuter Employees

See Property Management/Operation.

* * * * *

Amend Classifications 5195, *Communications Cabling*, to clarify the intended application and provide direction as to how related operations should be classified.

PROPOSED

COMMUNICATIONS CABLING – within buildings – including shop, yard or storage operations 5195

This classification applies to the installation or repair of low voltage cable for voice or data transmission or the splicing of fiber optic cable or low voltage wire within buildings, utility vaults or boxes. This classification also applies to splicing fiber optic cables at ground level for other concerns on a fee basis.

Classification 5195 does not apply when the low voltage cable is installed or repaired in connection with the installation or repair of equipment or systems, including but not limited to instruments, controls, telecommunication antennas, computers or telephone systems, cable or satellite television systems, building automation or energy management control systems and sound or alarm systems by the same employer. In such cases, all operations shall be assigned to the appropriate installation classification.

The installation or repair of computer or telephone systems or equipment shall be classified as 5193, *Computer or Telephone System or Equipment Installation, Service or Repair*.

The installation or repair of television, video, audio or radio equipment shall be classified as 9516, *Television, Video, Audio or Radio Equipment Installation, Service or Repair*.

The installation or repair of security alarm, fire alarm or life safety systems shall be classified as 7605, *Security Alarm, Fire Alarm or Life Safety Systems Installation, Service or Repair*.

The installation or repair of programmable industrial controls shall be classified as 5130(1), *Programmable Industrial Controls Installation, Service or Repair*.

The installation or repair of building automation or energy management control systems shall be classified as 5130(2), *Building Automation or Energy Management Control Systems Installation, Service or Repair*.

The installation or repair of telecommunication antennas or antenna equipment that are located on rooftops, towers, structures or other exterior locations shall be classified as 9531(1), *Telecommunication Antenna Equipment Installation, Service or Repair*.

The installation or repair of satellite or non-satellite antennas or antenna equipment for television or internet connectivity shall be classified as 9531(2), *Satellite Television or Internet Antenna Equipment Installation, Service or Repair*.

The installation or repair of underground cabling shall be classified as 6325, *Conduit Construction or Underground Wiring*.

The installation or repair of aerial cabling shall be classified as 7601, *Aerial Line Construction*.

* * * * *

Amend the cross-reference for Classification 3070, *Computer Memory Disk Mfg.*, which is part of the Electronics Industry Group, to rename the Electronics Industry Group for consistency with other proposed changes.

PROPOSED

COMPUTER MEMORY DISK MFG. – rigid

See Electronics Industry.

* * * * *

Amend the cross-reference for Classification 3681(2), *Computer or Computer Peripheral Equipment Mfg.*, which is part of the Electronics Industry Group, to rename the Electronics Industry Group for consistency with other proposed changes.

PROPOSED

COMPUTER OR COMPUTER PERIPHERAL EQUIPMENT MFG. – all other employees

See Electronics Industry.

* * * * *

Establish a new cross-reference for Classification 8874(2), *Computer or Computer Peripheral Equipment Mfg. – hardware or software design or development*, which is part of the Electronics Industry Group, for consistency with other proposed changes.

PROPOSED

COMPUTER OR COMPUTER PERIPHERAL EQUIPMENT MFG. – hardware or software design or development

See Electronics.

* * * * *

Amend Classifications 8859(1), *Computer Programming or Software Development*, to increase the annual payroll limitation from \$144,300 to \$149,500 per person to reflect wage inflation since the payroll limitation was last amended in 2021.

PROPOSED

COMPUTER PROGRAMMING OR SOFTWARE DEVELOPMENT – all employees – including Clerical Office Employees, Clerical Telecommuter Employees and Outside Salespersons 8859(1)

The entire remuneration of each employee shall be included, subject to a maximum of ~~\$144,300~~**\$149,500** per year. When the policy is in force for less than a 12-month period, the maximum payroll amount shall be prorated based upon the number of weeks in the policy period.

This classification applies to those employers that engage in the development or customization of computer programs or software for other concerns on a contract basis, as well as the development of standard (“generic”) programs for use by other concerns.

This classification does not apply to employers that engage in computer programming or software development in support of the employer's operations, which includes but is not limited to the development of programs for integration into a hardware product sold by the employer.

* * * * *

Amend Classifications 5201(2)/5205(2), *Concrete or Cement Work – pouring or finishing of concrete floor slabs, poured in place and on the ground, and concrete slab-type foundations, for other than concrete buildings or structural steel buildings of multi-story construction*, to increase the hourly wage threshold from \$28.00 to \$32.00 per hour to reflect wage inflation since the threshold was last amended in 2020.

PROPOSED

CONCRETE OR CEMENT WORK – pouring or finishing of concrete floor slabs, poured in place and on the ground, and concrete slab-type foundations, for other than concrete buildings or structural steel buildings of multi-story construction – including the making or stripping of forms – employees whose regular hourly wage does not equal or exceed \$2832.00 per hour **5201(2)**

This classification applies to the pouring or finishing of concrete foundations, footings and slabs for residential buildings not exceeding three stories in height. This classification also applies to the pouring or finishing of concrete slab foundations, with or without integrated footings, for one or two story wood framed or masonry commercial buildings and single story structural steel commercial buildings. This classification includes the incidental installation of reinforcing steel by the employer engaged in the pouring or finishing of concrete flatwork.

This classification also applies to the installation and removal of forms at the job site whether performed by the employer engaged in the pouring or finishing of concrete or by a separate employer.

This classification also applies to the pouring or finishing of lightweight cellular concrete floors within buildings.

The pouring or finishing of concrete floor slabs, foundations, retaining walls, basement walls and/or footings in connection with the construction of poured in place concrete buildings, residential buildings exceeding three stories in height, masonry commercial buildings exceeding two stories in height, and multi-story structural steel buildings, shall be separately classified as 5213, *Concrete Construction – N.O.C.*

CONCRETE OR CEMENT WORK – pouring or finishing of concrete floor slabs, poured in place and on the ground, and concrete slab-type foundations, for other than concrete buildings or structural steel buildings of multi-story construction – including the making or stripping of forms – employees whose regular hourly wage equals or exceeds \$2832.00 per hour **5205(2)**

Assignment of this classification is subject to verification at the time of final audit that the employee's regular hourly wage equals or exceeds \$2832.00 per hour. The payroll of an employee whose hourly wage is not shown to equal or exceed \$2832.00 per hour shall be classified as 5201(2), *Concrete or Cement Work*.

This classification applies to the pouring or finishing of concrete foundations, footings and slabs for residential buildings not exceeding three stories in height. This classification also applies to

the pouring or finishing of concrete slab foundations, with or without integrated footings, for one or two story wood framed or masonry commercial buildings and single story structural steel commercial buildings. This classification includes the incidental installation of reinforcing steel by the employer engaged in the pouring or finishing of concrete flatwork.

This classification also applies to the installation and removal of forms at the job site whether performed by the employer engaged in the pouring or finishing of concrete or by a separate employer.

This classification also applies to the pouring or finishing of lightweight cellular concrete floors within buildings.

The pouring or finishing of concrete floor slabs, foundations, retaining walls, basement walls and/or footings in connection with the construction of poured in place concrete buildings, residential buildings exceeding three stories in height, masonry commercial buildings exceeding two stories in height, and multi-story structural steel buildings, shall be separately classified as 5213, *Concrete Construction – N.O.C.*

* * * * *

Amend Classifications 5201(1)/5205(1), *Concrete or Cement Work – pouring or finishing of concrete sidewalks, driveways, patios, curbs or gutters*, to increase the hourly wage threshold from \$28.00 to \$32.00 per hour to reflect wage inflation since the threshold was last amended in 2020.

PROPOSED

CONCRETE OR CEMENT WORK – pouring or finishing of concrete sidewalks, driveways, patios, curbs or gutters – including the making or stripping of forms – employees whose regular hourly wage does not equal or exceed ~~\$28~~32.00 per hour **5201(1)**

This classification applies to the pouring or finishing of concrete flatwork, including but not limited to sidewalks, driveways, patios, curbs and gutters. This classification includes the incidental installation of reinforcing steel by the employer engaged in the pouring or finishing of concrete.

This classification also applies to the installation and removal of forms at the job site whether performed by the employer engaged in the pouring or finishing of concrete or by a separate employer.

This classification also applies to the pouring or finishing of concrete slabs, islands and driveways for gasoline service stations; the application of self-leveling cementitious polymer subflooring material; the repair of concrete flatwork using epoxy and resin materials that restore the structural integrity of the concrete; and the construction of concrete drainage gutters or concrete lined ditches for erosion control purposes.

This classification also applies to the application of plaster in swimming pools.

The pouring or finishing of concrete floor slabs, foundations, retaining walls, basement walls and/or footings in connection with the construction of poured in place concrete buildings, residential buildings exceeding three stories in height, masonry commercial buildings exceeding two stories in height, and multi-story structural steel buildings, shall be separately classified as 5213, *Concrete Construction – N.O.C.*

CONCRETE OR CEMENT WORK – pouring or finishing of concrete sidewalks, driveways, patios, curbs or gutters – including the making or stripping of forms – employees whose regular hourly wage equals or exceeds \$2832.00 per hour **5205(1)**

Assignment of this classification is subject to verification at the time of final audit that the employee's regular hourly wage equals or exceeds \$2832.00 per hour. The payroll of an employee whose regular hourly wage is not shown to equal or exceed \$2832.00 per hour shall be classified as 5201(1), *Concrete or Cement Work*.

This classification applies to the pouring or finishing of concrete flatwork, including but not limited to sidewalks, driveways, patios, curbs and gutters. This classification includes the incidental installation of reinforcing steel by the employer engaged in the pouring or finishing of concrete.

This classification also applies to the installation and removal of forms at the job site whether performed by the employer engaged in the pouring or finishing of concrete or by a separate employer.

This classification also applies to the pouring or finishing of concrete slabs, islands and driveways for gasoline service stations; the application of self-leveling cementitious polymer subflooring material; the repair of concrete flatwork using epoxy and resin materials that restore the structural integrity of the concrete; and the construction of concrete drainage gutters or concrete lined ditches for erosion control purposes.

This classification also applies to the application of plaster in swimming pools.

The pouring or finishing of concrete floor slabs, foundations, retaining walls, basement walls and/or footings in connection with the construction of poured in place concrete buildings, residential buildings exceeding three stories in height, masonry commercial buildings exceeding two stories in height, and multi-story structural steel buildings, shall be separately classified as 5213, *Concrete Construction – N.O.C.*

* * * * *

Amend Classifications 6325, *Conduit Construction or Underground Wiring*, to clarify the intended application and provide direction as to how related operations should be classified.

PROPOSED

CONDUIT CONSTRUCTION OR UNDERGROUND WIRING – including tunneling at street crossings **6325**

This classification applies to the construction or repair of conduit for underground electric power cables or wires, or for low voltage or fiber optic networks for telephone, television, communication, data, fire alarm or similar networks. This classification also applies to the installation or repair of underground cabling within existing conduit, the installation or repair of underground cabling without conduit or the splicing of underground cabling. This classification also applies to the installation or repair of street lighting systems, traffic signal systems or commercial parking lot lighting systems. This classification includes excavation operations performed by the same employer in support of its conduit construction, repair or underground wiring operations.

All tunneling other than at street crossings shall be separately classified.

~~Splicing fiber optic cables at ground level for other concerns on a fee basis shall be classified as 5195, *Communications Cabling*.~~

Aerial line construction or repair for telephone, television, communication, data, fire alarm or similar low voltage or fiber optic networks shall be separately classified as 7601, *Aerial Line Construction*.

Aerial electric power line construction or repair shall be separately classified as 7538, *Electric Power Line Construction*.

Splicing fiber optic cables at ground level for other concerns on a fee basis shall be classified as 5195, *Communications Cabling*.

* * * * *

Amend Classification 0401, *Cotton Gin Operation – during both active and dormant seasons*, for consistency with other proposed changes.

PROPOSED

COTTON GIN OPERATION – during both active and dormant seasons – including installation or repair of equipment; yard employees; seed or fuel haulers 0401

This classification applies to the ginning (removing cotton fibers from their seeds) of cotton, including drying, raking, compressing and baling of cotton, when performed for other concerns on a fee basis or when performed in connection with the purchase and sale of cotton.

The cultivation and harvesting of cotton shall be separately classified as 0171, *Field Crops*.

The contract storage of baled cotton or purchase and sale of cotton, including cotton compressing, when no ginning operations are performed, shall be classified as 0400, *Warehouses – cotton*.

Cotton batting manufacturing shall be classified as 2222, *Spinning, Weaving or Fiber Processing*.

~~The cultivation and harvesting of cotton shall be separately classified as 0044, *Cotton Farms*.~~

* * * * *

Amend Classification 8801, *Credit Unions*, to limit an employee's annual payroll to \$149,500.

PROPOSED

CREDIT UNIONS – all employees – including Clerical Office Employees, Clerical Telecommuter Employees and Outside Salespersons

8801

The entire remuneration of each employee shall be included, subject to a maximum of ~~\$XXX,XXX~~ **\$149,500** per year. When the policy is in force for less than a 12-month period, the maximum payroll amount shall be prorated based upon the number of weeks in the policy period.

This classification applies to not-for-profit, member-owned depository financial institutions that are chartered as federal or state credit unions providing financial services, including but not limited to share draft accounts, individual retirement accounts, savings accounts, travelers' checks and consumer and commercial loans.

Commissioned loan brokers engaged exclusively in matching qualified mortgage applicants with lenders with no direct lending of funds shall be classified as 8743, *Mortgage Brokers*.

Companies that specialize in direct lending of funds for residential or commercial mortgages shall be classified as 8749, *Mortgage Bankers*.

Real estate agencies that represent buyers, sellers, lessees and lessors in real estate transactions shall be classified as 8741, *Real Estate Agencies*.

The operation of depository financial institutions that are licensed as banks to perform financial services, including but not limited to accepting deposits, paying interest, clearing checks, making loans and exchanging currency shall be classified as 8808, *Banks*.

The operation of properties away from the credit union premises, including but not limited to trusts, repossessed properties and other business properties shall be separately classified.

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Amend Classification 6011, *Dam Construction*, for consistency with other proposed changes.

PROPOSED

DAM CONSTRUCTION – all operations – including dam repair, alteration, seismic retrofitting and demolition

6011

This classification applies to the construction ~~and/or~~ repair of dams, including but not limited to concrete ~~and/or~~ earth filled dams.

This classification includes the construction of access roads in connection with dam construction.

Tunneling shall be separately classified as 6251, *Tunneling or Underground Mining*.

* * * * *

Amend Classification 4692, *Dental Laboratories*, for consistency with other proposed changes.

PROPOSED

DENTAL LABORATORIES – including foundry or casting operations

4692

This classification applies to the manufacture of dental appliances or devices, including but not limited to crowns, dentures, inlays, bridges, braces and retainers in accordance with orders placed by dentists or orthodontists for individual patients.

~~Dentists, orthodontists and dental surgeons, orthodontia, periodontal and oral surgery practices~~ shall be separately classified as 8839, ~~*Dentists and Dental Surgeons*~~ or *Orthodontia Practices*.

* * * * *

Amend the cross-reference for Classification 8839, *Dentists and Dental Surgeons*, for consistency with other proposed changes.

PROPOSED

DENTISTS AND DENTAL SURGEONS OR ORTHODONTIA PRACTICES – including Clerical Office Employees and Clerical Telecommuter Employees

See Health and Human Services.

* * * * *

Amend Classification 7721(1), *Detective or Private Investigative Agencies*, to provide direction as to how related operations should be classified.

PROPOSED

DETECTIVE OR PRIVATE INVESTIGATIVE AGENCIES

7721(1)

This classification applies to private investigators or detectives who are retained by clients to conduct investigations of matters, including but not limited to individuals' backgrounds, personal ~~and~~ business disputes, theft, embezzlement and fraud. These operations involve surveillance of persons without their knowledge.

This classification also applies to ~~employers engaged on a contract basis in~~ asset repossession or airport baggage inspection on a contract basis.

Insurance claims investigation shall be separately classified as 8720(1), *Inspection for Insurance, Safety or Valuation Purposes*.

Employees who solely conduct investigations by researching documents ~~and/or~~ conducting interviews at locations away from the employer's premises shall be classified as 8742, *Salespersons – Outside*, subject to the Standard Exceptions rule. See Part 3, Section III, Rule 4, *Standard Exceptions*.

* * * * *

Amend Classification 2589(2), *Dry Cleaning – N.O.C.*, to clarify the intended application and provide direction as to how related operations should be classified.

PROPOSED

DRY CLEANING – ~~N.O.C.-commercial~~ – including repairing or pressing, and cash and carry departments on plant premises 2589(2)

This classification applies to locations at which 50% or more of gross receipts are derived from the dry cleaning of garments, linens or other household items that are owned by commercial customers rather than the general public.

Locations at which more than 50% of gross receipts are derived from the dry cleaning or laundering of garments, linens or other household items that are owned by the general public shall be classified as 2589(1), *Dry Cleaning or Laundry*.

Commercial laundry operations, including the rental and laundering of clothing, towels, linens, diapers ~~and/or~~ similar items shall be classified as 2585(1), *Laundries*.

* * * * *

Amend Classification 2589(1), *Dry Cleaning or Laundry*, to clarify the intended application and provide direction as to how related operations should be classified.

PROPOSED

DRY CLEANING OR LAUNDRY – retail – including alterations, repairing or pressing, and cash and carry departments on premises 2589(1)

This classification applies to locations at which more than 50% of gross receipts are derived from the dry cleaning or laundering of garments, linens ~~and/or~~ other household items that are owned by the general public. This classification also applies to self-service laundries that retain attendants to perform “fluffwash and fold” activities.

Locations at which 50% or more of gross receipts are derived from the dry cleaning of garments, linens or other household items that are owned by commercial customers rather than the general public shall be classified as 2589(2), *Dry Cleaning – commercial*.

Self-service laundries that do not retain attendants to perform “fluffwash and fold” activities shall be classified 8017(1), *Stores – retail*.

Cash and carry facilities, situated away from the dry cleaning or laundry location, that solely engage in the receipt and distribution of items to be cleaned shall be classified as 8017(1), *Stores – retail*.

~~Diaper service companies and uniform and linen rental or service companies~~ Commercial laundry operations, including but not limited to the washing and pressing of fabric items, clothing, uniforms, draperies, diapers or linens for commercial customers on a fee basis or the rental and laundering of towels, linens, diapers or similar items shall be classified as 2585(1), *Laundries*.

* * * * *

Amend Classification 2585(2), *Dyeing*, to clarify the intended application and provide direction as to how related operations should be classified.

PROPOSED

DYEING – including yarn or thread dyeing or finishing – no yarn or thread manufacturing 2585(2)

~~This classification shall not be used for division of payroll in connection with any other classification (other than the Standard Exceptions or General Exclusions) unless the operations described by Classification 2585(2) constitute a separate and distinct enterprise having no connection with the operations covered by any other applicable classification.~~ applies to dyeing finished garments or other finished fabric products or dyeing or finishing yarn or thread. This classification also applies to stone washing, bleaching, sanding or dyeing clothing when performed for other concerns on a fee basis and not in connection with clothing manufacturing operations by the same employer.

~~Dyeing of textile, bleaching, mercerizing or finishing fabrics raw materials, not finished garments or other finished fabric products, shall be classified as 2413, *Textiles*.~~

* * * * *

Amend the cross-reference for Classification 3643(2), *Electric Control Panel or Switchgear Mfg.*, which is part of the Electronics Industry Group, to rename the Electronics Industry Group for consistency with other proposed changes.

PROPOSED

ELECTRIC CONTROL PANEL OR SWITCHGEAR MFG.

See Electronics Industry.

* * * * *

Amend the cross-reference for Classification 3643(1), *Electric Power or Transmission Equipment Mfg.*, which is part of the Electronics Industry Group, to rename the Electronics Industry Group for consistency with other proposed changes.

PROPOSED

ELECTRIC POWER OR TRANSMISSION EQUIPMENT MFG.

See Electronics Industry.

* * * * *

Amend the cross-reference for Classification 3179, *Electrical Apparatus Mfg.*, which is part of the Electronics Industry Group, to rename the Electronics Industry Group for consistency with other proposed changes.

PROPOSED

ELECTRICAL APPARATUS MFG.

See Electronics Industry.

* * * * *

Amend the cross-reference for Classification 3568, *Electrical Connector Mfg.*, which is part of the Electronics Industry Group, to rename the Electronics Industry Group for consistency with other proposed changes.

PROPOSED

ELECTRICAL CONNECTOR MFG.

See Electronics Industry.

* * * * *

Amend the cross-reference for Classification 3651, *Electrical Wire Harness Mfg.*, which is part of the Electronics Industry Group, to rename the Electronics Industry Group for consistency with other proposed changes.

PROPOSED

ELECTRICAL WIRE HARNESS MFG.

See Electronics Industry.

* * * * *

Amend Classifications 5190/5140, *Electrical Wiring*, to clarify the intended application, provide direction as to how related operations should be classified and increase the hourly wage threshold from \$32.00 to \$34.00 per hour to reflect wage inflation since the threshold was last amended in 2018.

PROPOSED

ELECTRICAL WIRING – within buildings – including installation or repair of electrical fixtures or appliances – including shop, yard or storage operations – employees whose regular hourly wage does not equal or exceed ~~\$32~~34.00 per hour **5190**

This classification applies to the installation or repair of electrical wiring, circuit breaker panels, switches, outlets, lighting fixtures or related electrical wiring system components within buildings. This classification includes the installation and connection of electrical appliances when performed in connection with electrical wiring. This classification also applies to the installation of lighting fixtures onto exterior building surfaces or the maintenance of interior or exterior lighting.

The installation or repair of photovoltaic solar panels, electrical machinery or auxiliary apparatus shall be separately classified as 3724(2), *Electrical Machinery or Auxiliary Apparatus*.

The installation or repair of aerial electric power lines shall be classified as 7538, *Electric Power Line Construction*.

The installation or repair of electrical wiring underground, including trenching and the placement of conduit, shall be classified as 6325, *Conduit Construction or Underground Wiring*.

The installation or repair of exterior pole mounted lighting, including but not limited to street lights and traffic signals, shall be classified as 6325, *Conduit Construction or Underground Wiring*.

The installation or repair of low voltage communications cabling within buildings for voice or data transmission shall be classified as 5195, *Communications Cabling*.

ELECTRICAL WIRING – within buildings – including installation or repair of electrical fixtures ~~or appliances~~ – including shop, yard or storage operations – employees whose regular hourly wage equals or exceeds ~~\$3234.00~~ \$3234.00 per hour **5140**

Assignment of this classification is subject to verification at the time of final audit that the employee's regular hourly wage equals or exceeds ~~\$3234.00~~ \$3234.00 per hour. The payroll of an employee whose regular hourly wage is not shown to equal or exceed ~~\$3234.00~~ \$3234.00 per hour shall be classified as 5190, *Electrical Wiring*.

This classification applies to the installation or repair of electrical wiring, circuit breaker panels, switches, outlets, lighting fixtures or related electrical wiring system components within buildings. This classification includes the installation and connection of electrical appliances when performed in connection with electrical wiring. This classification also applies to the installation of lighting fixtures onto exterior building surfaces or the maintenance of interior or exterior lighting.

The installation or repair of photovoltaic solar panels, electrical machinery or auxiliary apparatus shall be separately classified as 3724(2), *Electrical Machinery or Auxiliary Apparatus*.

The installation or repair of aerial electric power lines shall be classified as 7538, *Electric Power Line Construction*.

The installation or repair of electrical wiring underground, including trenching and the placement of conduit, shall be classified as 6325, *Conduit Construction or Underground Wiring*.

The installation or repair of exterior pole mounted lighting, including but not limited to street lights and traffic signals, shall be classified as 6325, *Conduit Construction or Underground Wiring*.

The installation or repair of low voltage communications cabling within buildings for voice or data transmission shall be classified as 5195, *Communications Cabling*.

* * * * *

Amend the cross-reference for Classification 3178, *Electronic Element Mfg.*, which is part of the Electronics Industry Group, to rename the Electronics Industry Group for consistency with other proposed changes.

PROPOSED

ELECTRONIC ELEMENT MFG.

See Electronics ~~Industry~~.

* * * * *

Amend Classification 3681(4), *Audio/Video Electronic Products Mfg.*, which is part of the Electronics Industry Group, to reference the corresponding proposed companion Classification 8874(4), *Audio/Video Electronic Products Mfg. – hardware or software design or development*.

PROPOSED

ELECTRONICS INDUSTRY

AUDIO/VIDEO ELECTRONIC PRODUCTS MFG. – all other employees

3681(4)

This classification applies to the manufacture of consumer ~~and/or~~ professional electronic audio ~~and/or~~ video equipment, including but not limited to audio ~~and/or~~ video recording, playback ~~and/or~~ editing equipment, sound amplifiers, intercoms, televisions and closed-circuit television equipment, automobile sound systems, motion picture ~~and/or~~ still picture cameras, electronic musical instruments including keyboards and synthesizers, and coin-operated video games. This classification includes the shop repair of audio/video equipment by the manufacturer.

The manufacture of speakers shall be classified as 3683, *Speaker Mfg.*

The installation, service or repair of portable, freestanding or built-in audio/video equipment away from the shop shall be classified as 9516, *Television, Video, Audio or Radio Equipment Installation, Service or Repair*.

The installation, service or repair of electronic equipment, including but not limited to audio systems, alarms, ignition interlock devices, vehicle locating systems, navigation systems and entertainment systems in automobiles, trucks or vans shall be classified as 8370, *Automobile or Truck Radio, Alarm or Electronic Equipment Installation, Service or Repair*.

Also refer to companion Classification 8874(4), *Audio/Video Electronic Products Mfg. – hardware or software design or development*.

* * * * *

Establish Classification 8874(4), *Audio/Video Electronic Products Mfg. – hardware or software design or development*, as a companion classification in the Electronics Industry Group to apply to hardware or software design or development and clerical office or outside sales operations performed in connection with manufacturing operations assigned to Classification 3681(4), *Audio/Video Electronic Products Mfg.*, direct that the maximum payroll amount be prorated based upon the number of weeks in the policy period when the policy is in force for less than a 12-month period and limit an employee's annual payroll to \$149,500.

PROPOSED

ELECTRONICS

AUDIO/VIDEO ELECTRONIC PRODUCTS MFG. – hardware or software design or development – including Clerical Office Employees, Clerical Telecommuter Employees and Outside Salespersons **8874(4)**

The entire remuneration of each employee shall be included, subject to a maximum of \$149,500 per year. When the policy is in force for less than a 12-month period, the

maximum payroll amount shall be prorated based upon the number of weeks in the policy period.

