



October 16, 2023

**VIA SERFF**

The Honorable Trinidad Navarro  
Insurance Commissioner  
Department of Insurance  
State of Delaware  
841 Silver Lake Boulevard  
Dover, DE 19904-2465

**Attention: Tanisha Merced, Deputy Insurance Commissioner**

**RE: DCRB Filing No. 2305 – Proposed Effective December 1, 2023  
Manual Housekeeping Revisions to Section 2 of the Basic Manual**

Dear Commissioner Navarro and Deputy Commissioner Merced:

On behalf of the members of the Delaware Compensation Rating Bureau, Inc. (DCRB), is a proposed filing for revisions to the DCRB Workers' Compensation Manual of Rules, Classifications and Rating Values for Workers' Compensation and Employers Liability Insurance (Basic Manual). These revisions are proposed for policies effective at 12:01 a.m., December 1, 2023, or later. This proposed effective date is intended to coincide with the implementation of changes concurrent with DCRB's annual comprehensive residual market rate and voluntary market loss cost filing, which was separately filed/approved with the Department of Insurance. This coordination consolidates necessary changes that our members and other constituents must make to policies, forms, and systems so that they occur once annually. Nothing in the proposed Basic Manual language housekeeping revisions will impact any classification's residual market rate or voluntary market loss cost value or any employer's workers' compensation classification assignment.

Details of this filing are provided in DCRB's June 7, 2023, staff memorandum, which is included in this filing. The memorandum describes the proposed revisions to the Basic Manual language. These proposals are intended to assist in the administration of the DCRB's uniform classification plan and do not revise the scope of any classification. The memorandum and proposals were reviewed by the DCRB Classification and Rating Committee at the Committee's meeting on June 7. No objections were raised by the Committee following their review of the December 1, 2023, Basic Manual Housekeeping Revisions proposals.

The proposed Basic Manual language housekeeping revisions are summarized below:

- Section 2 – Revisions to 7 Classification descriptions for clarity.
- Underwriting Guide – Addition of 7 new Underwriting Guide entries and deletion of 1 entry.

Thank you in advance for your review and attention to this filing. The DCRB will be pleased to answer any questions you or the Insurance Department staff may have regarding these proposals.

Sincerely,

William V. Taylor  
President

Enclosures: June 8, 2023, Memorandum to the Committee  
Revisions to Section 2



TO: Delaware Compensation Rating Bureau, Inc. (DCRB) Classification and Rating Committee

FROM: Joseph Lombo- Manager- Classification

DATE: June 07, 2023

RE: Proposed Manual Language Revisions to Section 2 (Housekeeping)

The proposals discussed in this memorandum are intended to make the Manual language clearer and less ambiguous. The proposed revisions clarify existing classification procedures and update certain classification descriptions to align the language used with that used in other Manual provisions and/or to recognize ongoing technological or industrial changes. Language changes and/or additions are underlined while language deletions are crossed out.

Section 2 revisions are provided below. None of the language revisions will impact any classification's proposed December 1, 2023, DCRB loss cost or Residual Market rating value. The DCRB recommends that all Section 2 language revisions proposed herein become effective December 1, 2023.

# DELAWARE WORKERS COMPENSATION MANUAL OF RULES, CLASSIFICATIONS, AND RATING VALUES FOR WORKERS COMPENSATION AND FOR EMPLOYERS LIABILITY INSURANCE

Proposed Effective December 1, 2023

**INFORMATION PAGE** remains unchanged.

**PREFACE** remains unchanged.

**MEMBERSHIP** remains unchanged.

**TABLE OF CONTENTS** remains unchanged.

**SECTION 1 – UNDERWRITING RULES** remains unchanged.

## **SECTION 2 – CLASSIFICATION AND BUREAU RATING VALUES**

**DCRB RATING VALUES** through **DEFINITIONS** remains unchanged.

### **CLASSIFICATIONS**

#### **RULE IV – CLASSIFICATIONS**

Classification Code 005, **TREE PRUNING, SPRAYING, REPAIRING OR FUMIGATING** through Classification Code 104, **FOOD PRODUCTS MFG. N.O.C.**, remain unchanged.

#### **105 BAKERY, WHOLESALE**

No change.

##### **OPERATIONS NOT INCLUDED:**

1. [Assign Code 924 to wholesale bakery products distribution when all baking/production facilities are located outside of Delaware.](#)
2. [Assign Code 924 to wholesale bakery products distribution conducted by an independent contractor not affiliated with any baking/production facilities operated in Delaware.](#)

##### **UNDERWRITING GUIDE**

No change

Classification Code 106, **PROCESSED MEAT PRODUCTS MFG. – NO SLAUGHTERING OR HANDLING OF LIVESTOCK**, through Classification Code 110, **ICE CREAM MFG.** remain unchanged.

#### **111 SLAUGHTERHOUSE – WHOLESALE, ALL OPERATIONS**

No change.

