



PREPROPOSAL STATEMENT OF INQUIRY

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

Agency: Department of Labor and Industries

Subject of possible rule making: Chapter 296-17A WAC Classifications for Washington Workers' Compensation Insurance. The department is considering reclassifying paver stone installation work. Currently, paver stone installation work is classified in 0302, Masonry (\$5.55/hour in 2016). Landscape contractors who do incidental paver stone installation work as part of a landscape contract are eligible to report in 0301, Landscape construction (\$2.03/hour in 2016).

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

Reasons why rules on this subject may be needed and what they might accomplish: Labor and Industries is required by RCW 51.16.035 to establish and maintain a workers' compensation classification plan that classifies according to the degree of hazard and recognized insurance principles as described in WAC 296-17-31029. Department study found:

- Paver stone installation companies and landscape construction companies have similar risk exposure to injury due to similar processes.
- Paver stone installation companies that only do paver installation are in competition with landscapers.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: No other agency regulates the workers' compensation classification plan in the State of Washington.

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

Negotiated rule making

Pilot rule making

Agency study

Other (describe) This proposal follows an agency study. The study recommended rulemaking to maintain the integrity of the classification plan. Employers affected by any rulemaking the department considers will receive notice before and after the department makes any proposals. Interested parties may participate by commenting before proposals are made, by testifying at the public hearing, or by providing written comment after the proposal is filed.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

Labor and Industries is planning to hold a formal public hearing in December, 2016, in Tumwater.

Inquiries can be directed to:

Karen Chamberlain, Classification Services

PO Box 44148, Olympia, WA 98504-4148. Telephone (360) 902-4772.

Fax: (360) 902-4988. Email: Karen.Chamberlain@lni.wa.gov

DATE

August 23, 2016

NAME (TYPE OR PRINT)

Joel Sacks

SIGNATURE

TITLE

Director

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