This classification applies to employees engaged exclusively in hardware or software design or development, computer aided design, or clerical or outside sales operations in connection with the employer's consumer or professional electronic audio or video products manufacturing operations.

This classification does not apply to employees engaged in the manufacture, assembly, repair, testing or otherwise handling of electronic audio or video equipment or prototypes in connection with the employer's manufacturing operations.

Also refer to companion Classification 3681(4), *Audio/Video Electronic Products Mfg.*

* * * * *

Amend Classification 3681(2), *Computer or Computer Peripheral Equipment Mfg.*, which is part of the Electronics Industry Group, to reference the corresponding proposed companion Classification 8874(2), *Computer or Computer Peripheral Equipment Mfg. – hardware or software design or development.*

PROPOSED

ELECTRONICS INDUSTRY

COMPUTER OR COMPUTER PERIPHERAL EQUIPMENT MFG. – all other employees – N.O.C. 3681(2)

This classification applies to the manufacture of personal, desktop, laptop, notebook, tablet ~~an~~ ~~or~~ mainframe computers ~~and~~ ~~or~~ servers. This classification also applies to the manufacture of electronic computer peripheral equipment, including but not limited to monitors, terminals, printers, computer mouse devices, keyboards, disk drives, logic boards, motherboards and computer modems. This classification includes shop repair of computer or computer peripheral equipment by the manufacturer.

The repair or installation of computer or computer peripheral equipment away from the shop shall be separately classified as 5193, *Computer or Telephone System or Equipment Installation, Service or Repair.*

Also refer to companion Classification 8874(2), *Computer or Computer Peripheral Equipment Mfg. – hardware or software design or development.*

* * * * *

Establish Classification 8874(2), *Computer or Computer Peripheral Equipment Mfg. – hardware or software design or development*, as a companion classification in the Electronics Industry Group to apply to hardware or software design or development and clerical office or outside sales operations performed in connection with manufacturing operations assigned to Classification 3681(2), *Computer or Computer Peripheral Equipment Mfg.*, direct that the maximum payroll amount be prorated based upon the number of weeks in the policy period when the policy is in force for less than a 12-month period and limit an employee's annual payroll to \$149,500.

PROPOSED

ELECTRONICS

COMPUTER OR COMPUTER PERIPHERAL EQUIPMENT MFG. – hardware or software design or development – including Clerical Office Employees, Clerical Telecommuter Employees and Outside Salespersons – N.O.C. **8874(2)**

The entire remuneration of each employee shall be included, subject to a maximum of \$149,500 per year. When the policy is in force for less than a 12-month period, the maximum payroll amount shall be prorated based upon the number of weeks in the policy period.

This classification applies to employees engaged exclusively in hardware or software design or development, computer aided design, or clerical or outside sales operations in connection with the employer's computer or computer peripheral equipment manufacturing operations.

This classification does not apply to employees engaged in the manufacture, assembly, repair, testing or otherwise handling of computer hardware, computer peripheral equipment or prototypes in connection with the employer's manufacturing operations.

Also refer to companion Classification 3681(2), *Computer or Computer Peripheral Equipment Mfg.*

* * * * *

Amend Classification 3643(1), *Electric Power or Transmission Equipment Mfg.*, which is part of the Electronics Industry Group, to provide direction as to how related operations should be classified.

PROPOSED

ELECTRONICS INDUSTRY

ELECTRIC POWER OR TRANSMISSION EQUIPMENT MFG. – N.O.C. **3643(1)**

This classification applies to the manufacture or shop repair of electric power or transmission equipment, including but not limited to generators, converters, electromagnetic components, solenoids, turbines, transformers and power supplies with a power rating of 746 watts (one horsepower) or more that is not specifically described by another classification.

The manufacture or shop repair of generators, converters, or transformers and power supplies rated at less than 746 watts shall be classified as 3179, *Electrical Apparatus Mfg.* The manufacture or repair of electric or power transmission equipment that is rated both at less than

746 watts and at 746 watts and above shall be classified based on the primary (over 50% of shop time) operation.

The manufacture or shop repair of power supplies rated at less than 746 watts shall be classified as 3573, *Power Supply Mfg.*

The manufacture or ~~shop~~ repair of electric motors shall be classified as 3569, *Electric Motor Mfg. or Repair*.

The installation or repair of generators, converters, transformers ~~and/or~~ power supplies away from the shop shall be classified as 3724(2), *Electrical Machinery or Auxiliary Apparatus*.

* * * * *

Amend Classification 3681(1), *Instrument Mfg.*, which is part of the Electronics Industry Group, to reference the corresponding proposed companion Classification 8874(1), *Instrument Mfg. – electronic – professional or scientific – hardware or software design or development*.

PROPOSED

ELECTRONICS INDUSTRY

INSTRUMENT MFG. – electronic – professional or scientific – all other employees – N.O.C. 3681(1)

This classification applies to the manufacture or shop repair of electronic instruments that are not specifically described by another classification, including but not limited to electronic altimeters, air speed indicators and telemetry instruments, electronic centrifuges, cell sequencers, bio-sensor equipment, mass spectrometers, electronic scales, programmable electronic control systems, electronic point of sale (POS) systems, calculators, electron ~~and/or~~ laser microscopes, electron accelerators ~~and/or~~ fraction collectors, electronic toxic gas or vapor detection systems, radiation monitoring equipment, ohm meters, frequency synthesizers and printed circuit board test equipment. This classification also applies to the manufacture of electronic or electronically controlled manufacturing equipment for the semiconductor industry, including but not limited to vapor ovens, wafer inspection stations, wafer probe systems, wet processing equipment, photo mask inspection equipment, diffusion etching machines, wafer cleaning equipment, wafer dicing saws and plasma etching machines.

This classification also applies to the manufacture or fee-based shop repair of Unmanned Aircraft Systems (aerial drones) with an aircraft system and payload total combined weight of less than 55 pounds.

The operating crew of Unmanned Aircraft Systems (aerial drones) with a total combined weight of less than 55 pounds, including but not limited to test flight operations performed by the manufacturer shall be classified in accordance with Section III, Rule 5, *General Inclusions*.

The installation or repair of instruments, or the repair of Unmanned Aircraft Systems (aerial drones) with a total combined weight of less than 55 pounds, away from shop shall be separately classified as 5128, *Instrument Installation, Service or Repair*.

The manufacture of Unmanned Aircraft Systems (aerial drones) with a total combined weight of 55 pounds or heavier shall be classified as 3830(2), *Unmanned Aircraft System Mfg.*

The manufacture of electronic medical equipment used for diagnostic or treatment purposes shall be classified as 3572, *Medical Instrument Mfg.*

The manufacture of non-electronic instruments shall be classified as 3682, *Instrument Mfg. – non-electronic*.

The manufacture of industrial robotic systems shall be classified as 3560(2), *Machinery Mfg. – industrial*, or 3560(3), *Machinery Mfg. – material handling equipment*.

Also refer to companion Classification 8874(1), *Instrument Mfg. – electronic – professional or scientific – hardware or software design or development*.

* * * * *

Establish Classification 8874(1), *Instrument Mfg. – electronic – professional or scientific – hardware or software design or development*, as a companion classification in the Electronics Industry Group to apply to hardware or software design or development and clerical office or outside sales operations performed in connection with manufacturing operations assigned to Classification 3681(1), *Instrument Mfg. – electronic – professional or scientific*, direct that the maximum payroll amount be prorated based upon the number of weeks in the policy period when the policy is in force for less than a 12-month period and limit an employee's annual payroll to \$149,500.

PROPOSED

ELECTRONICS

INSTRUMENT MFG. – electronic – professional or scientific – hardware or software design or development – including Clerical Office Employees, Clerical Telecommuter Employees and Outside Salespersons **8874(1)**

The entire remuneration of each employee shall be included, subject to a maximum of \$149,500 per year. When the policy is in force for less than a 12-month period, the maximum payroll amount shall be prorated based upon the number of weeks in the policy period.

This classification applies to employees engaged exclusively in hardware or software design or development, computer aided design, or clerical or outside sales operations in connection with the employer's electronic instrument manufacturing operations.

This classification does not apply to employees engaged in the manufacture, assembly, repair, testing or otherwise handling of electronic instruments or prototypes in connection with the employer's manufacturing operations.

Also refer to companion Classification 3681(1), *Instrument Mfg. – electronic – professional or scientific*.

* * * * *

Amend Classification 4112, *Integrated Circuit and Semiconductor Wafer Mfg.*, which is part of the Electronics Industry Group, to reference the corresponding proposed companion Classification 8874(5), *Integrated Circuit and Semiconductor Wafer Mfg. – hardware or software design or development*.

PROPOSED

ELECTRONICS INDUSTRY

INTEGRATED CIRCUIT AND SEMICONDUCTOR WAFER MFG. – all other employees

4112

This classification applies to the manufacture of integrated circuits using semiconductor processing methods, including but not limited to thin film deposition, high temperature oxidation and diffusion, micron-range photo-lithography, and wet ~~and~~ dry etching. Each integrated circuit or wafer may contain tens of thousands of miniaturized electronic components, including but not limited to transistors, resistors, capacitors and diodes. This classification also applies to the manufacture of semiconductor wafers ~~and~~ chipsets consisting of grouped microchips.

This classification also applies to the hermetic packaging of integrated circuits within pin grid arrays.

The manufacture of transistors, resistors, capacitors, diodes ~~and~~ similar electronic components that are not contained on an integrated circuit chip or semiconductor wafer shall be classified as 3178, *Electronic Element Mfg.*

Also refer to companion Classification 8874(5), *Integrated Circuit and Semiconductor Wafer Mfg. – hardware or software design or development*.

* * * * *

Establish Classification 8874(5), *Integrated Circuit and Semiconductor Wafer Mfg. – hardware or software design or development*, as a companion classification in the Electronics Industry Group to apply to hardware or software design or development and clerical office or outside sales operations performed in connection with manufacturing operations assigned to Classification 4112, *Integrated Circuit and Semiconductor Wafer Mfg.*, direct that the maximum payroll amount be prorated based upon the number of weeks in the policy period when the policy is in force for less than a 12-month period and limit an employee's annual payroll to \$149,500.

PROPOSED

ELECTRONICS

INTEGRATED CIRCUIT AND SEMICONDUCTOR WAFER MFG. – hardware or software design or development – including Clerical Office Employees, Clerical Telecommuter Employees and Outside Salespersons

8874(5)

The entire remuneration of each employee shall be included, subject to a maximum of \$149,500 per year. When the policy is in force for less than a 12-month period, the maximum payroll amount shall be prorated based upon the number of weeks in the policy period.

This classification applies to employees engaged exclusively in hardware or software design or development, computer aided design, or clerical or outside sales operations in connection with the employer's integrated circuit or semiconductor wafer manufacturing operations.

This classification does not apply to employees engaged in the manufacture, assembly, repair, testing or otherwise handling of integrated circuits or semiconductor wafers or prototypes in connection with the employer's manufacturing operations.

Also refer to companion Classification 4112, *Integrated Circuit and Semiconductor Wafer Mfg.*

* * * * *

Amend Classification 3681(3), *Telecommunications Equipment Mfg.*, which is part of the Electronics Industry Group, to reference the corresponding proposed companion Classification 8874(3), *Telecommunications Equipment Mfg.– hardware or software design or development.*

PROPOSED

ELECTRONICS INDUSTRY

TELECOMMUNICATIONS EQUIPMENT MFG. – all other employees

3681(3)

This classification applies to the manufacture of electronic telecommunications equipment, including but not limited to telephones, cellular telephones, telephone equipment, telephone answering systems, military communication equipment, professional broadcasting/receiving equipment, wireless communication equipment, and related equipment used to transmit, receive, route or amplify data. This classification includes the shop repair of telecommunications equipment by the manufacturer.

The installation or repair of telecommunications equipment away from the shop shall be separately classified as 5193, *Computer or Telephone System or Equipment Installation, Service or Repair.*

The manufacture of consumer and/or professional audio and/or video equipment shall be classified as 3681(4), *Audio/Video Electronic Products Mfg.*

Also refer to companion Classification 8874(3), *Telecommunications Equipment Mfg.– hardware or software design or development.*

* * * * *

Establish Classification 8874(3), *Telecommunications Equipment Mfg. – hardware or software design or development*, as a companion classification in the Electronics Industry Group to apply to hardware or software design or development and clerical office or outside sales operations performed in connection with manufacturing operations assigned to Classification 3681(3), *Telecommunications Equipment Mfg.*, direct that the maximum payroll amount be prorated based upon the number of weeks in the policy period when the policy is in force for less than a 12-month period and limit an employee's annual payroll to \$149,500.

PROPOSED

ELECTRONICS

TELECOMMUNICATIONS EQUIPMENT MFG.– hardware or software design or development – 8874(3)
including Clerical Office Employees, Clerical Telecommuter Employees and Outside Salespersons

The entire remuneration of each employee shall be included, subject to a maximum of \$149,500 per year. When the policy is in force for less than a 12-month period, the maximum payroll amount shall be prorated based upon the number of weeks in the policy period.

This classification applies to employees engaged exclusively in hardware or software design or development, computer aided design, or clerical or outside sales operations in connection with the employer's electronic telecommunications equipment manufacturing operations.

This classification does not apply to employees engaged in the manufacture, assembly, repair, testing or otherwise handling of electronic telecommunications equipment or prototypes in connection with the employer's manufacturing operations.

Also refer to companion Classification 3681(3), *Telecommunications Equipment Mfg.*

* * * * *

Amend Classification 8601(1), *Engineers*, to limit an employee's annual payroll to \$149,500.

PROPOSED

ENGINEERS – consulting – mechanical, civil, electrical or mining engineers or architects – 8601(1)
not engaged in actual construction or operation – including Clerical Office Employees, Clerical Telecommuter Employees and Outside Salespersons

The entire remuneration of each employee shall be included, subject to a maximum of ~~\$XX,XXX~~ \$149,500 per year. When the policy is in force for less than a 12-month period, the maximum payroll amount shall be prorated based upon the number of weeks in the policy period.

This classification applies to engineering or architectural consultants who provide technical advice to construction companies, land development companies, building contractors or similar concerns on a fee basis, or to the testing of construction building materials in connection with

consulting engineering performed by the same employer. This classification also applies to land surveying prior to or during construction for separate concerns on a fee basis.

Engineering, when performed in support of an employer's own manufacturing, processing or construction operations, is assigned to the applicable manufacturing, processing or construction classification or to the applicable Standard Exception classification.

This classification also applies to fee-based construction management companies that do not engage in or supervise construction operations, but serve as an intermediary between the general contractor and project owner, or otherwise provide expertise regarding a construction project.

Forest engineers shall be classified as 8601(4), *Forest Engineers*.

Oil or gas geologists or scouts shall be classified as 8601(2), *Oil or Gas Geologists or Scouts*.

Fee-based testing operations, including but not limited to the testing of air, water, soil, metal, concrete and other building materials not resulting in recommendations, remediation options or design advice shall be classified as 4511, *Analytical or Testing Laboratories*.

* * * * *

Amend Classification 9095, *Event Market, Festival or Trade Show Operation*, for clarity and consistency with other proposed changes.

PROPOSED

EVENT MARKET, FESTIVAL OR TRADE SHOW OPERATION – all employees – N.O.C.

9095

This classification applies to employers that organize and operate events or rent spaces to vendors that sell products or provide information to customers. Such events include but are not limited to farmers' markets, flea markets, street fairs, swap meets, art or antique festivals and trade shows (public or private). This classification also applies to the operation of events, including but not limited to fun runs, foot races, cycling events, marathons, triathlons and athletic charity events.

Employers that promote or market events but do not operate events shall be separately classified.

Traveling carnivals ~~or circuses~~ shall be classified as 9185, *Carnivals or Circuses*.

The rental, delivery ~~and/or~~ set up of temporary chain link fences or road traffic safety barricades when performed by separate concerns shall be classified as 8028, *Equipment or Machinery Rental Yards*.

The rental, service or repair of portable toilets when performed by separate concerns shall be classified as 9426, *Septic or Portable Toilet Services*.

Vendors, performers, entertainers, retail stores and the preparation and sale of food shall be separately classified.

* * * * *

Amend Classifications 6218(1)/6220(1), *Excavation – N.O.C.*, to increase the hourly wage threshold from \$34.00 to \$39.00 per hour to reflect wage inflation since the threshold was last amended in 2020.

PROPOSED

EXCAVATION – N.O.C. – including borrowing, filling or backfilling – employees whose regular hourly wage does not equal or exceed \$3439.00 per hour **6218(1)**

This classification applies to the excavation of land to prepare sites for the construction of buildings or structures, including but not limited to residential or commercial buildings, bridges, aerial line towers, driveways, parking lots and swimming pools. This classification includes incidental grading operations. This classification also applies to excavation for removal of contaminated soil.

This classification also applies to off-street snow removal using vehicles or construction equipment, including but not limited to plows, excavators or loaders.

Snow removal from public streets or highways shall be classified as 9403(2), *Street Sweeping Service Companies*.

Excavation in connection with the construction of streets, roads, highways or airport runways, or the excavation of all other areas in preparation for asphalt paving shall be classified as 5507, *Street or Road Construction – grading*.

Trenching operations conducted in connection with the construction of canals, irrigation systems, cross-country water pipelines, oil or gas pipelines or sewers shall be assigned to the applicable construction classification.

Mass rock excavation, pile driving, shaft sinking, caisson or cofferdam work shall be separately classified.

EXCAVATION – N.O.C. – including borrowing, filling or backfilling – employees whose regular hourly wage equals or exceeds \$3439.00 per hour **6220(1)**

Assignment of this classification is subject to verification at the time of final audit that the employee's regular hourly wage equals or exceeds \$3439.00 per hour. The payroll of an employee whose regular hourly wage is not shown to equal or exceed \$3439.00 per hour shall be classified as 6218(1), *Excavation – N.O.C.*

This classification applies to the excavation of land to prepare sites for the construction of buildings or structures, including but not limited to residential or commercial buildings, bridges, aerial line towers, driveways, parking lots and swimming pools. This classification includes incidental grading operations. This classification also applies to excavation for removal of contaminated soil.

This classification also applies to off-street snow removal using vehicles or construction equipment, including but not limited to plows, excavators or loaders.

Snow removal from public streets or highways shall be classified as 9403(2), *Street Sweeping Service Companies*.

Excavation in connection with the construction of streets roads, highways or airport runways, or the excavation of all other areas in preparation for asphalt paving shall be classified as 5507, *Street or Road Construction – grading*.

Trenching operations conducted in connection with the construction of canals, irrigation systems, cross-country water pipelines, oil or gas pipelines or sewers shall be assigned to the applicable construction classification.

Mass rock excavation, pile driving, shaft sinking, or caisson or cofferdam work shall be separately classified.

* * * * *

Amend Classification 1624(2), *Excavation – rock*, for consistency with other proposed changes.

PROPOSED

EXCAVATION – rock – no tunneling

1624(2)

This classification applies to rock excavation in connection with construction projects.

Crushing operations shall be separately classified.

Tunneling shall be classified as 6251, *Tunneling or Underground Mining*.

Rock quarrying operations shall be classified as 1624(1), *Quarries*.

* * * * *

Consistent with the recommendations of the WCIRB's 2019 study of cotton farms and batting, eliminate Classification 0044, *Cotton Farms*, which is part of the Farms Industry Group, as its advisory pure premium rate has reached alignment with that of Classification 0171, *Field Crops*, after combining for ratemaking purposes due to low statistical credibility, and reassign the operations described by this classification to Classification 0171.

PROPOSED

FARMS

~~COTTON FARMS~~

~~0044~~

~~This classification applies to all acreage devoted to the cultivation and harvesting of cotton.~~

~~Cotton gin operations, including cotton compressing, shall be separately classified as 0401, *Cotton Gin Operation*.~~

~~The contract storage of baled cotton or the purchase and sale of cotton, including cotton compressing, when no ginning operations are performed, shall be classified as 0400, *Warehouses – cotton*.~~

~~Providing machinery and operating crews to conduct mechanized farming or harvesting operations for separate concerns on a fee basis shall be classified as 0050, *Farm Machinery Operation*.~~

* * * * *

Amend Classification 0171, *Field Crops*, which is part of the Farms Industry Group, to clarify that it includes the cultivation and harvesting of cotton as Classification 0044, *Cotton Farms*, is being eliminated, and provide direction as to how related operations should be classified.

PROPOSED

FARMS

FIELD CROPS

0171

This classification applies to all acreage devoted to the cultivation and harvesting of hay; alfalfa; flax; safflower; maize; all sorghums; or all the cereal grains, including but not limited to wheat, barley, rice, field corn and oats. This classification also applies to all acreage devoted to the cultivation and harvesting of cotton.

Cotton gin operations, including cotton compressing, shall be separately classified as 0401, *Cotton Gin Operation*.

The contract storage of baled cotton or the purchase and sale of cotton, including cotton compressing, when no ginning operations are performed, shall be classified as 0400, *Warehouses – cotton*.

The cultivation and harvesting, including field packing, of sweet (edible) corn shall be classified as 0172, *Truck Farms*.

The cultivation and harvesting of grass sod for use in landscaping shall be classified as 0005, *Nurseries*.

Providing machinery and operating crews to conduct mechanized farming or harvesting operations for separate concerns on a fee basis shall be classified as 0050, *Farm Machinery Operation*.

* * * * *

Amend Classification 0172, *Truck Farms*, which is part of the Farms Industry Group, for consistency with other proposed changes.

PROPOSED

FARMS

TRUCK FARMS

0172

This classification applies to all acreage devoted to the cultivation and harvesting, including field packing, of garden vegetables, including but not limited to tomatoes, lettuce, carrots, onions, peas and sweet corn. This classification also applies to growing plants for the purpose of obtaining seeds, or the cultivation and harvesting of melons, dry peas, dry beans, soybeans, mushrooms or bean sprouts.

This classification also applies to the cultivation of garden vegetables using hydroponic farming methods or the raising of earthworms or snails.

The washing, sorting, sizing, grading, packing, precooling or otherwise preparing of vegetables for shipment (not field packing) shall be separately classified as 8209, *Vegetables*.

The growing of vegetable plants for sale to others for outdoor planting or decorative purposes shall be classified as 0005, *Nurseries*.

Providing machinery and operating crews to conduct mechanized farming or harvesting operations for separate concerns on a fee basis shall be classified as 0050, *Farm Machinery Operation*.

The cultivation and harvesting of hay; alfalfa; flax; safflower; maize; ~~all~~ sorghums; ~~or all~~ the cereal grains, including but not limited to wheat, barley, rice, field corn and oats; or cotton shall be classified as 0171, *Field Crops*.

* * * * *

Amend Classification 2163, *Bottling*, which is part of the Food Packaging and Processing Industry Group, to remove the reference to the General Inclusions rule, clarify the intended application and provide direction as to how related operations should be classified.

PROPOSED

FOOD PACKAGING AND PROCESSING

BOTTLING – beverages – no spirituous liquors, wine or beer

2163

This classification applies to the bottling or packaging of non-alcoholic beverages, including but not limited to soft drinks, sports drinks, coffee, tea and water. This classification includes the blending of purchased ~~fruit juice or juice~~ concentrates with water ~~and/or~~ flavorings to produce ~~fruit flavored drinks~~ beverages.

~~The manufacture of containers, including but not limited to cans, bottles and boxes in connection with the employer's beverage bottling or packaging operations shall be classified in accordance~~

~~with Section III, Rule 5, *General Inclusions*. The manufacturing or processing, including pasteurization, of dairy products shall be separately classified as 2063, *Dairy Products or Ice Mfg.*~~

~~The production and bottling or canning manufacture of non-alcoholic fruit or vegetable juice, cider or juice concentrates from fruit, vegetables, nuts or seeds shall be classified as 2116, *Fruit or Vegetable Juice or Juice Concentrate Mfg.*~~

The production and bottling of wine, sparkling wine or alcoholic cider shall be classified as 2142(1), *Wineries*.

The production and bottling of distilled spirits shall be classified as 2142(2), *Distilling*.

The production and bottling or canning of beer or similarly brewed beverages shall be classified as 2121, *Breweries*.

~~The production and bottling or canning of milk or dairy products shall be classified as 2063, *Dairy Products or Ice Mfg.*~~

* * * * *

Amend Classification 2121, *Breweries*, which is part of the Food Packaging and Processing Industry Group, to remove the reference to the General Inclusions rule.

PROPOSED

FOOD PACKAGING AND PROCESSING

BREWERIES

2121

This classification applies to the production of beer or similarly brewed beverages, including but not limited to ale, lager, porter, stout and malt liquor. This classification includes the production of sake, the sale of brewing by-products, including but not limited to wet or dry feed grains and brewer's yeast, and the distribution of beer or similarly brewed beverages in connection with the employer's production operations.

This classification also includes employees who provide tours of the production operations, including tours where product tasting samples are provided to customers not in connection with taproom, tasting room, retail store, or restaurant or tavern operations.

~~The manufacture of containers, including but not limited to cans and bottles in connection with the employer's production operations shall be classified in accordance with Section III, Rule 5, *General Inclusions*.~~

Taprooms, tasting rooms, restaurants, taverns or the preparation and serving of hot food, shall be separately classified as 9079(1), *Restaurants or Taverns*.

Beer brewing operations at restaurants where the beer brewed on-site is primarily (over 50% of gross receipts) sold to restaurant customers for on-site consumption shall be classified as 9079(1), *Restaurants or Taverns*.

The distribution of beer or similarly brewed beverages that were not produced by the employer to retailers or commercial users shall be classified as 7392, *Beer Dealers*.

The production of wine, sparkling wine or alcoholic cider shall be classified as 2142(1), *Wineries*.

The production of distilled spirits shall be classified as 2142(2), *Distilling*.

Retail stores shall be separately classified.

* * * * *

Amend Classification 2063, *Dairy Products or Ice Mfg.*, which is part of the Food Packaging and Processing Industry Group, to remove the reference that can manufacturing shall be separately classified and provide direction as to how related operations should be classified.

PROPOSED

FOOD PACKAGING AND PROCESSING

DAIRY PRODUCTS OR ICE MFG.

2063

This classification applies to the manufacturing or processing, including pasteurization, of dairy products, including but not limited to milk, evaporated milk, dairy beverages, powdered milk, cheese, ice cream, yogurt, whipped cream and butter, and includes the incidental packaging of products in containers, including but not limited to bottles, boxes, plastic containers and metal or paper cans. This classification also applies to route drivers who deliver bottled milk to customers and perform no other duties on the farm premises.