##### **OPERATIONS ALSO INCLUDED:**

No change.

##### **OPERATIONS NOT INCLUDED:**

1. [Assign Code 915 to employers principally engaged in custom slaughtering/killing for private individuals \(typically farmers\) and/or dressing carcasses for individual hunters. See Code 915 for additional details.](#)

##### **UNDERWRITING GUIDE**

No change.

**DELAWARE WORKERS COMPENSATION MANUAL OF RULES, CLASSIFICATIONS, AND RATING VALUES FOR WORKERS COMPENSATION AND FOR EMPLOYERS LIABILITY INSURANCE**

**Proposed Effective December 1, 2023**

Classification Code 112, **CARBONATED BEVERAGE MFG.**, through Classification Code 652, **CARPENTRY – RESIDENTIAL INCLUDES ONE- OR TWO-FAMILY DETACHED HOUSES, TOWNHOUSE OR ROW HOUSES OR BUILDINGS DESIGNED PRIMARILY FOR MULTIPLE OCCUPANCY (E.G., APARTMENTS) THREE STORIES OR LESS IN HEIGHT OR GARAGES CONSTRUCTED IN CONNECTION WITH THE HOUSES OR APARTMENTS**, remain unchanged.

**653 MASONRY**

**OPERATIONS NOT INCLUDED:**

No change.

**UNDERWRITING GUIDE**

~~Building Cleaning, Exterior Walls~~

Classification Code 654, **CONCRETE CONSTRUCTION**, through Classification Code 920, **JEWELRY STORE – WHOLESALE OR RETAIL**, remain unchanged.

**921 FURNITURE STORE – WHOLESALE**

No change.

**OPERATIONS NOT INCLUDED:**

No change.

**UNDERWRITING GUIDE**

[Stove \(Cooking\), Oven, Or Range Dealer – Wholesale](#)

**922 FURNITURE STORE – RETAIL – ALL EMPLOYEES EXCEPT OFFICE**

Applies to retail stores principally engaged in selling or renting furniture including antique furniture for homes, lawns or gardens to the general public and/or in a retail manner. The word “furniture” as used in this classification includes but is not necessarily limited to: living room, dining room, bedroom or kitchen sets and individual pieces such as sofas, chairs, tables, beds, bedding, chests, breakfronts, bookcases, pianos, organs, all types of floor coverings except ceramic tile and major household appliances such as refrigerators, [cooking](#) stoves and washing machines.

No change.

**OPERATIONS ALSO INCLUDED:**

No change.

**OPERATIONS NOT INCLUDED:**

No change.

**UNDERWRITING GUIDE**

[Stove \(Cooking\), Oven, Or Ranger Dealer – Retail](#)

Classification Code 923, **PACKAGING – CONTRACT- NON-CRATING**, through Classification Code 924, **WHOLESALE STORE, N.O.C.**, remain unchanged.

**DELAWARE WORKERS COMPENSATION MANUAL OF RULES, CLASSIFICATIONS, AND RATING VALUES FOR WORKERS COMPENSATION AND FOR EMPLOYERS LIABILITY INSURANCE**

**Proposed Effective December 1, 2023**

**925 HARDWARE STORE – RETAIL**

No change.

**OPERATIONS ALSO INCLUDED:**

No change.

**OPERATIONS NOT INCLUDED:**

No change.

**UNDERWRITING GUIDE**

[Storage Shed Dealer – Retail](#)

[Stove \(Heating\) Dealer – Retail](#)

**926 HARDWARE STORE – WHOLESALE**

No change.

**OPERATIONS NOT INCLUDED:**

No change.

**UNDERWRITING GUIDE**

[Storage Shed Dealer – Wholesale](#)

[Stove \(Heating\) Dealer – Wholesale](#)

Classification Code 927, **PHARMACY – ALL EMPLOYEES INCLUDING OFFICE**, through Classification Code 953, **CLERICAL OFFICE EMPLOYEES**, remain unchanged.

**954 SECURITY AGENCY**

No change.

**OPERATIONS NOT INCLUDED:**

Item 1 through Item 4 – No change.

[5. Assign Code 980 to school crossing guards employed by a municipality](#)

**UNDERWRITING GUIDE**

[School Crossing Guards – Non-Municipal Employees](#)

Classification Code 955, **ENGINEERING CONSULTING FIRM, MECHANICAL, CIVIL, ELECTRICAL OR MINING ENGINEERING CONSULTING FIRMS – ALL EMPLOYEES INCLUDING OFFICE**, through Classification Code 959, **VETERINARIANS, INCLUDING EMPLOYERS RAISING AND CARING FOR NON-FARM DOMESTIC ANIMALS**, remain unchanged.

**960 NURSING AND CONVALESCENT HOME – LONG TERM CARE FACILITY WITH 50% OR MORE BEDS LICENSED AS INTERMEDIATE CARE OR HIGHER – ALL EMPLOYEES EXCEPT OFFICE AND HOME HEALTH AND/OR HOME CARE SERVICES**

No change.

