



RULE-MAKING ORDER

CR-103P (May 2009)
(Implements RCW 34.05.360)

Agency: Department of Labor & Industries

Permanent Rule Only

Effective date of rule:

Permanent Rules

31 days after filing.

Other (specify) April 1, 2017 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If Yes, explain:

Purpose:

The department is adopting changes effective April 1, 2017, to reclassify firms that perform paver stone installation work to Classification 0301, Landscape construction. Paver stone installation work is currently reported in 0302, Masonry.

- Reclassifying paver firms from 0302, Masonry, to 0301, Landscape construction, would create a more fair playing field between specialty paver firms and landscape contractors who also perform paver stone installation. Currently, specialty paver installation firms report in risk classification 0302, Masonry, which carries a higher base rate than landscape construction.
- Paver stone installation companies and landscape construction companies have similar risk exposure to injury due to the similar work processes performed.
- The Department is revising wording and formatting of the affected classifications to make the rules easier to understand and apply; and updating references in the classifications to ensure the rule language reflects that paver installation work is to be classified in Classification 0301, Landscape construction.

Citation of existing rules affected by this order:

Repealed: NA
Amended: WAC 296-17A-0217, WAC 296-17A-0301, WAC 296-17A-0302
Suspended:

Statutory authority for adoption: RCW 51.16.035 (directs the department to classify all businesses by degree of hazard in accordance with recognized insurance principles)

Other authority: WAC 296-17-31029 (outlines our insurance principles for classifying)

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 16-21-076 on October 18, 2016 (date).

Describe any changes other than editing from proposed to adopted version: None

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: _____ phone () _____
Address: _____ fax () _____
e-mail _____

Date adopted: January 17, 2017

NAME (TYPE OR PRINT)

Joel Sacks

SIGNATURE

TITLE

Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: January 17, 2017

TIME: 11:32 AM

WSR 17-03-109

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

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

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

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	<u>3</u>	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	<u>3</u>	Repealed	_____
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The number of sections adopted using:

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