This classification also applies to the manufacture of ice or the purchase and resale of ice.

This classification also applies to the manufacture of sorbet, gelato or sherbet, as well as frozen dairy or nondairy novelty treats, including but not limited to ice pops, fruit juice bars, ice cream bars and ice cream sandwiches.

The manufacture of non-alcoholic juice or juice concentrates from fruit, vegetables, nuts or seeds shall be separately classified as 2116, *Juice or Juice Concentrate Mfg.*

The sale of individual servings of ice cream or frozen yogurt for consumption by the walk-in trade on or away from the premises, including the incidental sale of hand packed ice cream or prepackaged ice cream confections sold as such, shall be classified as 8078(3), *Ice Cream or Frozen Yogurt Shops*, at each separate location at which the sale of individual servings of ice cream or frozen yogurt for consumption on or away from the premises equals or exceeds 50% of gross receipts.

The manufacture of dry ice shall be classified as 4635, *Oxygen or Hydrogen Mfg.*

The mixing or packaging of artificial (blue) ice shall be classified as 4828, *Chemical Mixing or Repackaging*.

The manufacture of butter substitutes shall be classified as 4717, *Butter Substitutes Mfg.*

The bottling or packaging of nondairy, nonalcoholic beverages shall be classified as 2163, *Bottling*.

~~Can manufacturing shall be separately classified.~~

* * * * *

Amend Classification 2142(2), *Distilling – N.O.C.*, which is part of the Food Packaging and Processing Industry Group, to remove the reference that bottle manufacturing shall be separately classified.

PROPOSED

FOOD PACKAGING AND PROCESSING

DISTILLING – N.O.C.

2142(2)

This classification applies to the production of distilled spirits, including but not limited to vodka, rum, whiskey, brandy, tequila and liqueurs.

This classification includes employees who provide tours of the production operations, including tours where product tasting samples are provided to customers not in connection with tasting room, retail store, or restaurant or tavern operations.

Tasting rooms, restaurants, taverns or the preparation and serving of hot food shall be separately classified as 9079(1), *Restaurants or Taverns*.

The production of wine, sparkling wine or alcoholic cider shall be classified as 2142(1), *Wineries*.

The production of vinegar shall be classified as 2142(3), *Vinegar Mfg.*

The production of beer or similarly brewed beverages shall be classified as 2121, *Breweries*.

Blending and bottling purchased wine or distilled spirits shall be classified as 8041, *Stores – wine or spirits – wholesale*.

~~Bottle manufacturing shall be separately classified.~~

Retail stores shall be separately classified.

* * * * *

Amend Classification 2113, *Fish or Seafood Products Mfg. – including packaging*, which is part of the Food Packaging and Processing Industry Group, to remove the references that can manufacturing and rendering of fish oil shall be separately classified.

PROPOSED

FOOD PACKAGING AND PROCESSING

FISH OR SEAFOOD PRODUCTS MFG. – including packaging

2113

This classification applies to the processing and packaging of fish ~~and~~ seafood, including but not limited to tuna, salmon, cod, halibut, herring, white fish, mackerel, eel, shrimp, abalone, crab, scallops, caviar and oysters. Processing operations include but are not limited to steaming, smoking, curing, blending, mixing, breeding, cooking and canning. This classification also applies to the manufacture of fish ~~and~~ seafood products, including but not limited to fish sticks, fish cakes, crab cakes, breaded fish fillets and imitation crab meat.

Employers engaged in the purchase, cutting, trimming, deboning and resale of fish shall be classified as 8021, *Stores – meat, fish or poultry – wholesale*, or 8031, *Stores – meat, fish or poultry – retail*.

~~Can manufacturing and the rendering of fish oil shall be separately classified.~~

* * * * *

Amend Classification 2116, *Fruit or Vegetable Juice or Concentrate Mfg.*, which is part of the Food Packaging and Processing Industry Group, to remove the reference that bottle or can manufacturing shall be separately classified, clarify the intended application and provide direction as to how related operations should be classified.

PROPOSED

FOOD PACKAGING AND PROCESSING

~~FRUIT OR VEGETABLE JUICE OR JUICE CONCENTRATE MFG.~~

2116

This classification applies to the manufacture of non-alcoholic ~~fruit or vegetable juice, cider or juice concentrates from fresh fruit, or vegetables, nuts or seeds.~~

The manufacturing or processing, including pasteurization, of dairy products shall be separately classified as 2063, *Dairy Products or Ice Mfg.*

Blending ~~purchased fruit juice or juice concentrates~~ with water ~~and/or~~ flavorings to produce non-alcoholic ~~fruit flavored drinks~~ beverages shall be classified as 2163, *Bottling*.

The production of wine, sparkling wine or alcoholic cider shall be classified as 2142(1), *Wineries*.

~~Bottle or can manufacturing shall be separately classified.~~

* * * * *

Amend Classification 2111-(3), *Fruit or Vegetable Pickling*, which is part of the Food Packaging and Processing Industry Group, to clarify the intended application, provide direction as to how related operations should be classified and for consistency with other proposed changes.

PROPOSED

FOOD PACKAGING AND PROCESSING

FRUIT OR VEGETABLE PICKLING

2111(3)

This classification applies to the curing or, pickling ~~and canning~~ of vegetables ~~and/or~~ fruits, including but not limited to cucumbers, onions, garlic, cabbage, chilies, peppers, beets and apples.

The washing, sorting, grading, curing ~~and/or~~ canning of olives shall be classified as 2111(2), *Olive Handling*.

The preserving ~~and/or~~ canning of fruits ~~and/or~~ vegetables that are not cured or pickled shall be classified as 2111(1), *Fruit or Vegetable Preserving*.

Growing or harvesting, including field packing, of crops, shall be assigned to the applicable *Farms* Industry Group classification.

* * * * *

Amend Classification 2111(1), *Fruit or Vegetable Preserving*, which is part of the Food Packaging and Processing Industry Group, to remove the reference that can manufacturing shall be separately classified, provide direction as to how related operations should be classified and for consistency with other proposed changes.

PROPOSED

FOOD PACKAGING AND PROCESSING

FRUIT OR VEGETABLE PRESERVING – including canning

2111(1)

This classification applies to the preserving or canning of fruits ~~and/or~~ vegetables, including but not limited to oranges, apples, peaches, cherries, blackberries, strawberries, plums, prunes, figs, tomatoes and beans. This classification also applies to the production of jams, jellies, applesauce, tomato sauce ~~and/or~~ tomato paste.

The processing of “ready-to-eat” fruits ~~and/or~~ vegetables that are packaged as “ready-to-eat” or “pre-washed” and sold for immediate consumption without need for further peeling, trimming, washing or cooking shall be classified as 2123, *Fruit or Vegetable Processing – fresh – ready-to-eat*.

The processing ~~and/or~~ canning of olives shall be classified as 2111(2), *Olive Handling*.

The curing or, pickling ~~and canning~~ of vegetables ~~and/or~~ fruits shall be classified as 2111(3), *Fruit or Vegetable Pickling*.

Frozen fruit or vegetable processing shall be classified as 2117, *Fruit or Vegetable Processing – frozen*.

The drying of fruit or vegetables shall be classified as 2102, *Fruit or Vegetable Evaporation or Dehydrating*.

~~Fruit or vegetable~~ The manufacture of non-alcoholic juice or juice concentrates ~~manufacturing from fruit, vegetables, nuts or seeds~~ shall be classified as 2116, ~~*Fruit or Vegetable Juice or Juice Concentrate Mfg.*~~

~~Can manufacturing shall be separately classified.~~

Growing or harvesting, including field packing, of crops, shall be assigned to the applicable *Farms* Industry Group classification.

* * * * *

Amend Classification 2117, *Fruit or Vegetable Processing – frozen*, which is part of the Food Packaging and Processing Industry Group, to remove the reference that can manufacturing shall be separately classified and for consistency with other proposed changes.

PROPOSED

FOOD PACKAGING AND PROCESSING

FRUIT OR VEGETABLE PROCESSING – frozen

2117

This classification applies to the freezing and processing of fresh produce, including but not limited to the steaming, blanching, cooking, cutting, slicing and packaging of fresh frozen produce, including but not limited to broccoli, cauliflower, zucchini, squash, carrots, bell peppers, potatoes, peas, lima beans, peaches, apricots and berries.

The preserving and canning of fruits and/or vegetables shall be separately classified as 2111(1), *Fruit or Vegetable Preserving*.

The drying of fruit or vegetables shall be separately classified as 2102, *Fruit or Vegetable Evaporation or Dehydrating*.

~~Can manufacturing shall be separately classified.~~

Growing or harvesting, including field packing, of crops, shall be assigned to the applicable *Farms* Industry Group classification.

* * * * *

Amend Classification 2095, *Meat Products Mfg.*, which is part of the Food Packaging and Processing Industry Group, to remove the reference that can manufacturing shall be separately classified and for consistency with other proposed changes.

PROPOSED

FOOD PACKAGING AND PROCESSING

MEAT PRODUCTS MFG.

2095

This classification applies to the manufacture of meat products, including but not limited to sausage; bacon; hot dogs; hamburger patties; ground meat; bologna; jerky and cured, smoked, dried or canned meats. This classification also applies to the manufacture of pet food from meat products.

Employers engaged in the cutting of sides or quarters of beef to produce steaks, roasts, chops and/or other meat portions, including ground meat in connection therewith, for sale to others shall be classified as 8021, *Stores – meat, fish or poultry – wholesale*, or 8031, *Stores – meat, fish or poultry – retail*.

~~Can manufacturing shall be separately classified.~~

* * * * *

Amend Classification 0096, *Nut Hulling, Shelling or Processing*, which is part of the Food Packaging and Processing Industry Group, to provide direction as to how related operations should be classified.

PROPOSED

FOOD PACKAGING AND PROCESSING

NUT HULLING, SHELLING OR PROCESSING

0096

This classification applies to the hulling, shelling, cleaning, drying, sorting or packaging of nuts, including but not limited to peanuts, almonds, walnuts, pecans, pistachios and cashews. This classification also applies to nut processing, including but not limited to roasting, smoking, salting ~~and/or~~ flavoring; the manufacture of peanut butter or other nut butters; or grinding nuts to produce meal or pastes for baking.

The manufacture of non-alcoholic juice or juice concentrates from fruit, vegetables, nuts or seeds shall be separately classified as 2116, *Juice or Juice Concentrate Mfg.*

The manufacture of food products shall be separately classified as 6504, *Food Products Mfg. or Processing*, unless the operations are more specifically described by another *Food Packaging and Processing* Industry Group classification.

Growing or harvesting, including field packing, of crops, shall be assigned to the applicable *Farms* Industry Group classification.

* * * * *

Amend Classification 2111(2), *Olive Handling – sorting, curing and canning*, which is part of the Food Packaging and Processing Industry Group, to clarify the intended application, remove the reference that can manufacturing shall be separately classified and for consistency with other proposed changes.

PROPOSED

FOOD PACKAGING AND PROCESSING

OLIVE HANDLING – sorting, curing ~~and/or~~ canning

2111(2)

This classification applies to the processing of olives, including but not limited to washing, sorting, grading, pitting, stuffing, curing, ~~and/or~~ canning ~~or bottling of olives~~.

The preserving ~~and/or~~ canning, of fruits ~~and/or~~ vegetables shall be classified as 2111(1), *Fruit or Vegetable Preserving*.

The curing ~~or~~, pickling ~~and canning~~ of vegetables ~~and/or~~ fruits shall be classified as 2111(3), *Fruit or Vegetable Pickling*.

The extraction and refining of olive oil shall be classified as 4683(1), *Vegetable Oil Mfg. or Refining*.

~~Can manufacturing shall be separately classified.~~

Growing or harvesting of olives shall be classified as 0016, *Orchards – citrus or deciduous fruits*.

* * * * *

Amend Classification 2142(3), *Vinegar Mfg.*, which is part of the Food Packaging and Processing Industry Group, to remove the reference that bottle manufacturing shall be separately classified.

PROPOSED

FOOD PACKAGING AND PROCESSING

VINEGAR MFG.

2142(3)

This classification applies to the manufacture of various types of vinegar, including but not limited to distilled, cider, malt, balsamic, rice and wine vinegar.

The production of wine, sparkling wine or alcoholic cider shall be classified as 2142(1), *Wineries*.

The production of distilled spirits shall be classified as 2142(2), *Distilling*.

~~Bottle manufacturing shall be separately classified.~~

* * * * *

Amend Classification 4831, *Vitamin or Dietary Supplement Mfg.*, which is part of the Food Packaging and Processing Industry Group, to remove the reference that container manufacturing is included in the classification and for clarity.

PROPOSED

FOOD PACKAGING AND PROCESSING

VITAMIN OR DIETARY SUPPLEMENT MFG. – compounding, blending or packaging only – not manufacturing ingredients **4831**

This classification applies to the production or packaging of vitamins or dietary supplements involving mixing, blending, forming or packaging purchased dietary ingredients, including but not limited to vitamins, minerals, herbs or other botanicals, enzymes and amino acids. Vitamins and dietary supplements have only negligible caloric value and are not a substitute for food. Vitamins or dietary supplements may be produced in various forms, including but not limited to tablet, caplet, capsule, powder or liquid form. ~~Vitamins and dietary supplements have only negligible caloric value and are not a substitute for food. This classification includes the manufacture of containers that are used in the employer's production operations.~~

This classification also applies to the growing, harvesting and processing of algae to produce algae-based dietary supplements.

The manufacture or processing of food products shall be classified as 6504, *Food Products Mfg. or Processing*, unless the operations are more specifically described by another *Food Packaging and Processing* Industry Group classification.

The manufacturing, blending or packaging of drugs, medicines or pharmaceutical preparations that are intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease shall be classified as 4611, *Drug, Medicine or Pharmaceutical Preparations Mfg.*

Compounding pharmacies that combine, mix or alter ingredients in response to a prescription to create a medication tailored to the medical needs of an individual patient shall be classified as 8017(1), *Stores – retail*.

The production or packaging of products intended to be rubbed, poured, sprinkled or sprayed on, or otherwise applied to, the human body for cleansing, beautifying, promoting attractiveness or altering appearance shall be classified as 4623, *Cosmetic, Personal Care or Perfumery Products Mfg.*

* * * * *

Amend Classification 2142(1), *Wineries*, which is part of the Food Packaging and Processing Industry Group, to remove the reference that bottle manufacturing shall be separately classified and for consistency with other proposed changes.

PROPOSED

FOOD PACKAGING AND PROCESSING

WINERIES

2142(1)

This classification applies to the production of wine, sparkling wine or alcoholic cider.

This classification includes employees who provide tours of the production operations, including tours where product tasting samples are provided to customers not in connection with tasting room, retail store, or restaurant or tavern operations.

Tasting rooms shall be separately classified as 8060, *Stores – wine, beer or spirits – retail*.

Restaurants, taverns or the preparation and serving of hot food shall be separately classified as 9079(1), *Restaurants or Taverns*.

The production of beer or similarly brewed beverages shall be classified as 2121, *Breweries*.

The production of distilled spirits shall be classified as 2142(2), *Distilling*.

The manufacture of vinegar shall be classified as 2142(3), *Vinegar Mfg.*

The ~~production/manufacture~~ of nonalcoholic fruit juice or ~~cider~~ juice concentrates from fruit, vegetables, nuts or seeds shall be classified as 2116, *Fruit or Vegetable Juice or Juice Concentrate Mfg.*

Blending and bottling purchased wine or distilled spirits shall be classified as 8041, *Stores – wine or spirits – wholesale*.

~~Bottle manufacturing shall be separately classified.~~

Retail stores shall be separately classified.

Growing or harvesting, including field packing, of crops shall be assigned to the applicable *Farms* Industry Group classification.

* * * * *

Amend Classification 8601(4), *Forest Engineers*, to limit an employee's annual payroll to \$149,500 and clarify the intended application.

PROPOSED

FOREST ENGINEERS – including Clerical Office Employees, Clerical Telecommuter Employees and Outside Salespersons **8601(4)**

The entire remuneration of each employee shall be included, subject to a maximum of ~~\$XXX,XXX~~ **\$149,500** per year. When the policy is in force for less than a 12-month period, the maximum payroll amount shall be prorated based upon the number of weeks in the policy period.

This classification applies to forest engineers performing forest management related duties in support of the employer's own operations or on a consulting basis. Such duties include but are not limited to developing or reviewing logging plans, computing the value of standing timber and planning extensions of fire roads constructed in connection with logging operations.

This classification includes timber cruising.

Commercial timber harvesting shall be separately classified as 2702(1), *Logging*.

* * * * *

Amend Classifications 6315(2)/6316(2), *Gas Mains or Connections Construction*, to increase the hourly wage threshold from \$34.00 to \$39.00 per hour to reflect wage inflation since the threshold was last amended in 2020.

PROPOSED

GAS MAINS OR CONNECTIONS CONSTRUCTION – including tunneling at street crossings – employees whose regular hourly wage does not equal or exceed ~~\$34.00~~ **\$39.00 per hour** **6315(2)**

This classification applies to the construction of gas mains and laterals from the main line to the property line, and includes incidental trenching, shoring and tunneling at street crossings. This classification also applies to the installation of gas lines within property lines when the gas pipe exceeds 6" in diameter.

The installation of gas lines within property lines using pipe that does not exceed 6" in diameter shall be classified as 5183(1)/5187(1), *Plumbing*.

The construction of cross-country pipelines between natural gas producing fields and points of connection with local distributing systems shall be separately classified as 6233, *Oil or Gas Pipeline Construction*.

All tunneling other than at street crossings shall be separately classified.

GAS MAINS OR CONNECTIONS CONSTRUCTION – including tunneling at street crossings – employees whose regular hourly wage equals or exceeds ~~\$34~~39.00 per hour **6316(2)**

Assignment of this classification is subject to verification at the time of final audit that the employee's regular hourly wage equals or exceeds ~~\$34~~39.00 per hour. The payroll of an employee whose regular hourly wage is not shown to equal or exceed ~~\$34~~39.00 per hour shall be classified as 6315(2), *Gas Mains or Connections Construction*.

This classification applies to the construction of gas mains and laterals from the main line to the property line, and includes incidental trenching, shoring and tunneling at street crossings. This classification also applies to the installation of gas lines within property lines when the gas pipe exceeds 6" in diameter.

The installation of gas lines within property lines using pipe that does not exceed 6" in diameter shall be classified as 5183(1)/5187(1), *Plumbing*.

The construction of cross-country pipelines between natural gas producing fields and points of connection with local distributing systems shall be separately classified as 6233, *Oil or Gas Pipeline Construction*.

All tunneling other than at street crossings shall be separately classified.

* * * * *

Amend Classifications 5467/5470, *Glaziers*, to increase the hourly wage threshold from \$33.00 to \$36.00 per hour to reflect wage inflation since the threshold was last amended in 2020.

PROPOSED

GLAZIERS – away from shop – employees whose regular hourly wage does not equal or exceed ~~\$33~~36.00 per hour **5467**

This classification applies to the installation of glass panes or insulated glass units within framework in connection with residential or commercial buildings. This classification includes the incidental installation of framework and glass cutting at the job site.

The installation of prefabricated doors, door frames or pre-glazed windows within residential or commercial buildings shall be classified as 5107, *Door, Door Frame or Pre-Glazed Window Installation*, provided such operations are not performed in connection with structures framed by the employer at the same job or location. If the employer is engaged in wood or light gauge steel framing, the installation of doors, door frames or pre-glazed windows at such job or location shall be classified as 5403/5432, *Carpentry*, or 5632/5633, *Steel Framing*.

The installation of tub or shower enclosures, mirrors, mirrored wardrobe doors or window screens shall be separately classified as 5146(1), *Cabinet, Fixture or Trim Installation*.

The application of window film or glass tinting shall be classified as 9507, *Sign Painting or Lettering and Quick Sign Shops*.

The shop cutting of glass shall be classified as 4130, *Glass Merchants*.

The repair or replacement of automobile or truck glass shall be separately classified as 8389, *Automobile or Truck Repair Facilities*.

GLAZIERS – away from shop – employees whose regular hourly wage equals or exceeds ~~\$3336.00~~ per hour **5470**

Assignment of this classification is subject to verification at the time of final audit that the employee's regular hourly wage equals or exceeds ~~\$3336.00~~ per hour. The payroll of an employee whose regular hourly wage is not shown to equal or exceed ~~\$3336.00~~ per hour shall be classified as 5467, *Glaziers*.

This classification applies to the installation of glass panes or insulated glass units within framework in connection with residential or commercial buildings. This classification includes the incidental installation of framework and glass cutting at the job site.

The installation of prefabricated doors, door frames or pre-glazed windows within residential or commercial buildings shall be classified as 5107, *Door, Door Frame or Pre-Glazed Window Installation*, provided such operations are not performed in connection with structures framed by the employer at the same job or location. If the employer is engaged in wood or light gauge steel framing, the installation of doors, door frames or pre-glazed windows at such job or location shall be classified as 5403/5432, *Carpentry*, or 5632/5633, *Steel Framing*.

The installation of tub or shower enclosures, mirrors, mirrored wardrobe doors or window screens shall be separately classified as 5146(1), *Cabinet, Fixture or Trim Installation*.

The application of window film or glass tinting shall be classified as 9507, *Sign Painting or Lettering and Quick Sign Shops*.

The shop cutting of glass shall be classified as 4130, *Glass Merchants*.

The repair or replacement of automobile or truck glass shall be separately classified as 8389, *Automobile or Truck Repair Facilities*.

* * * * *

Amend Classifications 6218(2)/6220(2), *Grading Land*, to increase the hourly wage threshold from \$34.00 to \$39.00 per hour to reflect wage inflation since the threshold was last amended in 2020.

PROPOSED

GRADING LAND – N.O.C. – including borrowing, filling or backfilling – employees whose regular hourly wage does not equal or exceed ~~\$3439.00~~ per hour **6218(2)**

This classification applies to land grading that is not more specifically described by another classification.

Trenching operations conducted in connection with the construction of canals, irrigation systems, cross-country water pipelines, oil or gas pipelines or sewers shall be assigned to the applicable construction classification.

Grading when performed in connection with the construction of streets, roads, highways or airport runways, or grading of all other areas in preparation for asphalt paving, shall be classified as 5507, *Street or Road Construction – grading*.

Mass rock excavation, pile driving, shaft sinking, or caisson or cofferdam work shall be separately classified.

GRADING LAND – N.O.C. – including borrowing, filling or backfilling – employees whose regular hourly wage equals or exceeds \$3439.00 per hour 6220(2)

Assignment of this classification is subject to verification at the time of final audit that the employee's regular hourly wage equals or exceeds \$3439.00 per hour. The payroll of an employee whose regular hourly wage is not shown to equal or exceed \$3439.00 per hour shall be classified as 6218(2), *Grading Land*.

This classification applies to land grading that is not more specifically described by another classification.

Trenching operations conducted in connection with the construction of canals, irrigation systems, cross-country water pipelines, oil or gas pipelines or sewers shall be assigned to the applicable construction classification.

Grading when performed in connection with the construction of streets, roads, highways or airport runways, or grading of all other areas in preparation for asphalt paving, shall be classified as 5507, *Street or Road Construction – grading*.

Mass rock excavation, pile driving, shaft sinking, or caisson or cofferdam work shall be separately classified.

* * * * *

Amend Classification 8839, *Dentists and Dental Surgeons*, which is part of the Health and Human Services Industry Group, to clarify the intended application and provide direction as to how related operations should be classified.

PROPOSED

HEALTH AND HUMAN SERVICES

~~DENTISTS AND DENTAL SURGEONS~~ OR ORTHODONTIA PRACTICES – all employees – including Clerical Office Employees and Clerical Telecommuter Employees 8839

This classification applies to dental practices or clinics that provide general, restorative or cosmetic dental services or teeth whitening or straightening procedures. This classification also applies to orthodontists and periodontists periodontal or oral surgery practices. This classification includes the manufacture or customization of dental products, including but not limited to crowns, dentures, inlays and bridges when performed in connection with the dental services provided.

~~This classification includes the manufacture or customization of dental products, including but not limited to crowns, dentures, inlays and bridges when such operations are primarily in support of the dental services provided.~~ Physicians' practices or clinics that provide outpatient medical services shall be classified as 8834, *Physicians' Practices and Outpatient Clinics*.

~~The manufacture or customization of dental products primarily for other concerns shall be separately classified as 4692, *Dental Laboratories*.~~

* * * * *

Amend Classification 8827(2), *Nursing Care*, to clarify the intended application.

PROPOSED

HEALTH AND HUMAN SERVICES

NURSING CARE – in private residences – all employees

8827(2)

This classification applies to home care agencies that provide registered nurses, licensed vocational nurses or certified nursing assistants to deliver in-home nursing care services to patients. This classification includes the provision of nonmedical services, including but not limited to companionship and assistance with meals, dressing, ~~companionship~~, housekeeping ~~and~~ or personal hygiene in connection with in-home nursing care.

This classification also includes home infusion therapy services when performed in connection with in-home nursing care services. Home infusion therapy services that are not performed in connection with in-home nursing care services shall be classified as 8852, *Home Infusion Therapists*.

Employers that provide in-home personal care services, including but not limited to companionship and assistance with meals, dressing, personal hygiene, or housekeeping ~~and companionship~~ for customers who are in need of such services due to age, illness or disability shall be classified as 8827(1), *Home Care Services*.

Private residence cleaning services that are not performed in connection with in-home nursing care services shall be classified as 9096, *Residential Cleaning Services*.

* * * * *

Amend Classifications 5538(2)/5542(2), *Heating or Air Conditioning Ductwork*, to increase the hourly wage threshold from \$27.00 to \$29.00 per hour to reflect wage inflation since the threshold was last amended in 2014.

PROPOSED

HEATING OR AIR CONDITIONING DUCTWORK – installation or repair – including shop, yard or storage operations – including installation of furnaces or air conditioning equipment – employees whose regular hourly wage does not equal or exceed ~~\$27~~\$29.00 per hour – N.O.C.

5538(2)

This classification applies to the installation or repair of sheet metal or nonmetallic, rigid or flexible ductwork for heating or air conditioning systems.

This classification also applies to the installation or repair of heating or air conditioning equipment provided the same employer engages in the installation of ductwork at the same job or location. The installation or repair of heating or air conditioning equipment where no ductwork installation is performed by the employer at the same job or location shall be classified as 5183(3)/5187(3), *Heating or Air Conditioning Equipment*.

This classification includes the shop fabrication of ductwork or duct fittings when the employer installs any portion of the fabricated items.

The installation of pipe or pipe fittings shall be separately classified.

HEATING OR AIR CONDITIONING DUCTWORK – installation or repair – including shop, yard or storage operations – including installation of furnaces or air conditioning equipment – employees whose regular hourly wage equals or exceeds \$27~~29~~.00 per hour – N.O.C. 5542(2)

Assignment of this classification is subject to verification at the time of final audit that the employee's regular hourly wage equals or exceeds \$27~~29~~.00 per hour. The payroll of an employee whose regular hourly wage is not shown to equal or exceed \$27~~29~~.00 per hour shall be classified as 5538(2), *Heating or Air Conditioning Ductwork*.

This classification applies to the installation or repair of sheet metal or nonmetallic, rigid or flexible ductwork for heating or air conditioning systems.

This classification also applies to the installation or repair of heating or air conditioning equipment provided the same employer engages in the installation of ductwork at the same job or location. The installation or repair of heating or air conditioning equipment where no ductwork installation is performed by the employer at the same job or location shall be classified as 5183(3)/5187(3), *Heating or Air Conditioning Equipment*.

This classification includes the shop fabrication of ductwork or duct fittings when the employer installs any portion of the fabricated items.

The installation of pipe or pipe fittings shall be separately classified.

* * * * *

Amend Classifications 5183(3)/5187(3), *Heating or Air Conditioning Equipment*, to increase the hourly wage threshold from \$28.00 to \$31.00 per hour to reflect wage inflation since the threshold was last amended in 2020.

PROPOSED

HEATING OR AIR CONDITIONING EQUIPMENT – installation, service or repair – including shop, yard or storage operations – employees whose regular hourly wage does not equal or exceed \$28~~31~~.00 per hour – N.O.C. 5183(3)

This classification applies to the installation, service or repair of warm air or hydronic heating or air conditioning equipment within commercial or residential buildings provided the same employer does not engage in the installation of ductwork at the same job or location. The installation or repair of heating or air conditioning equipment where ductwork installation is performed by the employer at the same job or location shall be classified as 5538(2)/5542(2), *Heating or Air Conditioning Ductwork*.

The manufacture of air conditioning systems or equipment, or the shop repair of air conditioning systems or equipment by employers that do not perform installation, service or repair at customers' locations shall be classified as 3165(1), *Air Conditioning or Refrigeration Equipment Mfg.*

The manufacture of commercial or household furnaces or gas or propane heaters, or the shop repair of commercial or household furnaces or gas or propane heaters by employers that do not perform installation, service or repair at customers' locations shall be classified as 3175, *Furnace or Heater Mfg.*

The installation, service or repair of commercial refrigeration equipment, when any portion of these operations is performed away from the shop, shall be classified as 5183(2)/5187(2), *Refrigeration Equipment*.

The installation, service or repair of household refrigerators, freezers, dehumidifiers, or portable air conditioning units shall be classified as 9519(1), *Household Appliances*.

The installation of plate steel boilers shall be separately classified as 3726, *Boiler Installation, Service or Repair*.

HEATING OR AIR CONDITIONING EQUIPMENT – installation, service or repair – including shop, yard or storage operations – employees whose regular hourly wage equals or exceeds \$2831.00 per hour – N.O.C. 5187(3)

Assignment of this classification is subject to verification at the time of final audit that the employee's regular hourly wage equals or exceeds \$2831.00 per hour. The payroll of an employee whose regular hourly wage is not shown to equal or exceed \$2831.00 per hour shall be classified as 5183(3), *Heating or Air Conditioning Equipment*.

This classification applies to the installation, service or repair of warm air or hydronic heating or air conditioning equipment within commercial or residential buildings provided the same employer does not engage in the installation of ductwork at the same job or location. The installation or repair of heating or air conditioning equipment where ductwork installation is performed by the employer at the same job or location shall be classified as 5538(2)/5542(2), *Heating or Air Conditioning Ductwork*.

The manufacture of air conditioning systems or equipment, or the shop repair of air conditioning systems or equipment by employers that do not perform installation, service or repair at customers' locations shall be classified as 3165(1), *Air Conditioning or Refrigeration Equipment Mfg.*

The manufacture of commercial or household furnaces or gas or propane heaters, or the shop repair of commercial or household furnaces or gas or propane heaters by employers that do not perform installation, service or repair at customers' locations shall be classified as 3175, *Furnace or Heater Mfg.*

The installation, service or repair of commercial refrigeration equipment, when any portion of these operations is performed away from the shop, shall be classified as 5183(2)/5187(2), *Refrigeration Equipment*.

The installation, service or repair of household refrigerators, freezers, dehumidifiers, or portable air conditioning units shall be classified as 9519(1), *Household Appliances*.

The installation of plate steel boilers shall be separately classified as 3726, *Boiler Installation, Service or Repair*.

* * * * *

Amend Classification 8720(1), *Inspection for Insurance, Safety or Valuation Purposes*, to provide direction as to how related operations should be classified and for consistency with previously approved changes.

PROPOSED

**INSPECTION FOR INSURANCE, SAFETY OR VALUATION PURPOSES – N.O.C. – including 8720(1)
Outside Salespersons**

This classification applies to employers that perform inspections for insurance, safety or valuation purposes on a fee basis, including but not limited to boiler inspections, electric meter inspection and testing, backflow valve inspection and testing, energy efficiency inspections, fire protection and safety inspections, log scaling and agricultural products inspection. This classification also applies to monitoring the flow of fluids on oil leases or along pipelines on a fee basis.

This classification also applies to insurance claims or insurance fraud investigations performed on a fee basis that involve surveillance of persons without their knowledge.

Insurance claims or insurance fraud investigation companies that exclusively perform investigations that do not require surveillance of persons without their knowledge shall be classified as 8742, *Salespersons – Outside*, ~~or 8810, Clerical Office Employees, or 8871, Clerical Telecommuter Employees~~, subject to the Standard Exceptions rule. See Section III, Rule 4, *Standard Exceptions*. Insurance claims investigations performed by insurance companies shall be classified as 8822, *Insurance Companies*.

Investigation operations for other than insurance claims or insurance fraud shall be separately classified as 7721(1), *Detective or Private Investigative Agencies*.

When performed in connection with an employer's own operations, other than construction or erection, the operating crew of Unmanned Aircraft Systems (aerial drones) with an aircraft system and payload total combined weight of less than 55 pounds shall be classified in accordance with Section III, Rule 5, *General Inclusions*.

Property appraisal (or property appraisal in combination with clerical activities) on a fee basis shall be classified as 8742, *Salespersons – Outside*, subject to the Standard Exceptions rule. See Section III, Rule 4, *Standard Exceptions*.

The weighing, grading, inspecting or sampling of merchandise at docks, railway stations or warehouses on a fee basis shall be classified as 8720(3), *Weighers, Samplers or Inspectors of Merchandise on Docks or at Railway Stations or Warehouses*.

The fee inspection of boats, ships or marine vessels for safety or to determine seaworthiness or the fee inspection or surveying of cargo that may have been damaged in marine transit shall be classified as 7248, *Marine Appraisers or Surveyors*.

The provision of legal support services on a fee basis, including but not limited to process serving of summons, subpoenas ~~and~~ or complaints; filing court documents; or reproducing documents shall be classified as 8821, *Law Firm Support Services*.

* * * * *

Establish a new cross-reference for Classification 8874(1), *Instrument mfg. – electronic – professional or scientific – hardware or software design or development*, which is part of the Electronics Industry Group, for consistency with other proposed changes.

PROPOSED

INSTRUMENT MFG. – electronic – professional or scientific – hardware or software design or development

See Electronics.

* * * * *

Amend the cross-reference for Classification 3681(1), *Instrument Mfg.*, which is part of the Electronics Industry Group, to rename the Electronics Industry Group for consistency with other proposed changes.

PROPOSED

INSTRUMENT MFG. – electronic – professional or scientific – N.O.C.

See Electronics Industry.

* * * * *

Amend Classification 8822, *Insurance Companies*, to limit an employee's annual payroll to \$149,500.

PROPOSED

**INSURANCE COMPANIES – all employees – including Clerical Office Employees, Clerical Tel- 8822
ecommuter Employees and Outside Salespersons**

The entire remuneration of each employee shall be included, subject to a maximum of ~~\$XXX,XXX~~149,500 per year. When the policy is in force for less than a 12-month period, the maximum payroll amount shall be prorated based upon the number of weeks in the policy period.

This classification applies to employers licensed by the California Department of Insurance as insurance companies to underwrite a variety of commercial or personal coverages, including but not limited to health, disability, automobile, property, title, liability, workers' compensation, life and annuity insurance, and surety bonds.

Fee-based inspections for insurance, safety or valuation purposes shall be classified as 8720(1), *Inspection for Insurance, Safety or Valuation Purposes*.

The operations performed by insurance administrators, brokers, agents or adjusters who are not employed by a licensed insurance company shall be assigned to the employer's standard classification or to the applicable Standard Exception classification.

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Amend the cross-reference for Classification 4112, *Integrated Circuit and Semiconductor Wafer Mfg.*, which is part of the Electronics Industry Group, to rename the Electronics Industry Group for consistency with other proposed changes.

PROPOSED

INTEGRATED CIRCUIT AND SEMICONDUCTOR WAFER MFG. – all other employees

See Electronics Industry.

* * * * *

Establish a new cross-reference for Classification 8874(5), *Integrated Circuit and Semiconductor Wafer Mfg. – hardware or software design or development*, which is part of the Electronics Industry Group, for consistency with other proposed changes.

PROPOSED

INTEGRATED CIRCUIT AND SEMICONDUCTOR WAFER MFG. – hardware or software design or development

See Electronics.

* * * * *

Amend Classifications 8859(2), *Internet or Web-Based Application Development or Operation*, to increase the annual payroll limitation from \$144,300 to \$149,500 per person to reflect wage inflation since the payroll limitation was last amended in 2021.

PROPOSED

INTERNET OR WEB-BASED APPLICATION DEVELOPMENT OR OPERATION – including Clerical Office Employees, Clerical Telecommuter Employees and Outside Salespersons **8859(2)**

The entire remuneration of each employee shall be included, subject to a maximum of ~~\$144,300~~ \$149,500 per year. When the policy is in force for less than a 12-month period, the maximum payroll amount shall be prorated based upon the number of weeks in the policy period.

This classification applies to firms that specialize in the development and operation of Internet or web-based applications and websites. This classification also applies to employers engaged in such operations for other concerns on a contract basis.

This classification does not apply to firms that operate as Internet Service Providers (ISP) or to firms that operate websites in connection with additional separately classified operations by the same employer.

* * * * *

Amend Classification 5102, *Iron, Steel, Brass, Bronze or Aluminum Erection – non-structural*, for clarity.

PROPOSED

IRON, STEEL, BRASS, BRONZE OR ALUMINUM ERECTION – non-structural **5102**

This classification applies to the installation of non-structural architectural or ornamental metal work, including but not limited to handrails, balcony rails, grille work, bumper rails, window guards, staircases, awnings, metal burners, free-standing mezzanines, exterior metal tanks that are not elevated on steel structures and other non-structural iron or steel erection. This classification also applies to the installation of curtain wall panels.

This classification includes specialty contractors performing welding or cutting at construction sites in connection with operations described by Classification 5102.

This classification also applies to the erection of commercial or residential greenhouse or solarium metal framing, or the installation of pre-glazed windows or wall panels if installed by the same employer that erects the greenhouse or solarium metal framing at the same job or location.

This classification includes the installation of elevated floors, including but not limited to data center floors, ~~or~~ and the installation of access steps, ramps or railings installed in connection with the elevated floors.

This classification also applies to the installation of unglazed metal window frames.

Non-structural iron or steel erection operations when performed by the same employer in connection with structural steel erection at the same job or location shall be classified as 5040, *Iron or Steel Erection – structural*.

The installation of glass panes or insulated glass units within framework at residential or commercial buildings, including the incidental installation of framework and glass cutting at the job site, shall be classified as 5467/5470, *Glaziers*.

The installation of pre-glazed windows shall be classified as 5107, *Door, Door Frame or Pre-Glazed Window Installation*, provided such operations are not performed in connection with structures framed by the employer at the same job or location.

Structural framing of residential or commercial structures using light gauge, cold formed steel studs and joists shall be classified as 5632/5633, *Steel Framing*.

* * * * *

Amend Classifications 6218(3)/6220(3), *Land Leveling*, to increase the hourly wage threshold from \$34.00 to \$39.00 per hour to reflect wage inflation since the threshold was last amended in 2020.

PROPOSED

LAND LEVELING – grading farm lands – employees whose regular hourly wage does not equal or exceed ~~\$34~~39.00 per hour **6218(3)**

This classification applies to leveling, smoothing and shaping agricultural land for other concerns on a fee basis. This classification also applies to ripping and subsequent grading of soil when such operations are not performed in connection with land clearing.

Land leveling performed in connection with the employer's own farming operations shall be assigned to the applicable *Farms* Industry Group classification.

Land clearing operations, including land ripping, shall be classified as 2702(2), *Land Clearing*.

LAND LEVELING – grading farm lands – employees whose regular hourly wage equals or exceeds ~~\$34~~39.00 per hour **6220(3)**

Assignment of this classification is subject to verification at the time of final audit that the employee's regular hourly wage equals or exceeds ~~\$34~~39.00 per hour. The payroll of an employee whose regular hourly wage is not shown to equal or exceed ~~\$34~~39.00 per hour shall be classified as 6218(3), *Land Leveling*.

This classification applies to leveling, smoothing and shaping agricultural land for other concerns on a fee basis. This classification also applies to ripping and subsequent grading of soil when such operations are not performed in connection with land clearing.

Land leveling performed in connection with the employer's own farming operations shall be assigned to the applicable *Farms* Industry Group classification.

Land clearing operations, including land ripping, shall be classified as 2702(2), *Land Clearing*.

* * * * *

Amend Classification 2585(1), *Laundries*, to clarify the intended application and provide direction as to how related operations should be classified.

PROPOSED

LAUNDRIES – ~~N.O.C. commercial~~ – all employees –~~including cash and carry departments on the premises~~ 2585(1)

This classification applies to the washing and pressing of fabric items, including but not limited to clothing, uniforms, draperies, diapers and linens for commercial customers on a fee basis. ~~This classification also applies to specialty processing by stone washing, bleaching or hand sanding and dyeing of clothing items.~~ This classification also applies to the rental and laundering of clothing, towels, linens, diapers and clothing or similar items.

This classification also applies to the commercial processing of cow hide.

Stone washing, bleaching, sanding or dyeing clothing when performed for other concerns on a fee basis and not in connection with clothing manufacturing operations by the same employer shall be classified as 2585(2), *Dyeing*.

The rental of fabric items, including but not limited to towels, linens, gowns, scrubs and lab coats shall be classified as 8017(8), *Linen Rental or Restroom Supply Services*, provided no laundry operations are performed by the employer.

Locations at which more than 50% of gross receipts are derived from the dry cleaning or laundering of garments, linens and/or other household items that are owned by the general public shall be classified as 2589(1), *Dry Cleaning or Laundry*.

Self-service laundries that retain attendants to perform wash and fold activities shall be classified as 2589(1), *Dry Cleaning or Laundry*.

~~Cash and carry facilities, situated away from the dry cleaning or laundry location, that solely engage in the receipt and distribution of items to be cleaned shall be classified as 8017(1), *Stores – retail*.~~ Locations at which 50% or more of gross receipts are derived from the dry cleaning of garments, linens or other household items that are owned by commercial customers rather than the general public shall be classified as 2589(2), *Dry Cleaning – commercial*.

~~Self-service laundries that retain attendants to perform “fluff and fold” activities shall be classified as 2589(1), *Dry Cleaning or Laundry*.~~ Cash and carry facilities, situated away from the dry cleaning or laundry location, that solely engage in the receipt and distribution of items to be cleaned shall be classified as 8017(1), *Stores – retail*.

Self-service laundries that do not retain attendants to perform “~~fluff~~wash and fold” activities shall be classified 8017(1), *Stores – retail*.

~~Dyeing of textile, bleaching, mercerizing or finishing fabrics~~ raw materials, not finished garments or other finished fabric products, shall be classified as 2413, *Textiles*.

* * * * *

Amend Classification 8821, *Law Firm Support Services*, to provide direction as to how related operations should be classified.

PROPOSED

LAW FIRM SUPPORT SERVICES – including Clerical Office Employees, Clerical Telecommuter Employees and Outside Salespersons **8821**

This classification applies to employers providing legal support services to attorneys ~~and~~ law firms on a fee basis, including but not limited to process serving summonses, complaints ~~and~~ subpoenas, preparing ~~and~~ filing court documents and the photocopying, scanning ~~and~~ microfilming/imaging of documents by registered professional photocopiers.

The video ~~taping~~ recording of depositions ~~and~~ courtroom proceedings shall be separately classified as 9610, *Motion Pictures – production*.

Licensed attorneys ~~and~~ law firms that provide legal services to clients on a fee or pro bono basis shall be classified as 8820, *Law Firms*.

* * * * *

Amend Classification 8820, *Law Firms*, to increase the annual payroll limitation from \$144,300 to \$149,500 per person to reflect wage inflation since the payroll limitation was last amended in 2021.

PROPOSED

LAW FIRMS – all employees – including Clerical Office Employees, Clerical Telecommuter Employees and Outside Salespersons **8820**

The entire remuneration of each employee shall be included, subject to a maximum of ~~\$144,300~~ \$149,500 per year. When the policy is in force for less than a 12-month period, the maximum payroll amount shall be prorated based upon the number of weeks in the policy period.

This classification applies to licensed attorneys and law firms that provide legal services to clients on a fee or pro bono basis, including but not limited to supplying legal advice and representation in civil and criminal litigation, administrative hearings, personal and business transactions and other legal matters.

The operations performed by legal staff who are not employed by a law firm shall be assigned to the standard classification assignable to the employer or to the applicable Standard Exception classification.

Employers providing legal support services to attorneys and law firms on a fee basis, including but not limited to process serving summonses, complaints and subpoenas, preparing or filing court documents and reproducing documents shall be classified as 8821, *Law Firm Support Services*.

* * * * *

Amend Classification 9015(5), *Libraries – private – all employees other than librarians, professional assistants, Clerical Office Employees or Clerical Telecommuter Employees*, for consistency with previously approved changes.

PROPOSED

LIBRARIES – private – all employees other than librarians, professional assistants, Clerical Office Employees or Clerical Telecommuter Employees **9015(5)**

This classification applies to employees other than librarians, professional assistants, and clerical office ~~employees~~ employees or clerical telecommuter staff, including but not limited to janitorial, maintenance, delivery and security personnel.

Also refer to companion Classification 8811, *Libraries – private – librarians or professional assistants*.

* * * * *

Amend Classification 8811, *Libraries – private – librarians or professional assistants*, for consistency with previously approved changes.

PROPOSED

LIBRARIES – private – librarians or professional assistants – including Clerical Office Employees and Clerical Telecommuter Employees **8811**

This classification applies to librarians, professional library assistants, and clerical office ~~employees~~ employees or clerical telecommuter staff who engage in activities, including but not limited to conducting research, ordering books ~~and/or~~ publications, maintaining reference systems, assisting customers to locate ~~and/or~~ check out materials and performing general clerical ~~and/or~~ administrative functions in support of the library.

With the exception of a single permanent job reassignment, it is not permissible to divide a single employee's payroll, within a single policy period, between this classification and any other classification.

Also refer to companion Classification 9015(5), *Libraries – private – all employees other than librarians, professional assistants, Clerical Office Employees or Clerical Telecommuter Employees*.

Public libraries shall be classified as 8812, *Libraries – public – librarians or professional assistants*.

* * * * *

Amend Classification 8232(1), *Lumberyards*, to separately classify employees engaged in cashiering operations or selling, stocking, handling or delivering store merchandise when the sale of store merchandise at a single location exceeds 25% of gross receipts.

PROPOSED

LUMBERYARDS – commercial – including counterpersons

8232(1)

This classification applies to commercial lumberyards engaged in the sale of lumber, plywood, moldings, paneling or incidental building materials. This classification includes incidental cutting of lumber to length and handling, stocking or delivery of lumber.

~~The operation of a store for~~When, at a single location, the sale of store merchandise, including but not limited to tile, cabinets or hardware, electrical or plumbing supplies, exceeds 25% of gross receipts, employees engaged in selling, stocking, handling or delivery of store merchandise shall be separately classified as ~~8010, Stores – hardware, electrical or plumbing supplies~~ to the applicable *Stores* Industry Group classification; refer to Section IV, *Special Industry Classification Procedures*, Rule 6, *Stores*. Cashiers who ~~work in support of hardware, electrical or plumbing supplies~~ process store merchandise sales in addition to ~~lumberbuilding material~~ sales shall also be classified as 8010 assigned to the applicable Stores Industry Group classification.

The sale of building materials, including secondhand building materials, shall be classified as 8232(2), *Building Material Dealers*.

Dealers of solid combustible fuel materials or soil amendments shall be classified as 8232(3), *Fuel and Material Dealers*.

The processing of logs into shingles or rough lumber shall be separately classified as 2710(1), *Sawmills or Shingle Mills*.

Planing of lumber to produce finished lumber, flooring or unassembled millwork shall be separately classified as 2731, *Planing or Moulding Mills*.

The application of preservative treatments to logs or lumber shall be separately classified as 2710(3), *Wood Treating or Preserving*.

* * * * *

Amend Classification 3831, *Machine Shops – aircraft components*, to clarify the intended application and provide direction as to how related operations should be classified.

PROPOSED

MACHINE SHOPS – aircraft components

3831

This classification applies to employers that are approved by the Federal Aviation Administration and ~~engage in the manufacture or repair of machined aircraft components and/or accessories~~ provided the employer does not remove or install parts or otherwise work directly on the aircraft (not aircraft engines) when such operations are not performed directly on the aircraft or in connection with the removal and reinstallation of components or accessories by the same employer.

Aircraft engine manufacturing or rebuilding not in connection with aircraft manufacturing by the same employer shall be classified as 3805(1), *Aircraft Engine Mfg. or Rebuilding*.

~~Employers that remove or install parts or otherwise work directly on the aircraft~~The repair, rebuilding or modification of aircraft components or accessories, including engines, when performed directly on the aircraft or in connection with the removal and reinstallation of components or accessories by the same employer, shall be classified as 7428(3), *Aircraft Remanufacture, Conversion, Modification and Repair Companies*.

* * * * *

Amend Classification 3632, *Machine Shops – N.O.C.*, to provide direction as to how related operations should be classified.

PROPOSED

MACHINE SHOPS – N.O.C.

3632

This classification applies to machining operations performed on a contract or proprietary basis when such operations are not specifically described by another machining, manufacturing or assembly classification. This classification includes the drilling of printed circuit boards on a contract basis.

Manufacturing screw machine products, including but not limited to connectors, fittings, spacers, pins and bushings, on a fee basis or as proprietary products using fully automatic screw machines for some or all of the machining operations shall be classified as 3152(3), *Screw Machine Products Mfg.*

Manufacturing nuts, bolts, screws or similar threaded fasteners shall be classified as 3152(2), *Nut, Bolt or Screw Mfg.*

~~The~~Employers that are approved by the Federal Aviation Administration and manufacture or for repair machined aircraft parts by employers that are approved by the Federal Aviation Administration components or accessories (not aircraft engines) shall be classified as 3831, *Machine Shops – aircraft components*, provided the employer does not perform such operations directly on the aircraft or remove and reinstall the components or accessories.

Manufacturing new automobile, truck or motorcycle parts shall be classified as 3840, *Automobile, Truck or Motorcycle Parts Mfg.*

~~The machining or rebuilding of used automotive~~automobile, truck or motorcycle parts shall be classified as 3828, *Automobile or Truck Parts Rebuilding*.

* * * * *

Amend Classifications 5027/5028, *Masonry*, to increase the hourly wage threshold from \$28.00 to \$32.00 per hour to reflect wage inflation since the threshold was last amended in 2020.

PROPOSED

MASONRY – employees whose regular hourly wage does not equal or exceed ~~\$28~~32.00 per hour – N.O.C. **5027**

This classification applies to the construction of structures, load bearing or non-load bearing walls, fences, fireplaces, walkways, retaining walls, barbecues, enclosures or similar items using masonry materials, including but not limited to brick, natural or manufactured stone, concrete block and glass block. This classification also applies to the installation of swimming pool coping, fireproofing tile or cemetery monuments.

The installation of adhered or bonded lightweight architectural non-load bearing stone or brick veneer products shall be classified as 5348, *Tile, Stone, Mosaic or Terrazzo Work*.

Masonry work performed in connection with sewer construction shall be classified as 6307/6308, *Sewer Construction*.

MASONRY – employees whose regular hourly wage equals or exceeds ~~\$28~~32.00 per hour – N.O.C. **5028**

Assignment of this classification is subject to verification at the time of final audit that the employee's regular hourly wage equals or exceeds ~~\$28~~32.00 per hour. The payroll of an employee whose regular hourly wage is not shown to equal or exceed ~~\$28~~32.00 per hour shall be classified as 5027, *Masonry*.

This classification applies to the construction of structures, load bearing or non-load bearing walls, fences, fireplaces, walkways, retaining walls, barbecues, enclosures or similar items using masonry materials, including but not limited to brick, natural or manufactured stone, concrete block and glass block. This classification also applies to the installation of swimming pool coping, fireproofing tile or cemetery monuments.

The installation of adhered or bonded lightweight architectural non-load bearing stone or brick veneer products shall be classified as 5348, *Tile, Stone, Mosaic or Terrazzo Work*.

Masonry work performed in connection with sewer construction shall be classified as 6307/6308, *Sewer Construction*.

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Amend the cross-reference for Classification 3572, *Medical Instrument Mfg.*, which is part of the Electronics Industry Group, to rename the Electronics Industry Group for consistency with other proposed changes.

PROPOSED

MEDICAL INSTRUMENT MFG.

See Electronics Industry.

* * * * *

Amend Classification 3030, *Iron or Steel Works – structural*, which is part of the Metal Working Classifications Industry Group, for clarity.

PROPOSED

METAL WORKING CLASSIFICATIONS

IRON OR STEEL WORKS – structural – shop – fabricating or assembling girders, beams, columns, trusses, stringers or other structural iron or steel 3030

This classification applies to the fabrication of structural iron or steel components, including but not limited to girders, beams, columns, trusses, communications towers, light standards and stringers from materials such as “I”, “H” and/or “C” beams; channel, angle and/or bar stock; pipe; tubing; and sheet plate.

The erection of structural steel shall be separately classified.

Employers engaged in the fabrication of both structural and non-structural iron or steel products shall be classified as 3030 if 50% or more of the shop time is devoted to the fabrication of structural iron or steel products. If more than 50% of the shop time is devoted to the fabrication of non-structural iron or steel products, the operations shall be classified as 3040, *Iron or Steel Works – non-structural*.

The fabrication of miscellaneous non-structural metal products shall be classified as 3620(2), *Plate Steel Products Fabrication*, if more than 50% of the metal used is #9 gauge or heavier.

The cutting, bending, forming and/or assembly of reinforcing steel at a permanent shop or yard shall be classified as 3039, *Reinforcing Steel Fabrication*.

* * * * *

Amend Classification 3647(2), *Lead Mfg., Reclaiming or Alloying*, which is part of the Metal Working Classifications Industry Group, to clarify the intended application.

PROPOSED

METAL WORKING CLASSIFICATIONS

LEAD MFG., RECLAIMING OR ALLOYING – including litharge and lead oxide manufacturing 3647(2)

This classification applies to the extraction and processing of lead or the reclaiming of lead from used lead-based batteries or other scrap materials.

* * * * *

Amend Classification 3039, *Reinforcing Steel Fabrication*, which is part of the Metal Working Classifications Industry Group, for clarity.

PROPOSED

METAL WORKING CLASSIFICATIONS

REINFORCING STEEL FABRICATION – at permanent shop or yard location 3039

This classification applies to the cutting, bending, forming and/or assembly of reinforcing steel at a permanent shop or yard location.

The fabrication of reinforcing steel at job sites shall be assigned to the appropriate construction classification.

* * * * *

Amend Classification 1452, *Mining – ore milling*, to provide direction as to how related operations should be classified.

PROPOSED

MINING

MINING – ore milling – including sample analysis, crushing, concentration and separation 1452

This classification applies to the processing of ore for the purpose of recovering metals and/or minerals, including but not limited to gold, silver, nickel, graphite, coke, zinc and iron.

Surface mining (open pit method) of ores or minerals shall be separately classified as 1122, *Mining – surface*.

Underground mining operations shall be separately classified as 6251, *Tunneling or Underground Mining*.

Smelting, sintering, refining or alloying operations shall be classified as 1438, *Smelting, Sintering, Refining or Alloying*.

* * * * *

Amend Classification 1122, *Mining – surface*, for consistency with other proposed changes.

PROPOSED

MINING

MINING – surface – no shafts, tunnels, or drifts – all employees

1122

This classification applies to surface mining (open pit method) of ores ~~and~~ minerals, including but not limited to gold, borax, graphite, gypsum and perlite. This classification includes all activities involved in the construction or operation of the mine, including but not limited to the construction of buildings, roads, water systems, power lines or tramways; the installation, operation or maintenance of machinery or equipment; the operation of commissaries; and blasting when performed by the mine operator. This classification includes mining engineers engaged in geophysical exploration, surveying ~~and~~ mapping of sites.

~~Subsequent to~~ Ore milling operations shall be separately classified as 1452, *Mining – ore milling*.

Underground mining operations shall be classified as ~~1123, *Mining – underground – with shafts, tunnels or drifts; all employees with exposure to underground mining operations*, and 1124, *Mining – underground – surface employees*~~ 6251, *Tunneling or Underground Mining*.

Rock quarrying operations shall be classified as 1624(1), *Quarries*.

Blasting operations performed on a fee basis ~~are~~ shall be classified as 1330, *Blasting*.

* * * * *

Eliminate Classification 1124, *Mining – underground – surface employees*, due to its low statistical credibility and reassign the operations described by this classification to Classification 6251, *Tunneling or Underground Mining*.

PROPOSED

MINING

~~MINING – underground – surface employees~~

~~1124~~

~~This classification applies to surface employees, including mining engineers engaged in geophysical exploration, surveying and mapping of sites, of employers engaged in the underground extraction of ore and minerals, including but not limited to gold, borax, graphite, gypsum and perlite. This classification includes but is not limited to the following aboveground operations:~~

installation, operation or maintenance of surface machinery or equipment; operation of commiseries and preparation of explosives.

This classification does not apply to any employee who is required to go underground at any time. Employees with exposure to underground mining operations shall be classified as 1123, ~~Mining – underground – with shafts, tunnels or drifts; all employees with exposure to underground mining operations.~~

Surface mining operations shall be classified as 1122, ~~Mining – surface.~~

Ore milling shall be separately classified as 1452, ~~Mining – ore milling.~~

Also refer to companion Classification 1123, ~~Mining – underground – with shafts, tunnels or drifts; all employees with exposure to underground mining operations.~~

* * * * *

Eliminate Classification 1123, *Mining – underground – with shafts, tunnels or drifts; all employees with exposure to underground mining operations*, due to its low statistical credibility, and reassign the operations described by this classification to Classification 6251, *Tunneling or Underground Mining*.

PROPOSED

MINING

~~MINING – underground – with shafts, tunnels or drifts; all employees with exposure to underground mining operations~~ 1123

This classification applies to employers engaged in the underground extraction of ores and minerals, including but not limited to gold, borax, graphite, gypsum and perlite. This classification includes all underground operations, including but not limited to the drilling of shafts, tunnels or drifts; the erection of shoring and supports; the construction of underground tramways; and the installation, operation and maintenance of underground equipment or machinery. This classification includes all employees, including mining engineers engaged in geophysical exploration, surveying and mapping of sites, who are required to go underground at any time.

Also refer to companion Classification 1124, ~~Mining – underground – surface employees.~~

* * * * *

Amend Classification 8749, *Mortgage Bankers*, to limit an employee's annual payroll to \$149,500.

PROPOSED

MORTGAGE BANKERS – all employees – including Clerical Office Employees, Clerical Telecommuter Employees and Outside Salespersons 8749

The entire remuneration of each employee shall be included, subject to a maximum of ~~\$XXX,XXX~~ **\$149,500** per year. When the policy is in force for less than a 12-month period,

the maximum payroll amount shall be prorated based upon the number of weeks in the policy period.

This classification applies to companies that specialize in direct lending of funds for residential or commercial mortgages. This classification includes loaning money held on deposit and funding loans through a line of credit.

Commissioned loan brokers engaged exclusively in matching qualified mortgage applicants with lenders with no direct lending of funds shall be classified as 8743, *Mortgage Brokers*.

Real estate agencies that represent buyers, sellers, lessees and lessors in real estate transactions shall be classified as 8741, *Real Estate Agencies*.

The operation of depository financial institutions that are licensed as banks to perform financial services, including but not limited to accepting deposits, paying interest, clearing checks, making loans and exchanging currency, shall be classified as 8808, *Banks*.

* * * * *

Amend Classification 8743, *Mortgage Brokers*, to increase the annual payroll limitation from \$144,300 to \$149,500 per person to reflect wage inflation since the payroll limitation was last amended in 2021.

PROPOSED

MORTGAGE BROKERS – no direct lending – all employees – including Clerical Office Employees, Clerical Telecommuter Employees and Outside Salespersons 8743

The entire remuneration of each employee shall be included, subject to a maximum of ~~\$144,300~~\$149,500 per year. When the policy is in force for less than a 12-month period, the maximum payroll amount shall be prorated based upon the number of weeks in the policy period.

This classification applies to commissioned loan brokers engaged in matching qualified mortgage applicants with lenders.

Companies that specialize in direct lending of funds for residential or commercial mortgages shall be classified as 8749, *Mortgage Bankers*.

Real estate agencies that represent buyers, sellers, lessees and lessors in real estate transactions shall be classified as 8741, *Real Estate Agencies*.

The operation of depository financial institutions that are licensed as banks to perform financial services, including but not limited to accepting deposits, paying interest, clearing checks, making loans and exchanging currency, shall be classified as 8808, *Banks*.

* * * * *

Amend Classification 9610, *Motion Pictures – production*, to increase the annual payroll limitation for actors, musicians, producers and the motion picture director from \$144,300 to \$149,500 per person to reflect wage inflation since the payroll limitation was last amended in 2021 and for consistency with previously approved changes.

PROPOSED

MOTION PICTURES – production – in studios and outside – all employees

9610

The entire remuneration of actors, musicians, producers and the motion picture director shall be included subject to a maximum of ~~\$144,300~~ \$149,500 per year per person. When such employees do not work the entire year, the payroll limitation shall be prorated based upon the number of weeks in which such employees worked during the policy period.

This classification applies to companies that specialize in the production of motion pictures, television features, commercials, music videos, videotaped depositions, videotaped court proceedings or industrial films that are recorded on motion picture film stock, videotape, digital or other media.

Employees engaged exclusively in the electronic editing of digital files using computerized editing equipment are assignable to Classification 8810, *Clerical Office Employees*, or 8871, *Clerical Telecommuter Employees*, subject to the Standard Exceptions rule. See Section III, Rule 4, *Standard Exceptions*.

Employees who create animation using computer or digital applications are assignable to Classification 8810, *Clerical Office Employees*, or 8871, *Clerical Telecommuter Employees*, subject to the Standard Exceptions rule. See Section III, Rule 4, *Standard Exceptions*.

The payroll limitation of this classification is applicable to the director responsible for all aspects of production. The payroll for all other directors such as assistant and associate directors is not subject to limitation.

The payroll limitation also applies to motion picture producers responsible for overseeing the financial, administrative or creative aspects of a motion picture.

* * * * *

Amend Classification 8812, *Libraries – public – librarians or professional assistants*, which is part of the Municipal, State or Other Public Agencies Industry Group, to clarify the intended application and for consistency with previously approved changes.

PROPOSED

MUNICIPAL, STATE OR OTHER PUBLIC AGENCIES

LIBRARIES – public – librarians or professional assistants – including Clerical Office Employees and Clerical Telecommuter Employees

8812

This classification applies to librarians, professional library assistants, and clerical office employees or clerical telecommuter staff who engage in activities, including but not limited to conducting research, ordering books and/or publications, maintaining reference systems, assisting

customers to locate ~~and/or~~ check out materials and performing general clerical ~~and/or~~ administrative functions ~~in support of the public library.~~

With the exception of a single permanent job reassignment, it is not permissible to divide a single employee's payroll, within a single policy period, between this classification and any other classification.

Employees other than librarians, professional assistants, and clerical office ~~employees or clerical telecommuter staff~~, including but not limited to janitorial, maintenance, delivery and security personnel, shall be classified as 9420, *Municipal, State or Other Public Agency Employees – all other employees.*

Private libraries shall be classified as 8811, *Libraries – private – librarians or professional assistants.*

* * * * *

Amend Classification 8875(1), *Public Colleges or Schools – all employees*, which is part of the Municipal, State or Other Public Agencies Industry Group, for consistency with previously approved changes.

PROPOSED

MUNICIPAL, STATE OR OTHER PUBLIC AGENCIES

PUBLIC COLLEGES OR SCHOOLS – all employees – including cafeteria, Clerical Office Employees, Clerical Telecommuter Employees and Outside Salespersons 8875(1)

This classification applies to all operations of public colleges or schools, including but not limited to instruction, dormitories, cafeterias, book stores, transportation services, counseling, building ~~and/or~~ landscape maintenance, janitorial, libraries, athletic programs, parking, security, ~~and~~ administration, ~~clerical office employees and outside salespersons~~. This classification includes day care, preschools and before or after school programs operated by public colleges or schools.

This classification also applies to the operation of charter schools.

This classification also applies to state or county vocational schools or training programs and to school counselors who are provided to public schools by separate concerns under contract.

Private college or school operations shall be classified as 8868, *Colleges or Schools – private – not automobile schools – professors, teachers or academic professional employees*, and 9101, *Colleges or Schools – private – not automobile schools – all employees other than professors, teachers or academic professional employees.*

Day care, preschools or before or after school programs operated by separate employers at public school locations shall be classified as 9059, *Day Care Centers.*

* * * * *

Eliminate the cross reference to Classification 1452, *Mining – ore milling*, for consistency with other proposed changes.

PROPOSED

ORE MILLING

~~See Mining.~~

* * * * *

Amend Classifications 5474(1)/5482(1), *Painting or Wallpaper Installation*, to increase the hourly wage threshold from \$28.00 to \$31.00 per hour to reflect wage inflation since the threshold was last amended in 2020.

PROPOSED

PAINTING OR WALLPAPER INSTALLATION – including shop, yard or storage operations – employees whose regular hourly wage does not equal or exceed ~~\$28~~\$31.00 per hour – N.O.C. 5474(1)

This classification applies to interior or exterior painting at customers' locations by application of decorative or protective coatings, including but not limited to paint, stain or varnish. This classification also applies to wallpaper installation, lead paint abatement operations, or graffiti abatement by painting.

This classification includes cleaning, stripping, patching and surface preparation in connection with painting or wallpaper installation.

This classification also includes shop operations, including but not limited to mixing or blending paints, maintaining painting equipment and shop painting performed in connection with painting or wallpaper installation at customers' locations.

Shop painting operations performed on a fee basis that have no connection to any painting operations performed at customers' locations shall be classified as 9501(1), *Painting – shop only*.

Wallboard taping, finishing or texturing shall be classified as 5446/5447, *Wallboard Installation*.

Applying plaster, including veneer plaster, shall be classified as 5484/5485, *Plastering or Stucco Work*.

Painting steel structures or bridges shall be classified as 5040, *Iron or Steel Erection – structural*. Painting water, oil or gasoline storage tanks shall be classified as 5474(3)/5482(3), *Painting – water, oil or gasoline storage tanks*.

Applying water repellent coatings, membranes or caulking to interior or exterior building surfaces (not roofs) shall be classified as 5474(2)/5482(2), *Waterproofing*.

Applying or installing paved surface improvements, including but not limited to thermoplastic or painted lines or traffic markings; truncated domes; and wheel stop bumpers to paved surfaces

such as streets, roads or parking lots shall be classified as 5506, *Street or Road Construction – paving or repaving, surfacing or resurfacing or scraping.*

PAINTING OR WALLPAPER INSTALLATION – including shop, yard or storage operations – employees whose regular hourly wage equals or exceeds \$2831.00 per hour – N.O.C. 5482(1)

Assignment of this classification is subject to verification at the time of final audit that the employee's regular hourly wage equals or exceeds \$2831.00 per hour. The payroll of an employee whose regular hourly wage is not shown to equal or exceed \$2831.00 per hour shall be classified as 5474(1), *Painting or Wallpaper Installation.*

This classification applies to interior or exterior painting at customers' locations by application of decorative or protective coatings, including but not limited to paint, stain or varnish. This classification also applies to wallpaper installation, lead paint abatement operations, or graffiti abatement by painting.

This classification includes cleaning, stripping, patching and surface preparation in connection with painting or wallpaper installation.

This classification also includes shop operations, including but not limited to mixing or blending paints, maintaining painting equipment and shop painting performed in connection with painting or wallpaper hanging at customers' locations.

Shop painting operations performed on a fee basis that have no connection to any painting operations performed at customers' locations shall be classified as 9501(1), *Painting – shop only.*

Wallboard taping, finishing or texturing shall be classified as 5446/5447, *Wallboard Installation.*

Applying plaster, including veneer plaster, shall be classified as 5484/5485, *Plastering or Stucco Work.*

Painting steel structures or bridges shall be classified as 5040, *Iron or Steel Erection – structural.* Painting water, oil or gasoline storage tanks shall be classified as 5474(3)/5482(3), *Painting – water, oil or gasoline storage tanks.*

Applying water repellent coatings, membranes or caulking to interior or exterior building surfaces (not roofs) shall be classified as 5474(2)/5482(2), *Waterproofing.*

Applying or installing paved surface improvements, including but not limited to thermoplastic or painted lines or traffic markings; truncated domes; and wheel stop bumpers to paved surfaces such as streets, roads or parking lots shall be classified as 5506, *Street or Road Construction – paving or repaving, surfacing or resurfacing or scraping.*

* * * * *

Amend Classifications 5474(3)/5482(3), *Painting – water, oil or gasoline storage tanks*, to increase the hourly wage threshold from \$28.00 to \$31.00 per hour to reflect wage inflation since the threshold was last amended in 2020.

PROPOSED

PAINTING – water, oil or gasoline storage tanks – including shop, yard or storage operations 5474(3)
– employees whose regular hourly wage does not equal or exceed \$2831.00 per hour

This classification applies to the painting of water, oil and gasoline storage tanks. This classification includes incidental cleaning, abrasive blasting and surface preparation.

This classification applies to shop operations, including but not limited to mixing and blending paints, maintaining painting equipment and shop painting in connection with painting at the customers' locations.

The painting of steel structures or bridges shall be classified as 5040, *Iron or Steel Erection – structural*.

PAINTING – water, oil or gasoline storage tanks – including shop, yard or storage operations 5482(3)
– employees whose regular hourly wage equals or exceeds \$2831.00 per hour

Assignment of this classification is subject to verification at the time of final audit that the employee's regular hourly wage equals or exceeds \$2831.00 per hour. The payroll of an employee whose regular hourly wage is not shown to equal or exceed \$2831.00 per hour shall be classified as 5474(3), *Painting*.

This classification applies to the painting of water, oil and gasoline storage tanks. This classification includes incidental cleaning, abrasive blasting and surface preparation.

This classification applies to shop operations, including but not limited to mixing and blending paints, maintaining painting equipment and shop painting in connection with painting at the customers' locations.

The painting of steel structures or bridges shall be classified as 5040, *Iron or Steel Erection – structural*.

* * * * *

Amend Classification 8601(2), *Oil or Gas Geologists or Scouts*, which is part of the Petroleum Industry Group, to limit an employee's annual payroll to \$149,500.

PROPOSED

PETROLEUM INDUSTRY

OIL OR GAS GEOLOGISTS OR SCOUTS – including mapping of subsurface areas – including 8601(2)
Clerical Office Employees, Clerical Telecommuter Employees and Outside Salespersons

The entire remuneration of each employee shall be included, subject to a maximum of ~~\$XXX,XXX~~149,500 per year. When the policy is in force for less than a 12-month period,

the maximum payroll amount shall be prorated based upon the number of weeks in the policy period.

This classification applies to geologists or scouts who travel to potential oil drilling sites to observe and gather data that is compiled into reports that describe the probability that oil or gas deposits are present. This classification includes analyzing technical data from monitoring instruments and analyzing drilling mud or well cuttings to identify the types of subsurface formations in the region and the presence of hydrocarbons. This classification also applies to the geophysical exploration of subsurface areas using physical methods, including but not limited to seismic, gravitational, magnetic, electrical and electromagnetic methods to measure the physical properties of rock.

Consulting engineers, including but not limited to civil, electrical, mechanical and mining engineers who do not perform oil or gas related operations as described above shall be classified as 8601(1), *Engineers*.

Geologists or scouts who perform outside operations in connection with oil or gas well drilling or redrilling, oil or gas lease operations, or oil or gas pipeline operations by the employer shall be assigned to the applicable *Petroleum* Industry Group classification.

* * * * *

Amend Classifications 5484/5485, *Plastering or Stucco Work*, to increase the hourly wage threshold from \$32.00 to \$36.00 per hour to reflect wage inflation since the threshold was last amended in 2020.

PROPOSED

PLASTERING OR STUCCO WORK – employees whose regular hourly wage does not equal or exceed \$3236.00 per hour 5484

This classification applies to the application of plaster, including veneer plaster, or stucco onto interior and exterior building surfaces.

This classification also applies to the application of fireproofing materials onto structural steel members and the application of cement-based pigmented coatings (fog coat) to stucco surfaces.

Lathing operations shall be separately classified as 5443, *Lathing*.

Swimming pool plastering shall be classified as 5201(1)/5205(1), *Concrete or Cement Work*.

PLASTERING OR STUCCO WORK – employees whose regular hourly wage equals or exceeds \$3236.00 per hour 5485

Assignment of this classification is subject to verification at the time of final audit that the employee's regular hourly wage equals or exceeds \$3236.00 per hour. The payroll of an employee whose regular hourly wage is not shown to equal or exceed \$3236.00 per hour shall be classified as 5484, *Plastering or Stucco Work*.

This classification applies to the application of plaster, including veneer plaster, or stucco onto interior and exterior building surfaces.

This classification also applies to the application of fireproofing materials onto structural steel members and the application of cement-based pigmented coatings (fog coat) to stucco surfaces.

Lathing operations shall be separately classified as 5443, *Lathing*.

Swimming pool plastering shall be classified as 5201(1)/5205(1), *Concrete or Cement Work*.

* * * * *

Amend Classifications 5183(1)/5187(1), *Plumbing*, to increase the hourly wage threshold from \$28.00 to \$31.00 per hour to reflect wage inflation since the threshold was last amended in 2020.

PROPOSED

PLUMBING – including shop, yard or storage operations – gas, steam, hot water or other pipe fittings installation, including house connections installation – employees whose regular hourly wage does not equal or exceed \$2831.00 per hour – N.O.C. 5183(1)

This classification applies to the installation, service or repair of plumbing systems, including but not limited to piping, valves, faucets, toilets, sinks, showers, bathtubs, water heaters and water heating systems within the property line of commercial or residential properties. This classification also applies to drain clearing operations for pipe that does not exceed 6" in diameter. This classification includes excavation operations performed by the same employer in support of its plumbing operations.

This classification also applies to the installation or repair of solar water heating systems, swimming pool plumbing, water meters or central vacuum systems. This classification also applies to the installation or repair of radiators used for heating, oil or gas burners, burner dampers, air diffusers or burner rings.

This classification also applies to the installation or repair of outdoor sprinkler systems provided the employer is not primarily engaged in landscape gardening operations at the same job or location. If the employer is primarily engaged in landscape gardening at a particular job or location, sprinkler installation or repair at such job or location shall be classified as 0042, *Landscape Gardening*.

The installation of underground water, gas or sewer lines along streets or roads shall be classified as 6315(1)/6316(1), *Water Mains or Connections Construction*, 6315(2)/6316(2), *Gas Mains or Connections Construction*, or 6307/6308, *Sewer Construction*, respectively.

The installation of sewer lines within property lines where the sewer pipe exceeds 6" in diameter shall be classified as 6307/6308, *Sewer Construction*.

The cleaning of sewer lines within property lines where the sewer pipe exceeds 6" in diameter shall be classified as 9402, *Sewer, Tank or Hazardous Spill Cleaning*.

The installation, service or repair of water softening, conditioning or filtration systems shall be classified as 9519(4), *Water Softening, Conditioning or Filtration Systems*.

Automatic fire suppression sprinkler system installation within buildings shall be classified as 5185/5186, *Automatic Sprinkler Installation*.

PLUMBING – including shop, yard or storage operations – gas, steam, hot water or other pipe fittings installation, including house connections installation – employees whose regular hourly wage equals or exceeds \$2831.00 per hour – N.O.C. 5187(1)

Assignment of this classification is subject to verification at the time of final audit that the employee's regular hourly wage equals or exceeds \$2831.00 per hour. The payroll of an employee whose regular hourly wage is not shown to equal or exceed \$2831.00 per hour shall be classified as 5183(1), *Plumbing*.

This classification applies to the installation, service or repair of plumbing systems, including but not limited to piping, valves, faucets, toilets, sinks, showers, bathtubs, water heaters and water heating systems within the property line of commercial or residential properties. This classification also applies to drain clearing operations for pipe that does not exceed 6" in diameter. This classification includes excavation operations performed by the same employer in support of its plumbing operations.

This classification also applies to the installation or repair of solar water heating systems, swimming pool plumbing, water meters or central vacuum systems. This classification also applies to the installation or repair of radiators used for heating, oil or gas burners, burner dampers, air diffusers or burner rings.

This classification also applies to the installation or repair of outdoor sprinkler systems provided the employer is not primarily engaged in landscape gardening operations at the same job or location. If the employer is primarily engaged in landscape gardening at a particular job or location, sprinkler installation or repair at such job or location shall be classified as 0042, *Landscape Gardening*.

The installation of underground water, gas or sewer lines along streets or roads shall be classified as 6315(1)/6316(1), *Water Mains or Connections Construction*, 6315(2)/6316(2), *Gas Mains or Connections Construction*, or 6307/6308, *Sewer Construction*, respectively.

The installation of sewer lines within property lines where the sewer pipe exceeds 6" in diameter shall be classified as 6307/6308, *Sewer Construction*.

The cleaning of sewer lines within property lines where the sewer pipe exceeds 6" in diameter shall be classified as 9402, *Sewer, Tank or Hazardous Spill Cleaning*.

The installation, service or repair of water softening, conditioning or filtration systems shall be classified as 9519(4), *Water Softening, Conditioning or Filtration Systems*.

Automatic fire suppression sprinkler system installation within buildings shall be classified as 5185/5186, *Automatic Sprinkler Installation*.

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Amend the cross-reference for Classification 3573, *Power Supply Mfg.*, which is part of the Electronics Industry Group, to rename the Electronics Industry Group for consistency with other proposed changes.

PROPOSED

POWER SUPPLY MFG.

See Electronics ~~Industry~~.

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Amend the cross-reference for Classification 3577, *Printed Circuit Board Assembling*, which is part of the Electronics Industry Group, to rename the Electronics Industry Group for consistency with other proposed changes.

PROPOSED

PRINTED CIRCUIT BOARD ASSEMBLING – by contractor

See Electronics Industry.

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Amend the cross-reference for Classification 4354, *Printed Circuit Board Mfg.*, which is part of the Electronics Industry Group, to rename the Electronics Industry Group for consistency with other proposed changes.

PROPOSED

PRINTED CIRCUIT BOARD MFG.

See Electronics Industry.

* * * * *

Amend Classification 8813(2), *Bookbinding Operation – editing, designing, proofreading and photographic composing*, which is part of the Printing, Publishing and Duplicating Industry Group, for consistency with previously approved changes and for clarity.

PROPOSED

PRINTING, PUBLISHING AND DUPLICATING

BOOKBINDING OPERATION – editing, designing, proofreading and/or photographic composing – including Clerical Office Employees and Clerical Telecommuter Employees 8813(2)

This classification applies to pre-bindery activities and Clerical Office Employees of employers engaged in bookbinding or binder manufacturing operations. Pre-bindery activities include but are not limited to editing, designing, proofreading, and photographic composition, including negative stripping and plate making.

Also refer to companion Classification 4299(2), *Bookbinding Operation – all other employees*.

* * * * *

Amend Classification 8807, *Newspaper, Magazine or Book Publishing*, which is part of the Printing, Publishing and Duplicating Industry Group, for consistency with previously approved changes and for clarity.

PROPOSED

PRINTING, PUBLISHING AND DUPLICATING

NEWSPAPER, MAGAZINE OR BOOK PUBLISHING – no printing or distribution – editing, designing, proofreading, ~~and~~ or photographic composing – including Clerical Office Employees and Clerical Telecommuter Employees **8807**

This classification applies to pre-press activities ~~and Clerical Office Employees~~ of employers engaged in publishing printed newspapers, magazines or books where all printing and distribution is conducted by separate concerns. Pre-press activities include editing, designing, proofreading, and photographic composing, including negative stripping and plate making.

Newspaper reporters, photographers and advertising or circulation solicitors employed by newspaper publishers or printers shall be separately classified as 8746, *Newspaper Publishing or Printing – reporters or photographers – including Outside Salespersons*.

Newspaper printing operations shall be classified as 4304, *Newspaper Publishing or Printing – all other employees*, or 8818, *Newspaper Publishing or Printing – editing, designing, proofreading and photographic composing*.

Magazine or book printing operations shall be classified as 4299(1), *Printing Operation – all other employees*, or 8813(1), *Printing Operation – editing, designing, proofreading and photographic composing*.

* * * * *

Amend Classification 8818, *Newspaper Publishing or Printing – editing, designing, proofreading and photographic composing*, which is part of the Printing, Publishing and Duplicating Industry Group, for consistency with previously approved changes and for clarity.

PROPOSED

PRINTING, PUBLISHING AND DUPLICATING

NEWSPAPER PUBLISHING OR PRINTING – editing, designing, proofreading ~~and~~ or photographic composing – including Clerical Office Employees and Clerical Telecommuter Employees **8818**

This classification applies to pre-press activities ~~and Clerical Office Employees~~ of employers engaged in publishing or printing newspapers. Pre-press activities include editing, designing, proofreading, and photographic composition, including negative stripping and plate making.

Newspaper reporters, advertising or circulation solicitors shall be separately classified as 8746, *Newspaper Publishing or Printing – reporters or photographers*.

Also refer to companion Classification 4304, *Newspaper Publishing or Printing – all other employees*.

* * * * *

Amend Classification 8813(1), *Printing Operation – editing, designing, proofreading and photographic composing*, which is part of the Printing, Publishing and Duplicating Industry Group, for consistency with previously approved changes and for clarity.

PROPOSED

PRINTING, PUBLISHING AND DUPLICATING

PRINTING OPERATION – editing, designing, proofreading ~~and~~ photographic composing – including Clerical Office Employees and Clerical Telecommuter Employees 8813(1)

This classification includes pre-press activities ~~and clerical office employees~~ of employers engaged in commercial off-set printing. Pre-press activities include but are not limited to editing, designing, proofreading, and photographic composition, including negative stripping and plate making.

Also refer to companion Classification 4299(1), *Printing Operation – all other employees*.

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Amend Classification 8846(1), *Printing Operation – screen printing – editing, designing, proofreading and photographic composing*, which is part of the Printing, Publishing and Duplicating Industry Group, for consistency with previously approved changes and for clarity.

PROPOSED

PRINTING, PUBLISHING AND DUPLICATING

PRINTING OPERATION – screen printing – editing, designing, proofreading ~~and~~ photographic composing – including Clerical Office Employees and Clerical Telecommuter Employees 8846(1)

This classification applies to pre-press activities ~~and clerical office employees~~ of employers engaged in fee-based screen printing. Pre-press activities include but are not limited to the design ~~and~~ development of artwork and the preparation of screens. This classification also includes the post-printing cleaning of screens.

Also refer to companion Classification 4295(1), *Printing Operation – screen printing – all other employees*.

* * * * *

Amend Classification 8846(2), *Screen Printed Merchandise Dealers*, which is part of the Printing, Publishing and Duplicating Industry Group, for consistency with previously approved changes and for clarity.

PROPOSED

PRINTING, PUBLISHING AND DUPLICATING

SCREEN PRINTED MERCHANDISE DEALERS – editing, designing, proofreading and/or photographic composing – including Clerical Office Employees and Clerical Telecommuter Employees **8846(2)**

This classification applies to the pre-press operations ~~and clerical office employees~~ of screen printed merchandise dealers. Pre-press activities include but are not limited to the design ~~and/or~~ development of artwork and the preparation of screens. This classification also includes the post-printing cleaning of screens.

Also refer to companion Classification 4295(2), *Screen Printed Merchandise Dealers – all other employees*.

* * * * *

Amend Classification 9011(1), *Apartment or Condominium Complex Operation – N.O.C. – not Homeowners Associations – all other employees*, which is part of the Property Management/Operation Industry Group, for consistency with previously approved changes.

PROPOSED

PROPERTY MANAGEMENT/OPERATION

APARTMENT OR CONDOMINIUM COMPLEX OPERATION – N.O.C. – not Homeowners Associations – all other employees – including resident employees, and resident Clerical Office Employees and resident Clerical Telecommuter Employees **9011(1)**

When lodging is provided by the employer, the total remuneration shall include the market value of such lodging to the employee.

This classification applies to employers engaged in the management and operation of residential apartment or condominium complexes comprised of one or more multi-unit buildings with four or more units per building. This classification includes property managers engaged in the direct supervision of employees engaged in the operation, maintenance and care of properties. Such operations include but are not limited to cleaning and maintaining lobbies and common areas, maintaining ventilation and heating systems, changing door locks and directories, interior remodeling, exterior landscape maintenance, swimming pool maintenance, security and the operation of parking facilities.

Also refer to companion Classification 8740(1), *Apartment or Condominium Complex Operation – N.O.C. – not Homeowners Associations – property management supervisors*. Classification 8740(1) applies to non-residing property management supervisors who exercise direction through maintenance or operations supervisors who directly supervise employees engaged in the operation, maintenance and care of properties. Classification 8740(1) also applies to non-

residing property management supervisors who oversee apartment or condominium complexes at which all operation, maintenance and care activities are conducted by separate concerns and no payroll is assignable to 9011(1). Property managers not meeting the above conditions shall be classified as 9011(1).

Non-residing employees engaged exclusively in the rental or leasing of property to clients and who have no other duties of any kind in the service of the employer except clerical office work shall be separately classified as 8741, *Real Estate Agencies*, provided separate employees are retained to manage the property.

New construction, alteration or demolition work shall be separately classified.

The preparation or serving of hot foods shall be separately classified as 9079(1), *Restaurants or Taverns*.

The management and operation of individual apartment or condominium units (not apartment or condominium complexes), single-family residences, duplexes, triplexes and other residential properties consisting of not more than three units per building shall be classified as 9015(1), *Building Operation – N.O.C. – all other employees*.

The management and operation of properties, including but not limited to residential homes and apartment or condominium complexes, by homeowners associations shall be classified as 9066, *Homeowners Associations and Housing Cooperatives*.

* * * * *

Amend Classification 9007, *Apartment or Condominium Complex Operation for Seniors – age restricted – not Congregate Living Facilities or Homeowners Associations – all other employees*, which is part of the Property Management/Operation Industry Group, for consistency with previously approved changes.

PROPOSED

PROPERTY MANAGEMENT/OPERATION

APARTMENT OR CONDOMINIUM COMPLEX OPERATION FOR SENIORS – age restricted – not 9007

Congregate Living Facilities or Homeowners Associations – all other employees – including resident employees, and resident Clerical Office Employees and resident Clerical Telecommuter Employees

When lodging is provided by the employer, the total remuneration shall include the market value of such lodging to the employee.

This classification applies to employers engaged in the management and operation of apartment or condominium complexes comprised of one or more multi-unit buildings with four or more units per building that, in compliance with state or federal housing laws, restrict tenancy to persons who have reached a minimum age (typically either 55 or 62 depending on the type of facility). This classification includes property managers engaged in the direct supervision of employees engaged in the operation, maintenance and care of properties. Such operations include but are not limited to cleaning and maintaining lobbies and common areas, maintaining ventilation and heating systems, changing door locks and directories, interior remodeling, exterior landscape maintenance, swimming pool maintenance, security and the operation of parking facilities.

Also refer to companion Classification 8740(6), *Apartment or Condominium Complex Operation for Seniors – age-restricted – not Congregate Living Facilities or Homeowners Associations –*

property management supervisors. Classification 8740(6) applies to non-residing property management supervisors who exercise direction through maintenance or operations supervisors who directly supervise employees engaged in the operation, maintenance and care of properties. Classification 8740(6) also applies to non-residing property management supervisors who oversee such apartment or condominium complexes for seniors at which all operation, maintenance and care activities are conducted by separate concerns and no payroll is assignable to 9007. Property managers not meeting the above conditions shall be classified as 9007.

Non-residing employees engaged exclusively in the rental or leasing of property to clients and who have no other duties of any kind in the service of the employer except clerical office work shall be separately classified as 8741, *Real Estate Agencies*, provided separate employees are retained to manage the property.

New construction, alteration or demolition work shall be separately classified.

The preparation or serving of hot foods shall be separately classified as 9079(1), *Restaurants or Taverns*.

Those facilities that, for a single monthly fee, provide a service package that typically includes a living unit, one to three meals a day, in-unit housekeeping and personal laundry service shall be classified as 8851, *Congregate Living Facilities for the Elderly*.

The management and operation of individual apartment or condominium units (not apartment or condominium complexes), single-family residences, duplexes, triplexes and other residential properties consisting of not more than three units per building shall be classified as 9015(1), *Building Operation – N.O.C. – all other employees*.

* * * * *

Amend Classification 9011(2), *Commercial and Residential Mixed-Use Building Operation – not Homeowners Associations – all other employees*, which is part of the Property Management/Operation Industry Group, for consistency with previously approved changes.

PROPOSED

PROPERTY MANAGEMENT/OPERATION

COMMERCIAL AND RESIDENTIAL MIXED-USE BUILDING OPERATION – not Homeowners Associations – all other employees – including resident employees and, resident Clerical Office Employees and resident Clerical Telecommuter Employees 9011(2)

When lodging is provided by the employer, the total remuneration shall include the market value of such lodging to the employee.

This classification applies to employers engaged in the management and operation of combined commercial and residential mixed-use multi-unit properties comprised of one or more mixed-use multi-unit buildings with four or more units per building. This classification includes property managers engaged in the direct supervision of employees engaged in the operation, maintenance and care of properties. Such operations include but are not limited to cleaning and maintaining lobbies and common areas, maintaining ventilation and heating systems, changing door locks and directories, interior remodeling, exterior landscape maintenance, swimming pool maintenance, security and the operation of parking facilities.

Also refer to companion Classification 8740(7), *Commercial and Residential Mixed-Use Building Operation – not Homeowners Associations – property management supervisors*. Classification 8740(7) applies to property management supervisors who exercise direction through maintenance or operations supervisors who directly supervise employees engaged in the operation, maintenance and care of commercial and residential mixed-use buildings. Classification 8740(7) also applies to non-residing property management supervisors who oversee commercial and residential mixed-use buildings at which all operation, maintenance and care activities are conducted by separate concerns and no payroll is assignable to 9011(2). Property managers not meeting the above conditions shall be classified as 9011(2).

Non-residing employees engaged exclusively in the rental or leasing of property to clients and who have no other duties of any kind in the service of the employer except clerical office work shall be separately classified as 8741, *Real Estate Agencies*, provided separate employees are retained to manage the property.

New construction, alteration or demolition work shall be separately classified.

The preparation or serving of hot foods shall be separately classified as 9079(1), *Restaurants or Taverns*.

The management and operation of only the residential portion of a commercial and residential mixed-use building where a separate concern manages the commercial portion shall be classified as 9011(1), *Apartment or Condominium Complex Operation – N.O.C. – not Homeowners Associations – all other employees*.

The management and operation of only the commercial portion of a commercial and residential mixed-use building where a separate concern manages the residential portion shall be classified as 9009, *Commercial Properties – N.O.C. – all other employees*.

The management and operation of individual apartment or condominium units (not apartment or condominium complexes), single-family residences, duplexes, triplexes and other residential properties consisting of not more than three units per building shall be classified as 9015(1), *Building Operation – N.O.C. – all other employees*.

The management and operation of properties, including but not limited to residential homes and apartment or condominium complexes by homeowners associations shall be classified as 9066, *Homeowners Associations and Housing Cooperatives*.

* * * * *

Amend Classification 9010, *Mobile Home Park Operation – all other employees*, which is part of the Property Management/Operation Industry Group, for consistency with previously approved changes.

PROPOSED

PROPERTY MANAGEMENT/OPERATION

**MOBILE HOME PARK OPERATION – all other employees – including resident employees and, 9010
resident Clerical Office Employees and resident Clerical Telecommuter Employees**

When lodging is provided by the employer, the total remuneration shall include the market value of such lodging to the employee.

This classification applies to employers engaged in the management and operation of mobile home parks where tenants are provided with a space for the placement of the mobile home and utility services. The mobile home unit may be owned by the tenant or the mobile home may be owned by the park owner and rented or leased to the resident. Spaces are rented on a month-to-month or extended lease basis. This classification includes property managers engaged in the direct supervision of employees engaged in the operation, maintenance and care of mobile home parks. Such operations include but are not limited to cleaning and maintaining restrooms, lobbies, swimming pools and common areas, general property repairs, exterior landscape maintenance and security.

Also refer to companion Classification 8740(4), *Mobile Home Park Operation – property management supervisors*. Classification 8740(4) applies to non-residing property management supervisors who exercise direction through maintenance or operations supervisors who directly supervise employees engaged in the operation, maintenance and care of mobile home parks. Classification 8740(4) also applies to non-residing property management supervisors who oversee mobile home parks at which all operation, maintenance and care activities are conducted by separate concerns and no payroll is assignable to 9010. Mobile home park property managers not meeting the above conditions shall be classified as 9010.

Non-residing employees engaged exclusively in the rental or leasing of property to clients and who have no other duties of any kind in the service of the employer except clerical office work shall be separately classified as 8741, *Real Estate Agencies*, provided separate employees are retained to manage the property.

New construction, alteration or demolition work shall be separately classified.

The preparation or serving of hot foods shall be separately classified as 9079(1), *Restaurants or Taverns*.

The management and operation of recreational vehicle parks and campgrounds shall be classified as 9015(1), *Building Operation – N.O.C. – all other employees*.

* * * * *

Amend Classification 8741, *Real Estate Agencies*, which is part of the Property Management/Operation Industry Group, to limit an employee's annual payroll to \$149,500.

PROPOSED

PROPERTY MANAGEMENT/OPERATION

REAL ESTATE AGENCIES – all employees – including Clerical Office Employees, Clerical Telecommuter Employees and Outside Salespersons **8741**

The entire remuneration of each employee shall be included, subject to a maximum of ~~\$\$\$~~149,500 per year. When the policy is in force for less than a 12-month period, the maximum payroll amount shall be prorated based upon the number of weeks in the policy period.

This classification applies to real estate agencies that represent buyers, sellers, lessees and lessors in real estate transactions.

The operation or management of rental property, construction and remodeling operations shall be separately classified.

This classification also applies to non-residing leasing agents of a property management company who are engaged exclusively in the rental or leasing of property to clients and who have no other duties of any kind except clerical office work and the property management company retains separate employees to manage the property.

Employers that specialize in residential and commercial mortgage brokerage or mortgage banking operations that do not engage in the direct lending of mortgage funds shall be classified as 8743, *Mortgage Brokers*.

Employers that specialize in the direct lending of funds for residential and commercial mortgages shall be classified as 8749, *Mortgage Bankers*.

* * * * *

Amend Classification 8290, *Warehouses – self-storage – all other employees*, which is part of the Property Management/Operation Industry Group, for consistency with previously approved changes.

PROPOSED

PROPERTY MANAGEMENT/OPERATION

WAREHOUSES – self-storage – all other employees – including resident employees, and resident Clerical Office Employees and resident Clerical Telecommuter Employees 8290

When lodging is provided by the employer, the total remuneration shall include the market value of such lodging to the employee.

This classification applies to employers engaged in the operation of self-storage warehouses. This classification includes self-service warehouse managers engaged in the direct supervision of employees engaged in the operation, maintenance and care of self-storage warehouses. Such operations include but are not limited to opening and closing access gates, directing customers to storage spaces, maintaining common areas and landscaping, security and repairing or maintaining storage units, and working at the front counter to rent or sell supplies, including but not limited to storage, shipping and moving boxes, packaging tape, security locks, rope, dollies and moving tools.

Also refer to companion Classification 8740(5), *Warehouses – self-storage – property management supervisors*. Classification 8740(5) applies to non-residing property management supervisors who exercise direction through maintenance or operations supervisors who directly supervise employees engaged in the operation, maintenance and care of self-storage warehouses. Classification 8740(5) also applies to non-residing property management supervisors who oversee self-storage warehouses at which all operation, maintenance and care activities are conducted by separate concerns and no payroll is assignable to Classification 8290. Self-storage warehouse property managers not meeting the above conditions shall be classified as 8290.

* * * * *

Amend Classification 1624(1), *Quarries*, for consistency with other proposed changes.

PROPOSED

QUARRIES – including all employees engaged in installation of machinery and construction, repair and maintenance of all buildings, structures or equipment **1624(1)**

This classification applies to open quarries for the removal of rock, including but not limited to granite, limestone, sandstone and soapstone.

This classification includes stone cutting in quarries or hauling material from the quarry to a stone crusher operated by the quarry.

Drilling or blasting performed in connection with the employer's quarry operations shall be classified in accordance with Section III, Rule 5, *General Inclusions*.

Crushing operations shall be separately classified.

Rock excavation in connection with construction projects shall be classified as 1624(2) *Excavation – rock*.

Surface mining (open pit method) of ores or minerals shall be classified as 1122, *Mining – surface*.

Underground mining shall be classified as ~~1123, Mining – underground – with shafts, tunnels or drifts; all employees with exposure to underground mining operations, and 1124, Mining – underground – surface employees~~ 6251, Tunneling or Underground Mining.

* * * * *

Amend Classification 7610, *Radio, Television or Commercial Broadcasting Stations*, to increase the annual payroll limitation for on-air personalities, entertainers and musicians from \$144,300 to \$149,500 per person to reflect wage inflation since the payroll limitation was last amended in 2021.

PROPOSED

RADIO, TELEVISION OR COMMERCIAL BROADCASTING STATIONS – all employees – including Clerical Office Employees, Clerical Telecommuter Employees and Outside Salespersons **7610**

The entire remuneration of on-air personalities, entertainers and musicians shall be included subject to a maximum of ~~\$144,300~~ \$149,500 per year per person. When such employees do not work the entire year, the payroll limitation shall be prorated based upon the number of weeks in which such employees worked during the policy period.

This classification applies to Federal Communications Commission licensed radio, television or commercial wireless broadcasting stations. This classification also applies to contract video duplication, television studios that are operated by cable television companies, or the operation of music recording studios.

The dissemination of audio or video programming exclusively over the internet shall be classified as 8859(2), *Internet or Web-Based Application Development or Operation*.

Employers licensed by the Federal Communications Commission that provide cable or satellite television connectivity services or internet connectivity using cable or satellite infrastructure shall be classified as 7600, *Communication Service Providers*.

Computer or electronic video or audio post-production for other concerns on a contract basis shall be classified as 7607(1), *Video Post-Production*, or 7607(2), *Audio Post-Production*, respectively.

Motion picture production shall be classified as 9610, *Motion Pictures – production*.

* * * * *

Amend Classifications 5183(2)/5187(2), *Refrigeration Equipment*, to increase the hourly wage threshold from \$28.00 to \$31.00 per hour to reflect wage inflation since the threshold was last amended in 2020.

PROPOSED

REFRIGERATION EQUIPMENT – not household units – installation, service or repair – including shop, yard or storage operations – employees whose regular hourly wage does not equal or exceed ~~\$28~~31.00 per hour – N.O.C. **5183(2)**

This classification applies to the installation, service or repair of commercial refrigeration systems or equipment, including but not limited to walk-in refrigerators, commercial refrigerators or freezers, refrigerated display cases, refrigerated drinking fountains and ice makers.

The manufacture of commercial refrigeration systems or equipment, or shop repair of commercial refrigeration systems or equipment by employers that do not perform installation, service or repair at customers' locations shall be classified as 3165(1), *Air Conditioning or Refrigeration Equipment Mfg.*

The installation, service or repair of self-contained metal refrigerators or freezers, refrigerated drink dispensing machines or refrigerated ice cream cabinets, other than shop repair by the manufacturer, shall be classified as 9519(1), *Household Appliances*.

The shop repair of self-contained metal refrigerators or freezers, refrigerated drink dispensing machines or refrigerated ice cream cabinets by the manufacturer shall be classified as 3165(2), *Refrigerator Mfg.*

REFRIGERATION EQUIPMENT – not household units – installation, service or repair – including shop, yard or storage operations – employees whose regular hourly wage equals or exceeds ~~\$28~~31.00 per hour – N.O.C. **5187(2)**

Assignment of this classification is subject to verification at the time of final audit that the employee's regular hourly wage equals or exceeds ~~\$28~~31.00 per hour. The payroll of an employee whose regular hourly wage is not shown to equal or exceed ~~\$28~~31.00 per hour shall be classified as 5183(2), *Refrigeration Equipment*.

This classification applies to the installation, service or repair of commercial refrigeration systems or equipment, including but not limited to walk-in refrigerators, commercial refrigerators or freezers, refrigerated display cases, refrigerated drinking fountains and ice makers.

The manufacture of commercial refrigeration systems or equipment, or shop repair of commercial refrigeration systems or equipment by employers that do not perform installation, service or repair at customers' locations shall be classified as 3165(1), *Air Conditioning or Refrigeration Equipment Mfg.*

The installation, service or repair of self-contained metal refrigerators or freezers, refrigerated drink dispensing machines or refrigerated ice cream cabinets, other than shop repair by the manufacturer, shall be classified as 9519(1), *Household Appliances.*

The shop repair of self-contained metal refrigerators or freezers, refrigerated drink dispensing machines or refrigerated ice cream cabinets by the manufacturer shall be classified as 3165(2), *Refrigerator Mfg.*

* * * * *

Amend Classification 5225, *Reinforcing Steel Installation*, to clarify the intended application and provide direction as to how related operations should be classified.

PROPOSED

REINFORCING STEEL INSTALLATION – placing for concrete construction

5225

This classification applies to the installation of reinforcing steel, including but not limited to rebar, welded wire mesh and post tension cables in connection with concrete construction operations, except when performed by the same employer in connection with operations assigned to Classifications 5201(1)/5205(1), *Concrete or Cement Work – pouring or finishing of concrete sidewalks, driveways, patios, curbs or gutters*; 5201(2)/5205(2), *Concrete or Cement Work – pouring or finishing of concrete floor slabs, poured in place and on the ground, and concrete slab-type foundations, for other than concrete buildings or structural steel buildings of multi-story construction*; or 5222(2), *Chimney Construction*. Reinforcing steel installation is included in these classifications.

Reinforcing steel installation performed by specialty contractors in connection with the canal construction of canal, irrigation or drainage systems, or cross-country water pipelines, sewers, tunnels, caissons and dams or with operations assigned to Classification 5201(1)/5205(1), *Concrete or Cement Work*, and 5201(2)/5205(2), *Concrete or Cement Work*, shall be assigned to the classification describing the construction with which such reinforcing steel installation is connected shall be classified as 6361(1), *Canal Construction* or 6361(2), *Cross-Country Water Pipeline Construction*.

The cutting, bending, forming ~~and/or~~ assembly of reinforcing steel at a permanent shop or yard location shall be classified as 3039, *Reinforcing Steel Fabrication*.

* * * * *

Amend Classifications 5552/5553, *Roofing*, to increase the hourly wage threshold from \$27.00 to \$29.00 per hour to reflect wage inflation since the threshold was last amended in 2020.

PROPOSED

ROOFING – all kinds – including shop, yard or storage operations – employees whose regular hourly wage does not equal or exceed ~~\$27~~29.00 per hour **5552**

This classification applies to the installation, repair, removal or waterproofing of all types of roofs or roofing systems to prevent water or other substances from penetrating or damaging the structure. This classification includes but is not limited to preparing surfaces and applying torchdown or adhesive modified bitumen, hot or cold tar, felt glass, fabric, urethane foam, shakes, shingles, tile, slat, sheet metal, and other roofing, waterproofing, weatherproofing or membrane material onto rooftops.

A physical audit shall be conducted on the complete policy period of each policy insuring the holder of a C-39 Roofing Contractor license from the Contractors State License Board. See Section VI, Rule 4, *Audit of Payroll*.

The installation of shingle roofing when performed by the same employer that performs carpentry work in constructing new buildings or additions to existing buildings at the same job or location shall be classified as 5403/5432, *Carpentry*.

The installation of sheet metal roofing when installed by the same employer that performs sheet metal skinning in constructing new buildings or additions to existing buildings at the same job or location shall be classified as 5538(1)/5542(1), *Sheet Metal Work*.

The installation of photovoltaic solar panels shall be separately classified as 3724(2), *Electrical Machinery or Auxiliary Apparatus*.

ROOFING – all kinds – including shop, yard or storage operations – employees whose regular hourly wage equals or exceeds ~~\$27~~29.00 per hour **5553**

Assignment of this classification is subject to verification at the time of final audit that the employee's regular hourly wage equals or exceeds ~~\$27~~29.00 per hour. The payroll of an employee whose regular hourly wage is not shown to equal or exceed ~~\$27~~29.00 per hour shall be classified as 5552, *Roofing*.

This classification applies to the installation, repair, removal or waterproofing of all types of roofs or roofing systems to prevent water or other substances from penetrating or damaging the structure. This classification includes but is not limited to preparing surfaces and applying of torch-down or adhesive modified bitumen, hot or cold tar, felt, glass, fabric, urethane foam, shakes, shingles, tile, slat, sheet metal, and other roofing, waterproofing, weatherproofing or membrane material onto rooftops.

A physical audit shall be conducted on the complete policy period of each policy insuring the holder of a C-39 Roofing Contractor license from the Contractors State License Board. See Section VI, Rule 4, *Audit of Payroll*.

The installation of shingle roofing when performed by the same employer that performs carpentry work in constructing new buildings or additions to existing buildings at the same job or location shall be classified as 5403/5432, *Carpentry*.

The installation of sheet metal roofing when installed by the same employer that performs sheet metal skinning in constructing new buildings or additions to existing buildings at the same job or location shall be classified as 5538(1)/5542(1), *Sheet Metal Work*.

The installation of photovoltaic solar panels shall be separately classified as 3724(2), *Electrical Machinery or Auxiliary Apparatus*.

* * * * *

Amend Classifications 6307/6308, *Sewer Construction*, to increase the hourly wage threshold from \$34.00 to \$39.00 per hour to reflect wage inflation since the threshold was last amended in 2020.

PROPOSED

SEWER CONSTRUCTION – all operations – including construction of laterals and tunneling at street crossings – employees whose regular hourly wage does not equal or exceed \$3439.00 per hour **6307**

This classification applies to the construction of sewer main lines and laterals from the main line to the property line, and includes incidental trenching, shoring and tunneling at street crossings. This classification also applies to the installation of sewer lines within property lines when the sewer pipe exceeds 6" in diameter. This classification also applies to the construction of closed concrete culverts, monolithic or concrete pipe storm drains and catch basins and the installation of septic tanks and cesspools.

The installation of sewer lines within property lines using pipe that does not exceed 6" in diameter shall be classified as 5183(1)/5187(1), *Plumbing*.

SEWER CONSTRUCTION – all operations – including construction of laterals and tunneling at street crossings – employees whose regular hourly wage equals or exceeds \$3439.00 per hour **6308**

Assignment of this classification is subject to verification at the time of final audit that the employee's regular hourly wage equals or exceeds \$3439.00 per hour. The payroll of an employee whose regular hourly wage is not shown to equal or exceed \$3439.00 per hour shall be classified as 6307, *Sewer Construction*.

This classification applies to the construction of sewer main lines and laterals from the main line to the property line, and includes incidental trenching, shoring and tunneling at street crossings. This classification also applies to the installation of sewer lines within property lines when the sewer pipe exceeds 6" in diameter. This classification also applies to the construction of closed concrete culverts, monolithic or concrete pipe storm drains and catch basins and the installation of septic tanks and cesspools.

The installation of sewer lines within property lines using pipe that does not exceed 6" in diameter shall be classified as 5183(1)/5187(1), *Plumbing*.

* * * * *

Amend Classifications 5538(1)/5542(1), *Sheet Metal Work*, to increase the hourly wage threshold from \$27.00 to \$29.00 per hour to reflect wage inflation since the threshold was last amended in 2014.

PROPOSED

SHEET METAL WORK – erection, installation or repair – including shop, yard or storage operations – employees whose regular hourly wage does not equal or exceed ~~\$27~~29.00 per hour – N.O.C. 5538(1)

This classification applies to the installation of sheet metal items that are not more specifically described by another classification, including but not limited to gutters, downspouts, flashings, siding, flues, commercial kitchen vent hoods, counters, wall lining, expansion joint covers, decorative metal ceilings and corrugated metal decking.

This classification includes the shop fabrication of sheet metal items when the employer installs any portion of the fabricated items.

This classification applies to the installation of sheet metal roofing when installed by the same employer who performs the sheet metal skinning in constructing new buildings or additions to existing buildings at the same job or location. All other roofing shall be separately classified.

This classification also applies to the installation of vinyl siding.

The installation of ductwork for heating or air conditioning systems shall be classified as 5538(2)/5542(2), *Heating or Air Conditioning Ductwork*.

The installation of pipe and pipe fittings shall be separately classified.

SHEET METAL WORK – erection, installation or repair – including shop, yard or storage operations – employees whose regular hourly wage equals or exceeds ~~\$27~~29.00 per hour – N.O.C. 5542(1)

Assignment of this classification is subject to verification at the time of final audit that the employee's regular hourly wage equals or exceeds ~~\$27~~29.00 per hour. The payroll of an employee whose regular hourly wage is not shown to equal or exceed ~~\$27~~29.00 per hour shall be classified as 5538(1), *Sheet Metal Work*.

This classification applies to the installation of sheet metal items that are not more specifically described by another classification, including but not limited to gutters, downspouts, flashings, siding, flues, commercial kitchen vent hoods, counters, wall lining, expansion joint covers, decorative metal ceilings and corrugated metal decking.

This classification includes the shop fabrication of sheet metal items when the employer installs any portion of the fabricated items.

This classification applies to the installation of sheet metal roofing when installed by the same employer who performs the sheet metal skinning in constructing new buildings or additions to existing buildings at the same job or location. All other roofing shall be separately classified.

This classification also applies to the installation of vinyl siding.

The installation of ductwork for heating or air conditioning systems shall be classified as 5538(2)/5542(2), *Heating or Air Conditioning Ductwork*.

The installation of pipe and pipe fittings shall be separately classified.

* * * * *

Amend Classification 4492, *Sign Mfg.*, which is part of the Sign Industry Group, for consistency with previously approved changes.

PROPOSED

SIGN INDUSTRY

SIGN MFG. – metal, plastic or wood – N.O.C.

4492

This classification applies to the manufacture of metal, plastic or wood signs, including but not limited to cabinet signs or sign backings, channel letter signs, two-dimensional signs and three-dimensional signs, involving the fabrication and assembly of sign parts. This classification includes sign painting or the application of painted, printed or adhesive lettering or graphics onto signs manufactured by the employer.

Employees engaged exclusively in the design or production of adhesive lettering or graphics using office type computers or plotters/printers shall be classified as 8810, *Clerical Office Employees, or 8871, Clerical Telecommuter Employees*, subject to the Standard Exceptions rule. See Section III, Rule 4, *Standard Exceptions*.

Employers engaged in the fee-based production of signs, banners and related products by application of painted, printed or adhesive lettering or graphics onto surfaces, including but not limited to purchased sign blanks shall be classified as 9507, *Sign Painting or Lettering and Quick Sign Shops*.

Neon tube fabrication shall be separately classified as 4111(2), *Incandescent Lamp and Fluorescent Tube Mfg.*

Sign erection, installation or repair away from the shop shall be separately classified.

* * * * *

Amend Classification 9507, *Sign Painting or Lettering and Quick Sign Shops*, which is part of the Sign Industry Group, for consistency with previously approved changes.

PROPOSED

SIGN INDUSTRY

SIGN PAINTING OR LETTERING AND QUICK SIGN SHOPS – shop or outside – including counterpersons

9507

This classification applies to employers that apply painted, printed or adhesive lettering or graphics onto surfaces on a fee basis, including but not limited to customers' buildings, structures, windows, banners and purchased sign blanks. This classification includes the application of painted, printed or adhesive lettering, signage, striping, adhesive wraps or window tint film onto automobiles, trucks or buses by employers not engaged in automobile, truck or bus painting or body repairing.

Employees engaged exclusively in the design or production of painted, printed or adhesive lettering or graphics using office type computers or plotters/printers shall be classified as 8810, *Clerical Office Employees, or 8871, Clerical Telecommuter Employees*, subject to the Standard

Exceptions rule. See Section III, Rule 4, *Standard Exceptions*. The application of painted, printed or adhesive lettering or graphics onto a surface shall be classified as 9507.

The manufacture of metal, plastic or wood signs involving the fabrication and assembly of sign parts and associated sign painting or application of painted, printed or adhesive lettering or graphics onto signs manufactured by the employer shall be classified as 4492, *Sign Mfg. – metal, plastic or wood*.

The production of signs, banners and related products or the application of painted, printed or adhesive lettering or graphics onto surfaces at customers' locations or onto customers' vehicles by advertising companies shall be classified as 9549, *Advertising Companies*.

* * * * *

Amend Classification 1438, *Smelting, Sintering, Refining or Alloying*, for consistency with other proposed changes.

PROPOSED

SMELTING, SINTERING, REFINING OR ALLOYING – metal – not lead – N.O.C.

1438

This classification applies to the extraction, purification, refining or alloying of metal, including but not limited to gold, silver, tin, zinc, aluminum, calcium carbide, brass, bronze and copper (not lead) using metallurgical processes, such as heating, cooling, exposure to chemicals or electrolytes and compression. This classification includes the pouring of molten metal to produce ingots.

~~The manufacture, alloying, sintering, refining or recovery of lead shall be classified as 3647(2), *Lead Mfg., Reclaiming or Alloying*.~~

* * * * *

Amend Classifications 5632/5633, *Steel Framing*, to increase the hourly wage threshold from \$35.00 to \$39.00 per hour to reflect wage inflation since the threshold was last amended in 2020.

PROPOSED

STEEL FRAMING – light gauge – including the incidental installation of interior trim, doors and cabinet work – employees whose regular hourly wage does not equal or exceed \$3539.00 per hour

5632

This classification applies to the structural framing of buildings using cold formed, light gauge steel studs and joists that are #15 gauge or lighter.

This classification also applies to incidental carpentry operations, including but not limited to the installation of interior trim, doors or cabinets; the installation of shingle roofing; and the installation or application of insulation materials in buildings or within building walls, but only if such work is performed by the same employer that performs light gauge steel framing in constructing

new buildings or additions to existing buildings at the same job or location. All other roofing shall be separately classified.

The making, erecting or stripping of forms in connection with concrete work shall be assigned to the appropriate concrete classification.

The assembly of light gauge steel building components, including but not limited to wall panels and trusses at a permanent shop or yard location shall be classified as 3066(1), *Sheet Metal Products Mfg.*

The erection of steel structures constructed from steel beams shall be classified as 5040, *Iron or Steel Erection – structural.*

STEEL FRAMING – light gauge – including the incidental installation of interior trim, doors and cabinet work – employees whose regular hourly wage equals or exceeds ~~\$35~~39.00 per hour **5633**

Assignment of this classification is subject to verification at the time of final audit that the employee's regular hourly wage equals or exceeds ~~\$35~~39.00 per hour. The payroll of an employee whose regular hourly wage is not shown to equal or exceed ~~\$35~~39.00 per hour shall be classified as 5632, *Steel Framing.*

This classification applies to the structural framing of buildings using cold formed, light gauge steel studs and joists that are #15 gauge or lighter.

This classification also applies to incidental carpentry operations, including but not limited to the installation of interior trim, doors or cabinets; the installation of shingle roofing; and the installation or application of insulation materials in buildings or within building walls, but only if such work is performed by the same employer that performs light gauge steel framing in constructing new buildings or additions to existing buildings at the same job or location. All other roofing shall be separately classified.

The making, erecting or stripping of forms in connection with concrete work shall be assigned to the appropriate concrete classification.

The assembly of light gauge steel building components, including but not limited to wall panels and trusses at a permanent shop or yard location shall be classified as 3066(1), *Sheet Metal Products Mfg.*

The erection of steel structures constructed from steel beams shall be classified as 5040, *Iron or Steel Erection – structural.*

* * * * *

Amend Classification 1803, *Stone Cutting or Fabrication*, for consistency with previously approved changes.

PROPOSED

STONE CUTTING OR FABRICATION – shop **1803**

This classification applies to the cutting or fabrication of stone slabs, including but not limited to granite, marble, travertine, quartz, limestone and onyx to produce products such as countertops,

backsplashes, cemetery monuments, ceiling and wall veneer, mantels, floor tile, tabletops and exterior building panels or components.

Employees engaged exclusively in the design or production of stencils using office type computers or plotters/printers shall be classified as 8810, *Clerical Office Employees*, or 8871, *Clerical Telecommuter Employees*, subject to the Standard Exceptions rule. See Section III, *General Classification Procedures*, Rule 4, *Standard Exceptions*.

The installation of architectural non-load bearing stone products, such as countertops, backsplashes, ceiling and wall veneer, mantels, and tile, including stone cutting or fabrication at the installation site, shall be classified as 5348, *Tile, Stone, Mosaic or Terrazzo Work*.

The installation of cemetery monuments, including stone cutting or fabrication at the installation site, shall be classified as 5027/5028, *Masonry*.

Quarrying or stone cutting in quarries shall be classified as 1624(1), *Quarries*.

* * * * *

Amend Classification 8042, *Stores – floor covering*, which is part of the Stores Industry Group, for consistency with other proposed changes.

PROPOSED

STORES

STORES – floor covering – wholesale or retail – carpet, rugs, vinyl or linoleum – including showroom sales 8042

This classification applies to stores engaged in the sale of floor coverings, including but not limited to carpet and/or rugs; vinyl, linoleum, asphalt and/or rubber sheets, planks and/or tile; prefinished hardwood and/or bamboo strips and/or planks; and laminate and/or cork planks and/or tiles. This classification also applies to floor covering auctioneers.

The installation of linoleum, vinyl, laminate, carpet, rugs or asphalt or rubber tile shall be separately classified as 9521(2), *Floor Covering – installation*.

The installation or refinishing of hardwood or bamboo flooring shall be separately classified as 5436, *Hardwood Floor Laying*.

Dealers of building materials, including unfinished hardwood flooring, shall be classified as 8232(2), *Building Material Dealers*.

Stores engaged in the sale of ceramic floor, stone, porcelain or glass tile shall be classified as 8059, *Stores – tile or cabinets – wholesale or retail*.

* * * * *

Amend Classification 8015, *Stores – furniture*, which is part of the Stores Industry Group, for consistency with other proposed changes.

PROPOSED

STORES

STORES – furniture – wholesale or retail

8015

This classification applies to stores engaged in the sale or rental of furniture, including but not limited to couches, chairs, tables, dressers, bed frames, desks and bookcases. This classification also applies to furniture auctioneers.

This classification also applies to the operation of furniture galleries or showrooms that display samples of furniture for viewing and direct sale to customers. Such operations include but are not limited to the sale of furniture by salespersons, interior decorators or designers retained by the employer, and furniture shipping, receiving and delivery. This classification includes travel to customers' locations by salespersons, interior decorators or designers to gather information or provide advice in support of furniture sales.

This classification does not apply to the operation of furniture galleries or showrooms that sell exclusively from samples to buyers for stores (no direct sales) and where no inventory (exclusive of showroom samples) is maintained at the gallery or showroom location. Such gallery or showroom salespersons shall be classified as 8742, *Salespersons – Outside*, provided they have no other duties of any kind in the service of the employer except clerical work or outside sales. See Part 3, Section IV, Rule 6, *Stores*.

Stores engaged only in the sale of mattresses or box springs shall be classified as 8017(1), *Stores – retail*.

Stores engaged in the sale of tile or cabinets, including but not limited to kitchen or bath cabinets shall be classified as 8059, *Stores – tile or cabinets – wholesale or retail*.

The installation, service or repair of household appliances shall be separately classified as 9519(1), *Household Appliances*.

The installation of linoleum, vinyl, cork, asphalt or rubber tile, or laminate (not hardwood) flooring within buildings, as well as the laying of carpets or rugs, shall be separately classified as 9521(2), *Floor Covering – installation*.

The installation of hardwood or bamboo floors, including baseboard molding installed in connection therewith, shall be separately classified as 5436, *Hardwood Floor Laying*.

The installation of window coverings, including associated hardware, within buildings shall be separately classified as 9521(3), *Window Covering*.

* * * * *

Amend Classification 8010, *Stores – hardware, electrical or plumbing supplies*, which is part of the Stores Industry Group, for consistency with other proposed changes.

PROPOSED

STORES

STORES – hardware, electrical or plumbing supplies – wholesale or retail

8010

This classification applies to the sale of hardware, electrical or plumbing supplies, including but not limited to nails, screws ~~and/or~~ threaded fasteners; hand or power tools; door or lock hardware; electrical wire, conduit, switches, outlets ~~and/or~~ circuit breakers; new or used gas or water fittings, pipe, valves, faucets ~~and/or~~ filters; bathroom fixtures; water heaters; ~~or~~ boilers; insulation; and ventilating ducts. This classification also applies to the sale of oil, gas or water well supplies, such as pipe (new or used), tubing, flanges, fittings and valves, and includes incidental cleaning operations to prepare the pipe for sale. This classification also applies to the sale of welding supplies, including but not limited to welding rods, torch tips, gauges, electrode holders, welding generators, electric welders, protective clothing or eyewear, and welding gases such as oxygen, argon, carbon dioxide, nitrogen, or helium, including recharging bottles or tanks with gas. This classification also applies to stores engaged in the sale of medical gases.

This classification also applies to locksmith operations performed at fixed or outside locations.

~~When lumber sales exceed 10% of gross receipts, employees, other than store cashiers, engaged in handling or delivering lumber shall be separately classified as 8232(1), *Lumberyards*.~~

When lumber or building material sales exceed 10% of gross receipts, employees, other than store salespersons or cashiers, engaged in handling, stocking or delivering lumber or building materials shall be separately classified as 8232(1), *Lumberyards*, or 8232(2), *Building Material Dealers*. When lumber or building material sales do not exceed 10% of gross receipts, such employees are included in Classification 8010.

Dealers of oil or gas well machinery or equipment shall be classified as 8107, *Machinery and Equipment Dealers – N.O.C.*, or 8267, *Machinery and Equipment Dealers – secondhand*.

The manufacture of welding gases shall be classified as 4635, *Oxygen or Hydrogen Mfg.*

* * * * *

Amend Classification 8059, *Stores – tile*, which is part of the Stores Industry Group, to (1) include the sale of cabinets, (2) provide direction to separately classify employees engaged in handling, stocking or delivering lumber or building materials when lumber or building material sales exceed 10% of gross receipts and (3) provide direction as to how related operations should be classified.

PROPOSED

STORES

STORES – tile or cabinets – wholesale or retail

8059

This classification applies to stores engaged in the sale of ~~decorative~~ tile, including but not limited to ceramic, stone, porcelain and glass tile. This classification also applies to stores engaged

in the sale of cabinets that are designed to be affixed to building walls or floors, including but not limited to kitchen or bath cabinets.

Dealers in stone slabs or countertops When lumber or building material sales, including but not limited to marble, granite, quartz and limestone countertop or stone slab materials exceed 10% of gross receipts, employees, other than store salespersons or cashiers, engaged in handling, stocking or delivering lumber or building materials shall be separately classified as 8232(1), Lumberyards, or 8232(2), Building Material Dealers. When lumber or building material sales do not exceed 10% of gross receipts, such employees are included in Classification 8059.

Stores engaged in the sale of hardware, electrical or plumbing supplies shall be classified as 8010, Stores – hardware, electrical or plumbing supplies – wholesale or retail.

Stores engaged in the sale of furniture, including but not limited to couches, chairs, tables, dressers, bed frames, desks and bookcases shall be classified as 8015, Stores – furniture – wholesale or retail.

Stores engaged in the sale of vinyl, linoleum, asphalt, laminate or rubber tile floor coverings shall be classified as 8042, Stores – floor covering.

The installation of tile shall be separately classified as 5348, Tile, Stone, Mosaic or Terrazzo Work.

The installation of cabinets, fixtures, or wood or laminate countertops shall be separately classified as 5146(1), Cabinet, Fixture or Trim Installation.

* * * * *

Amend Classification 7365, *Taxicab Operations*, to increase the minimum annual payroll per taxicab from \$39,700 to \$41,000 to reflect wage inflation since the threshold was last amended in 2021 and for consistency with previously approved changes.

PROPOSED

TAXICAB OPERATIONS – all employees

7365

Payroll shall include the entire remuneration earned by all taxicab drivers during the policy period. In the event an employer does not keep verifiable payroll records for all taxicab drivers, the minimum remuneration for taxicab drivers shall not be less than ~~\$39,700~~**\$41,000** per annum per taxicab dispatched by or operated under the auspices of the insured. The minimum payroll amount is in consideration of taxicab downtime, vacation time or other periods during which the taxicab is not in operation, as well as the use of a single taxicab by multiple drivers. The per annum payroll amount shall be prorated only when the taxicab is not dispatched by or under the auspices of the insured or registered for the full policy period or when the policy period is less than one year.

This classification applies to the operation of taxicab services engaged in transporting the general public on a fee basis. Taxicab operations provide passenger transportation services that are available for immediate hire with fares that must be determined by either zone or meter. This classification includes the maintenance and repair of vehicles in connection with taxicab operations by the same employer.

Dispatchers engaged in clerical activities shall be separately classified as 8810, *Clerical Office Employees*, or 8871, *Clerical Telecommuter Employees*, subject to the Standard Exceptions rule. See Section III, Rule 4, *Standard Exceptions*.

Transportation services provided to passengers exclusively on a scheduled route, charter or other pre-arranged basis, including Transportation Network Companies (TNC) that employ drivers, shall be classified as 7382, *Bus, Shuttle Van or Limousine Operations*.

* * * * *

Amend the cross-reference for Classification 3681(3), *Telecommunications Equipment Mfg.*, which is part of the Electronics Industry Group, to rename the Electronics Industry Group for consistency with other proposed changes.

PROPOSED

TELECOMMUNICATIONS EQUIPMENT MFG. – all other employees

See Electronics Industry.

* * * * *

Establish a new cross-reference for Classification 8874(3), *Telecommunications Equipment Mfg. – hardware or software design or development*, which is part of the Electronics Industry Group, for consistency with other proposed changes.

PROPOSED

TELECOMMUNICATIONS EQUIPMENT MFG. – hardware or software design or development

See Electronics.

* * * * *

Amend Classification 9529(3), *Tent – erection, removal or repair*, to clarify the intended application, provide direction as to how related operations should be classified and for consistency with previously approved changes.

PROPOSED

TENT – erection, removal or repair – away from shop

9529(3)

This classification applies to the installation, removal or repair of tents at customer locations.
This classification also applies to the covering of silage piles on a fee basis.

~~The Tent manufacturing of tents~~ shall be classified as 2576, *Awning, Tarp or Canvas Goods Mfg.*

The erection, removal or repair of awnings away from the shop shall be separately classified as 5102, *Iron, Steel, Brass, Bronze or Aluminum Erection*.

~~The operations of a s~~Stores for the purpose of the sale that sell or rental of tents shall be classified in accordance with Section IV, *Special Industry Classification Procedures*, Rule 6, *Stores*.

* * * * *

Amend Classification 5650, *Termite Control Work*, to provide direction as to how related operations should be classified.

PROPOSED

TERMITE CONTROL WORK – all operations – including shop, yard or storage operations, Outside Salespersons and estimators

5650

This classification applies to the control ~~and/or~~ extermination of termites ~~and/or~~ other wood-destroying pests ~~and/or~~ organisms by any method, including but not limited to fumigation, spraying insecticides and applying orange oil ~~and/or~~ hot or cold thermal treatments. This classification also applies to structural repair operations that are conducted incidental to termite control work. This classification also applies to the application of insecticides onto soil ~~and/or~~ structures to control termites in connection with new construction.

The control ~~and/or~~ extermination of pests, including but not limited to rodents and insects other than termites or other wood-destroying pests shall be separately classified as 9031, *Pest or Nuisance Wildlife Control*.

The structural repair of wood framed buildings that is not incidental to termite control work at a particular job or location shall be classified as 5403/5432, *Carpentry*.

* * * * *

Amend Classification 9156, *Theaters – dance, opera or theater companies*, to (1) increase the annual payroll limitation for performers and directors of performers from \$144,300 to \$149,500 per person to reflect wage inflation since the payroll limitation was last amended in 2021, (2) include circus employees who are performers or directors of performers, as these operations are more properly assignable to Classification 9156 and (3) clarify the intended application.

PROPOSED

THEATERS – dance, opera or theater companies – all performers and directors of performers – N.O.C. 9156

The entire remuneration of performers and directors of performers shall be included, subject to a maximum of ~~\$144,300~~\$149,500 per year per person. When such employees do not work the entire year, the payroll limitation shall be prorated based upon the number of weeks in which such employees worked during the policy period.

This classification applies to the production of live musical, dance, opera, dramatic, comedic, circus or other theatrical presentations before a live audience. This classification includes all ~~stage~~ performers, directors and musicians in connection ~~therewith~~ with the theater operations.

Musical entertainers who are not employees of dance, opera or theater companies, but who provide entertainment for a live audience, including but not limited to orchestras, touring bands, casual or steady engagement music groups and event disc jockeys, shall be classified as 9151, *Theaters – musical entertainment*.

The operation of motion picture theaters shall be classified as 9155, *Theaters – motion picture*.

Also refer to companion Classification 9154, *Theaters – not motion picture – all employees other than performers and directors of performers*.

If an employee who performs duties described by Classification 9156 also performs duties described by Classification 9154, the payroll of that employee may be divided between Classifications 9154 and 9156, provided the employer maintains accurate records supported by time cards or time book entries that show such division. See Section V, Rule 3, *Division of Single Employee's Payroll*.

* * * * *

Amend Classification 9155, *Theaters – motion picture*, for clarity and consistency with other proposed changes.

PROPOSED

THEATERS – motion picture – all employees other than employees exclusively engaged in restaurant or tavern operations 9155

This classification applies to all employees engaged in the operation of “walk-in” or “drive-in” motion picture theaters, including but not limited to ushers, motion picture projection and sound equipment operators, box office and snack bar cashiers, security staff and parking lot attendants.

The operation of a concession stand or snack bar by separate concerns shall be classified as 9079(2), *Concessionaires*.

~~Theater stage~~ Theatrical performers, directors ~~and~~ or musicians engaged in dance, opera, dramatic, comedic, circus or other theatrical presentations before a live audience shall be classified as 9156, *Theaters – dance, opera and theater companies*.

Orchestras, touring bands, casual or steady engagement music groups ~~and~~ or event disc jockeys engaged in the provision of musical entertainment before a live audience shall be classified as 9151, *Theaters – musical entertainment*.

Employees other than ~~stage~~ performers, directors ~~and~~ or musicians engaged in the operation of live performance theaters shall be classified as 9154, *Theaters – not motion picture*.

The payroll of employees engaged exclusively in restaurant or tavern operations shall be separately classified as 9079(1), *Restaurants or Taverns*.

* * * * *

Amend Classification 9151, *Theaters – musical entertainment*, to increase the annual payroll limitation for performers and directors of performers from \$144,300 to \$149,500 per person to reflect wage inflation since the payroll limitation was last amended in 2021 and for clarity and consistency with other proposed changes.

PROPOSED

THEATERS – musical entertainment – live performances – all performers and directors of performers 9151

The entire remuneration of performers and directors of performers shall be included subject to a maximum of ~~\$144,300~~ \$149,500 per year per person. When such employees do not work the entire year, the payroll limitation shall be prorated based upon the number of weeks in which such employees worked during the policy period.

This classification applies to employers that provide musical entertainment for a live audience. This classification includes but is not limited to orchestras, touring bands, casual or steady engagement music groups and event disc jockeys. This classification also applies to stage performers ~~and~~ or dancers incidental to the musical performance.

Theatrical performers, directors or musicians engaged in ~~d~~ Dance, opera, ballet ~~dramatic, comedic, circus or other live theater performers including musicians~~ shall be classified as 9156, *Theaters – dance, opera or theater companies*.

Also refer to companion Classification 9154, *Theaters – not motion picture – all employees other than performers and directors of performers*.

If an employee who performs duties described by Classification 9151 also performs duties described by Classification 9154, the payroll of that employee may be divided between Classifications 9151 and 9154 provided the employer maintains accurate records supported by time cards or time book entries that show such division. See Section V, Rule 3, *Division of Single Employee's Payroll*.

* * * * *

Amend Classification 9154, *Theaters – not motion picture*, to include circus employees who are not performers, such as managers, stage technicians, box office employees or ushers, as these operations are more properly assignable to 9154, and to clarify the intended application.

PROPOSED

THEATERS – not motion picture – all employees other than performers and directors of performers – including managers, stage ~~hands~~ technicians, box office employees or ushers **9154**

This classification applies to the production of live musical, dance, opera, dramatic, comedic, circus or other theatrical presentations before a live audience or the operation of venues used for such live entertainment. This classification includes all theater employees other than performers and directors of performers, including managers, stage technicians, box office employees or ushers.

Also refer to companion Classification 9156, *Theaters – dance, opera or theater companies – all performers and directors of performers – N.O.C.*, and to companion Classification 9151, *Theaters – musical entertainment – live performances*.

If an employee who performs duties described by Classification 9154 also performs duties described by Classifications 9151 or 9156, the payroll of that employee may be divided between Classifications 9154 and 9156, or between Classifications 9151 and 9154 provided the employer maintains accurate records supported by time cards or time book entries that show such division. Refer to Section V, Rule 3.

* * * * *

Amend Classification 6251, *Tunneling*, to include underground mining operations, to provide direction as to how related operations should be classified and for consistency with other proposed changes.

PROPOSED

TUNNELING OR UNDERGROUND MINING – all work to completion employees – including lining **6251**

This classification applies to the construction of tunnels ~~and/or~~ caves and includes the ~~incidental~~ installation of concrete lining, electrical wiring ~~and/or~~ plumbing. This classification also applies to tunneling in connection with dam construction or street or road construction, including tunneling underneath roadways or railroads by hydraulic jacking pipe exceeding 6' in diameter through the earth. This classification also applies to tunneling in connection with dam construction and street or road construction.

~~Hydraulic jacking pipe not exceeding 6' in diameter through the earth to produce sewer, gas or water lines shall be separately classified.~~ This classification also applies to the operation of underground mines for the extraction of ores or minerals, including but not limited to gold, borax, graphite, gypsum and perlite. This classification includes all underground and aboveground operations, including but not limited to the drilling of shafts, tunnels or drifts; the erection of shoring or supports; the construction of underground tramways; and the installation, operation or maintenance of underground or above-ground equipment or machinery. This classification includes mining engineers engaged in surveying, mapping or geophysical exploration of sites.

Surface mining (open pit method) operations shall be classified as 1122, *Mining – surface*.

Ore milling operations shall be separately classified as 1452, *Mining – ore milling*.

* * * * *

Amend Classification 8720(4), *Unmanned Aircraft System Operation – aircraft system and payload total combined weight of less than 55 pounds*, for consistency with previously approved changes.

PROPOSED

UNMANNED AIRCRAFT SYSTEM OPERATION – aircraft system and payload total combined weight of less than 55 pounds – including Outside Salespersons 8720(4)

This classification applies to the operating crew of Unmanned Aircraft Systems (aerial drones) with an aircraft system and payload total combined weight of less than 55 pounds that are operated on a fee basis. This classification includes shop or field repair of Unmanned Aircraft Systems (aerial drones) in connection with such operations.

This classification also applies to the operating crew of Unmanned Aircraft Systems (aerial drones) with a total combined weight of less than 55 pounds that are operated in support of the employer's construction or erection operations, provided the operating crew members are engaged exclusively in such operations, or are engaged in such work for any portion of their time and devote the balance of their time to clerical office duties or outside sales. Employees who are members of an Unmanned Aircraft Systems (aerial drone) operating crew and also perform or supervise construction or erection operations shall be classified based on the construction or erection operations they supervise or perform. See Section IV, Rule 2, *Construction or Erection Work*.

When performed in connection with an employer's own operations, other than construction or erection, the operating crew of Unmanned Aircraft Systems (aerial drones) with a total combined weight of less than 55 pounds shall be classified in accordance with Section III, Rule 5, *General Inclusions*.

Operation of Unmanned Aircraft Systems (aerial drones) with a total combined weight of 55 pounds or heavier shall be classified in accordance with Section III, Rule 6, *General Exclusions*. The operating crew of Unmanned Aircraft Systems (aerial drones) with a total combined weight of 55 pounds or heavier used for other than agricultural operations shall be separately classified as 7428(1), *Aircraft Operation – other than agricultural or scheduled air carriers – not members of the flying crew*. The operating crew of Unmanned Aircraft Systems (aerial drones) with a total combined weight of 55 pounds or heavier used for agricultural operations, including but not limited to dusting, spraying and seeding, shall be separately classified as 7410, *Aircraft Operation – agricultural – dusting, spraying or seeding – not members of the flying crew*.

Unmanned Aircraft Systems (aerial drones) operating crew members working remotely from a home or office location with no exposure outside of the clerical office shall be classified as 8810, *Clerical Office Employees*, or 8871, *Clerical Telecommuter Employees*, subject to the Standard Exceptions rule. See Section III, Rule 4, *Standard Exceptions*.

The fee-based repair of Unmanned Aircraft Systems (aerial drones) with a total combined weight of less than 55 pounds away from shop shall be separately classified as 5128, *Instrument Installation, Service or Repair*.

* * * * *

Amend Classification 7607(1), *Video Post-Production*, to increase the annual payroll limitation from \$144,300 to \$149,500 per person to reflect wage inflation since the payroll limitation was last amended in 2021 and for consistency with previously approved changes.

PROPOSED

VIDEO POST-PRODUCTION – computer or electronic – all employees – including Clerical Office Employees, Clerical Telecommuter Employees and Outside Salespersons **7607(1)**

The entire remuneration of each employee shall be included, subject to a maximum of ~~\$144,300~~ \$149,500 per year. When the policy is in force for less than a 12-month period, the maximum payroll amount shall be prorated based upon the number of weeks in the policy period.

This classification applies to employers engaged exclusively in computer or electronic video post-production operations for other concerns in connection with motion pictures, television features, commercials or similar productions, on a contract basis.

This classification does not apply to computer or electronic video post-production operations performed in connection with motion pictures, television features, commercials or similar productions by the same employer; such operations shall be classified as 8810, *Clerical Office Employees*, or 8871, *Clerical Telecommuter Employees*, subject to the Standard Exceptions rule. See Section III, Rule 4, *Standard Exceptions*.

Non-computer or non-electronic post-production operations, including but not limited to developing film, production of prints by exposing raw film stock, or editing film prints by cutting or splicing shall be classified as 4362, *Motion Pictures – negative and print processors, distributors and film exchanges*.

Audio post-production operations performed on a contract basis in connection with audio or music recording or mixing, or scoring of motion pictures, television features, commercials or similar productions shall be classified as 7607(2), *Audio Post-Production*.

Audio or music recording studios or contract video duplication shall be classified as 7610, *Radio, Television or Commercial Broadcasting Stations*.

* * * * *

Amend Classifications 5446/5447, *Wallboard Installation*, to increase the hourly wage threshold from \$36.00 to \$38.00 per hour to reflect wage inflation since the threshold was last amended in 2020.

PROPOSED

WALLBOARD INSTALLATION – within buildings – including finishing and preparation prior to painting – employees whose regular hourly wage does not equal or exceed ~~\$36~~ \$38.00 per hour – N.O.C. **5446**

This classification applies to the installation of gypsum wallboard within buildings, and includes non-structural metal stud wall framing and the installation or application of insulating materials

within building walls if installed or applied by the same employer that performs the wallboard installation at the same job or location.

This classification includes wallboard taping and texturing whether or not it is performed by the same employer that performs the wallboard installation.

The framing of interior, non-structural walls using light gauge steel studs by an employer that performs no structural steel framing or wallboard installation operations at the same job or location shall be classified as 5443, *Lathing*.

When an employer engages in the structural framing of buildings using cold formed, light gauge steel studs and joists, all metal framing operations performed by the same employer at the same job or location shall be classified as 5632/5633, *Steel Framing*.

The application of veneer plaster over installed wallboard shall be separately classified as 5484/5485, *Plastering or Stucco Work*.

WALLBOARD INSTALLATION – within buildings – including finishing and preparation prior to painting – employees whose regular hourly wage equals or exceeds \$~~36~~38.00 per hour – N.O.C. 5447

Assignment of this classification is subject to verification at the time of final audit that the employee's regular hourly wage equals or exceeds \$~~36~~38.00 per hour. The payroll of an employee whose regular hourly wage is not shown to equal or exceed \$~~36~~38.00 per hour shall be classified as 5446, *Wallboard Installation*.

This classification applies to the installation of gypsum wallboard within buildings, and includes non-structural metal stud wall framing and the installation or application of insulating materials within building walls if installed or applied by the same employer that performs the wallboard installation at the same job or location.

This classification includes wallboard taping and texturing whether or not it is performed by the same employer that performs the wallboard installation.

The framing of interior, non-structural walls using light gauge steel studs by an employer that performs no structural steel framing or wallboard installation operations at the same job or location shall be classified as 5443, *Lathing*.

When an employer engages in the structural framing of buildings using cold formed, light gauge steel studs and joists, all metal framing operations performed by the same employer at the same job or location shall be classified as 5632/5633, *Steel Framing*.

The application of veneer plaster over installed wallboard shall be separately classified as 5484/5485, *Plastering or Stucco Work*.

* * * * *

Amend Classification 0400, *Warehouses – cotton – including cotton compressing*, for consistency with other proposed changes.

PROPOSED

WAREHOUSES – cotton – including cotton compressing

0400

This classification applies to the storage of cotton for other concerns on a fee basis and includes incidental cotton compressing. This classification also applies to cotton dealers or merchants.

The cultivation and harvesting of cotton shall be separately classified as 0171, *Field Crops*.

This classification does not apply to cotton gin operations; all operations, including the storage, compressing, sale and distribution of cotton in connection with cotton gin operations shall be classified as 0401, *Cotton Gin Operation*.

Cotton batting manufacturing shall be classified as 2222, *Spinning, Weaving or Fiber Processing*.

~~The cultivation and harvesting of cotton shall be separately classified as 0044, *Cotton Farms*.~~

* * * * *

Amend Classifications 6315(1)/6316(1), *Water Mains or Connections Construction*, to increase the hourly wage threshold from \$34.00 to \$39.00 per hour to reflect wage inflation since the threshold was last amended in 2020.

PROPOSED

WATER MAINS OR CONNECTIONS CONSTRUCTION – including tunneling at street crossings – employees whose regular hourly wage does not equal or exceed ~~\$34~~39.00 per hour

6315(1)

This classification applies to the construction of water mains and laterals from the main line to the property line, and includes incidental trenching, shoring and tunneling at street crossings. This classification also applies to the installation of water lines within property lines when the water pipe exceeds 6" in diameter.

The installation of water lines within property lines using pipe that does not exceed 6" in diameter shall be classified as 5183(1)/5187(1), *Plumbing*.

The construction of aqueducts, cross-country pipelines and hydroelectric projects shall be separately classified.

All tunneling other than at street crossings shall be separately classified.

WATER MAINS OR CONNECTIONS CONSTRUCTION – including tunneling at street crossings – employees whose regular hourly wage equals or exceeds ~~\$34~~39.00 per hour 6316(1)

Assignment of this classification is subject to verification at the time of final audit that the employee's regular hourly wage equals or exceeds ~~\$34~~39.00 per hour. The payroll of an employee whose regular hourly wage is not shown to equal or exceed ~~\$34~~39.00 per hour shall be classified as 6315(1), *Water Mains or Connections Construction*.

This classification applies to the construction of water mains and laterals from the main line to the property line, and includes incidental trenching and shoring and tunneling at street crossings. This classification also applies to the installation of water lines within property lines when the water pipe exceeds 6" in diameter.

The installation of water lines within property lines using pipe that does not exceed 6" in diameter shall be classified as 5183(1)/5187(1), *Plumbing*.

The construction of aqueducts, cross-country pipelines and hydroelectric projects shall be separately classified.

All tunneling other than at street crossings shall be separately classified.

* * * * *

Amend Classifications 5474(2)/5482(2), *Waterproofing*, to increase the hourly wage threshold from \$28.00 to \$31.00 per hour to reflect wage inflation since the threshold was last amended in 2020.

PROPOSED

WATERPROOFING – other than roofing or subaqueous work – performed as a separate operation not a part of or incidental to any other operation – including shop, yard or storage operations – employees whose regular hourly wage does not equal or exceed ~~\$28~~31.00 per hour 5474(2)

This classification applies to the application of water repellent coatings, membranes or caulking to interior or exterior building surfaces. This classification also applies to the application of fire-stop caulking.

This classification includes shop operations, including but not limited to mixing and blending waterproofing materials and equipment maintenance.

The application of water repellent coatings, membranes or caulking to roof surfaces shall be classified as 5552/5553, *Roofing*.

Waterproofing operations in connection with the employer's other classifiable operations shall not be separately classified.

WATERPROOFING – other than roofing or subaqueous work – performed as a separate operation not a part of or incidental to any other operation – including shop, yard or storage operations – employees whose regular hourly wage equals or exceeds ~~\$28~~31.00 per hour 5482(2)

Assignment of this classification is subject to verification at the time of final audit that the employee's regular hourly wage equals or exceeds ~~\$28~~31.00 per hour. The payroll of

an employee whose regular hourly wage is not shown to equal or exceed \$28~~31~~1.00 per hour shall be classified as 5474(2), *Waterproofing*.

This classification applies to the application of water repellent coatings, membranes or caulking to interior or exterior building surfaces. This classification also applies to the application of fire-stop caulking.

This classification includes shop operations, including but not limited to mixing and blending waterproofing materials and equipment maintenance.

The application of water repellent coatings, membranes or caulking to roof surfaces shall be classified as 5552/5553, *Roofing*.

Waterproofing operations in connection with the employer's other classifiable operations shall not be separately classified.

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Amend Section VIII, *Abbreviated Classifications – Numeric Listing*, for consistency with other proposed changes.

PROPOSED

Section VIII – Abbreviated Classifications – Numeric Listing

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0044	Cotton Farms
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•	
1123	Mining—underground
1124	Mining—underground—surface employees
•	
•	
•	
2116	Fruit/Vegetable Juice/ <u>Juice</u> Concentrate Mfg
•	
•	
•	
2589(2)	Dry Cleaning— N.O.C. <u>commercial</u>
•	
•	
•	
3647(2)	Lead Mfg/Reclaiming/Alloying
•	
•	
•	
3681(1)	Instrument Mfg— electronic— <u>all other employees</u>
3681(2)	Computer/ Computer Peripheral Equip Mfg— <u>all other employees</u>

3681(3) Telecommunications Equip Mfg—all other employees
 3681(4) Audio/Video ~~Electronic~~ Products Mfg—all other employees

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4112 Integrated Circuit Mfg—all other employees

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6251 Tunneling/Underground Mining

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8059 Stores—tile/cabinets

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8839 ~~Dentists/Dental Surgeons/Orthodontia Practices~~

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•

•

8874(1) Instrument Mfg—electronic—design

8874(2) Computer Mfg—design

8874(3) Telecommunications Equip Mfg—design

8874(4) Audio/Video Products Mfg—design

8874(5) Integrated Circuit Mfg—design

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9185 Carnivals/Circuses

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Part 4 — Unit Statistical Report Filing Requirements

Amend Section II, *Definitions*, Rule 12, *Final Premium(s)*, Subrule h, for consistency with the California Department of Industrial Relations' Fiscal Year Assessments.

PROPOSED

Section II – Definitions

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12. Final Premium(s)

Reported in the “Standard Premium Total” field on the unit statistical report, this is the total premium charged to the policyholder, EXCEPT that it does not include the following:

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-
-
- h. Policy assessments, including but not limited to California Insurance Guarantee Association (CIGA) assessments, California Workers' Compensation Administration Revolving Fund assessments, California ~~w~~Workers' ~~e~~Compensation ~~f~~Fraud ~~surcharges~~Account assessments, Uninsured Employers Benefits Trust Fund assessments, Occupational Safety and Health Fund assessments, Labor Enforcement and Compliance Fund assessments, and Subsequent Injuries Benefits Trust Fund assessments.

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Amend Section IV, *Exposure Information*, Rule 1, *Classification Code*, and Rule 4, *Exposure Amount*, to remove references to Part 3, Section III, *General Classification Procedures*, Rule 7, *Coronavirus Disease 2019 (COVID-19)*, as the references are no longer necessary.

PROPOSED

1. Classification Code

Report the appropriate 4-digit California standard classification code. ~~Report code 0012 for payments excluded from remuneration pursuant to Part 3, *Standard Classification System*, Section III, *General Classification Procedures*, Rule 7, *Coronavirus Disease 2019 (COVID-19)*, subrule b. All records containing “Exposure Amount” must be assigned to a standard classification code developed in accordance with the provisions of this Plan or code 0012.~~

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4. Exposure Amount

Report the total audited exposure for each standard classification code. (See the definition of "Audited Exposure" as applicable to this Plan.) ~~Report payments excluded from remuneration pursuant to Part 3, Standard Classification System, Section III, General Classification Procedures, Rule 7, Coronavirus Disease 2019 (COVID-19), subrule b.~~ Report payroll dollars rounded to the nearest whole dollar amount. Report non-payroll exposures to the nearest tenth of a unit. Payrolls or other applicable exposure amounts reported shall be obtained in accordance with the provisions of this Plan.

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Amend Section V, *Loss Information*, Subsection B, *Loss Data Elements*, Rule 6, *Type of Settlement*, for consistency with Workers Compensation Policy Reporting Specifications (WCPOLS).

PROPOSED**Section V – Loss Information****B. Loss Data Elements**

All loss-related fields shall be reported on all claims as required for California in WCSTAT except as indicated below.

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6. Type of Settlement Code

Report the code that identifies the certain settlement situation for the claim.

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Amend Appendix I, *Construction and Erection Classifications*, for consistency with other proposed changes.

PROPOSED

Appendix I

Construction and Erection Classifications

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- 6251 Tunneling/Underground Mining
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* * * * * * *

Amend Appendix II, *Payroll/Remuneration Table*, to remove a reference to Part 3, Section III, *General Classification Procedures*, Rule 7, *Coronavirus Disease 2019 (COVID-19)*, as the rule is no longer necessary.

PROPOSED

Appendix II

Payroll/Remuneration Table

Type of Compensation	Is Payment Included as Payroll?	Exception or Comment
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•		
•		
Coronavirus Disease 2019 (COVID-19): Payments Made During a Statewide California Stay-at-Home Order		See USRP, Part 3, Section III, Rule 7
•		
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Amend Appendix III, *Injury Description Codes*, Section B, *Nature of Injury (Positions 3-4)* and Section C, *Cause of Injury (Positions 5-6)*, to add a Nature of Injury code to address any adverse reaction to any vaccination and update the wording for the related Cause of Injury Code and the Pandemic Cause of Injury Code.

PROPOSED

Appendix III

Injury Description Codes

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B. Nature of Injury (Positions 3-4)

Code	Narrative Description
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I. Specific Injury

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38. Adverse Reaction to a Vaccination or Inoculation

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C. Cause of Injury (Positions 5-6)

X. Miscellaneous Causes

82. Absorption, Ingestion or Inhalation, NOC

Not Otherwise Classified in Any Other Code. Applies Only to Non-Impact Cases in Which the Injury Resulted from Inhalation, Absorption (Skin Contact), ~~or~~ Ingestion of Harmful Substances, or Vaccinations

83. Pandemic

~~A Disease Outbreak Affecting Large Populations or a Whole Region, Country or Continent~~ Includes Disease Epidemic That Has Spread Across a Large Region

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Amend Appendix IV, *Classifications Including Clerical Office Employees, Clerical Telecommuter Employees or Outside Salespersons*, for consistency with other proposed changes.

PROPOSED

Appendix IV

Classifications Including Clerical Office Employees, Clerical Telecommuter Employees or Outside Salespersons

See Section III, *General Classification Procedures*, Rule 4, *Standard Exceptions*, Subrule c, *Standard Exception Classification Procedures*.

Code	Name	Including Clerical Office Employees / Clerical Telecommut- er Employees	Including Outside Salespersons
•			
•			
•			
4512	<u>Biomedical Research Laboratories</u>	<u>X</u>	
•			
•			
•			
8839	<u>Dentists/Dental Surgeons/Orthodontia Practices</u>	X	
•			
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•			
8874(1)	<u>Instrument Mfg—electronic—design</u>	<u>X</u>	<u>X</u>
8874(2)	<u>Computer Mfg—design</u>	<u>X</u>	<u>X</u>
8874(3)	<u>Telecommunications Equip Mfg—design</u>	<u>X</u>	<u>X</u>
8874(4)	<u>Audio/Video Products Mfg—design</u>	<u>X</u>	<u>X</u>
8874(5)	<u>Integrated Circuit Mfg—design</u>	<u>X</u>	<u>X</u>
•			
•			
•			
9185	<u>Carnivals/Circuses</u>	X	X
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Section B**Recommended Amendments to the *Miscellaneous Regulations for the Recording and Reporting of Data—1995*****Title 10, California Code of Regulations, Section 2354
Effective September 1, 2022**

The WCIRB recommends that the following amendments to the *Miscellaneous Regulations for the Recording and Reporting of Data—1995* (Miscellaneous Regulations) be approved effective September 1, 2022 and applied to a policy with an effective date on or after September 1, 2022.

Part 1 — General Provisions

Amend Section I, *Introduction*, Rule 2, *Effective Date*, to show that the effective date of the amended Miscellaneous Regulations is 12:01 AM, September 1, 2022.

PROPOSED**Section I — Introduction**

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2. Effective Date

This regulation is effective at 12:01 AM, September 1, 2022. When an amendment to this regulation is approved, a notice summarizing the amendment and its effective date, as specified by the Insurance Commissioner, will be published by the WCIRB.

This regulation and all amendments thereto, unless otherwise specifically provided, shall apply to a policy with an effective date on or after the effective date of the amendment.

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Section C**Recommended Amendments to the *California Workers' Compensation Experience Rating Plan—1995*****Title 10, California Code of Regulations, Section 2353.1
Effective September 1, 2022**

The WCIRB recommends that the following amendments to the *California Workers' Compensation Experience Rating Plan—1995* (Experience Rating Plan) be approved effective September 1, 2022 with respect to new and renewal policies as of the first rating effective date of a risk on or after September 1, 2022.

Section I — General Provisions

Amend Section I, *General Provisions*, Rule 2, *Effective Date*, to show that the effective date of the amended Experience Rating Plan is 12:01 AM, September 1, 2022.

PROPOSED**Section I – General Provisions**

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2. Effective Date

The rules and rating values of this Plan are effective at 12:01 AM, September 1, ~~2024~~2022. When an amendment to this Plan is approved, a notice summarizing the amendment and its effective date, as specified by the Insurance Commissioner, will be published by the WCIRB.

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Section II – Definitions

Amend Section II, *Definitions*, Rule 5, *Immediate Family*, to update the language with gender-neutral terms.

PROPOSED**Section II – Definitions**

The definitions set forth in this Section shall govern the construction and meaning of the terms and phrases used in this Plan.

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5. Immediate Family

For the purpose of experience rating, immediate family shall mean father, mother, husband, wife, parent, spouse, registered domestic partner, son, daughter, stepson, stepdaughter, grandson, granddaughter, grandfather or grandmother, child, stepchild, grandchild and grandparent.

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Section III – Eligibility and Experience Period

Amend Section III, *Eligibility and Experience Period*, Rule 1, *Eligibility Requirements for California Workers' Compensation Insurance*, to adjust the eligibility threshold from \$9500 to \$XXXX to reflect wage inflation and the proposed September 1, 2022 expected loss rates.

PROPOSED**Section III – Eligibility and Experience Period****1. Eligibility Requirements for California Workers' Compensation Insurance.**

A risk shall qualify for experience rating of its California workers' compensation insurance premium under this Plan if the amount produced by applying the approved expected loss rates shown in Table I of this Plan to the total remuneration that would be used in the experience rating calculation for the risk is greater than or equal to the eligibility threshold of \$9,500XXXX. Only completed policy periods shall be used in determining eligibility. Any risk eligible for experience rating shall be experience rated.

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Section VI — Rating Procedure

Amend Section VI, *Rating Procedure*, Rule 2, *Actual Losses and Actual Primary (Ap) Losses*, to exclude COVID-19 claims with accident dates from December 1, 2019 through August 31, 2022 from the computation of experience modifications.

PROPOSED

Section VI – Rating Procedure

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2. Actual Losses and Actual Primary (Ap) Losses

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The Primary Threshold applicable to the risk is based on the risk's total Expected Losses for the experience period and is shown in Table II of this Plan.

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- j. Claims directly arising from a diagnosis of Coronavirus disease 2019 (COVID-19), reported with a Catastrophe Number 12 pursuant to the Uniform Statistical Reporting Plan and an accident date on or after December 1, 2019 up to August 31, 2022, shall not be reflected in the computation of the experience modification.

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Section VII — Inquiries, Complaints and Requests for Action, Reconsideration and Appeals

Amend Section VII, *Inquiries, Complaints and Requests for Action, Reconsideration and Appeals*, Rule 3, *Complaints and Requests for Action*, to update the WCIRB's mailing address.

PROPOSED

Section VII – Inquiries, Complaints and Requests for Action, Reconsideration and Appeals

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3. Complaints and Requests for Action

An insured employer, insurer, or other aggrieved person seeking review of the WCIRB's decision, action, or omission to act, or review of the manner in which this Plan, or any other regulations of the Insurance Commissioner governing the calculation and application of an experience modification, has been applied in connection with its workers' compensation insurance shall serve the WCIRB with a written Complaint and Request for Action pursuant to the regulations found at Title 10, California Code of Regulations, Sections 2509.40 *et seq.* Complaints and Requests for Action must be served on the WCIRB at the following address:

WCIRB
~~1221 Broadway, Suite 900~~ 1901 Harrison Street, 17th Floor
Oakland, CA 94612
Attention: Complaints and Reconsideration
Fax: 415.371.5204
customerservice@wcirb.com

Upon receipt of a Complaint and Request for Action, the WCIRB shall respond in accordance with the regulations found at Title 10, California Code of Regulations, Sections 2509.40 *et seq.* Any change resulting from such response shall be applied in accordance with the rules of this Plan or other applicable statutes or regulations. If a loss correction is required pursuant to the Revision of Losses rule, the current experience rating for purposes of the application of that rule shall be the experience modification in effect on the day the initial request for review was received by the WCIRB.

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