**DELAWARE WORKERS COMPENSATION MANUAL OF RULES, CLASSIFICATIONS, AND RATING VALUES FOR WORKERS COMPENSATION AND FOR EMPLOYERS LIABILITY INSURANCE**

**Proposed Effective December 1, 2023**

**OPERATIONS ALSO INCLUDED:**

1. Payroll developed by staff providing home health and/or home care services primarily to residents (not the community at large) of the employer's health care facilities.

**OPERATIONS NOT INCLUDED:**

1. Payroll developed by separate staff(s) ~~performing~~ providing home health and/or home care services primarily to the community at large (non-residents of the employer's health care facilities) shall be separately classified to either Code 942 or ~~to~~ Code 943 as provided for in this Manual.

**UNDERWRITING GUIDE**

No change.

Classification Code 961, **HOSPITAL – ALL EMPLOYEES INCLUDING OFFICE**, through Classification Code 973, **HOTEL – ALL EMPLOYEES EXCEPT OFFICE, FOOD SERVICE OR BEVERAGE OPERATIONS AND SLOT MACHINE GAMBLING STAFFS**, remain unchanged.

**974 RETIREMENT OR LIFE CARE COMMUNITY – WITH LESS THAN 50% OF BEDS LICENSED AS INTERMEDIATE CARE OR HIGHER – ALL EMPLOYEES EXCEPT OFFICE AND HOME HEALTH AND/OR HOME CARE SERVICES**

No change.

**OPERATIONS ALSO INCLUDED:**

1. Payroll developed by staff providing home health and/or home care services primarily to residents (not the community at large) of the employer's health care facilities.

**OPERATIONS NOT INCLUDED:**

1. Payroll developed by separate staff(s) ~~performing~~ providing home health care and/or home care primarily to the community at large (non-residents of the employer's health care facilities) services shall be separately classified to either Code 942 or ~~to~~ Code 943 as provided for in this Manual.

Classification Code 975, **RESTAURANT, N.O.C. – ALL EMPLOYEES EXCEPT OFFICE**, through Classification Code 978, **CAMPS – ALL EMPLOYEES INCLUDING OFFICE AT CAMP LOCATIONS**, remain unchanged.

**979 RESIDENTIAL FACILITY FOR THE ELDERLY – NON-MEDICAL – ALL EMPLOYEES EXCEPT OFFICE AND HOME AND/OR HOME HEALTH CARE**

No change.

**OPERATIONS ALSO INCLUDED:**

1. Payroll developed by staff providing home health and/or home care services primarily to residents (not the community at large) of the employer's health care facilities.

**OPERATIONS NOT INCLUDED:**

1. Payroll developed by separate staff(s) ~~performing~~ providing home health and/or home care services primarily to the community at large (non-residents of the employer's health care facilities) shall be separately classified to either Code 942 or ~~to~~ Code 943 as provided for in this Manual.

**DELAWARE WORKERS COMPENSATION MANUAL OF RULES, CLASSIFICATIONS, AND RATING  
VALUES FOR WORKERS COMPENSATION AND FOR EMPLOYERS LIABILITY INSURANCE**

**Proposed Effective December 1, 2023**

**UNDERWRITING GUIDE**

No change.

Classification Code 980, **CITY, TOWN, VILLAGE OR COUNTY**, through Classification Underwriting Guide remain unchanged.

**SECTION 3 – ENDORSEMENTS** remains unchanged.

**SECTION 4 – RETROSPECTIVE RATING PLAN** remains unchanged.

**SECTION 5 – EXPERIENCE RATING PLAN** remains unchanged.

**SECTION 6 – MERIT RATING PLAN** remains unchanged.

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**DCRB RATING VALUES** through **DEFINITIONS** remains unchanged.

**CLASSIFICATIONS**

**RULE IV – CLASSIFICATIONS**

Classification Code 005, **TREE PRUNING, SPRAYING, REPAIRING OR FUMIGATING** through Classification Code 104, **FOOD PRODUCTS MFG. N.O.C.**, remain unchanged.

**105 BAKERY, WHOLESALE**

No change.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 924 to wholesale bakery products distribution when all baking/production facilities are located outside of Delaware.
2. Assign Code 924 to wholesale bakery products distribution conducted by an independent contractor not affiliated with any baking/production facilities operated in Delaware.

**UNDERWRITING GUIDE**

No change

Classification Code 106, **PROCESSED MEAT PRODUCTS MFG. – NO SLAUGHTERING OR HANDLING OF LIVESTOCK**, through Classification Code 110, **ICE CREAM MFG.** remain unchanged.

**111 SLAUGHTERHOUSE – WHOLESALE, ALL OPERATIONS**

No change.

**OPERATIONS ALSO INCLUDED:**

No change.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 915 to employers principally engaged in custom slaughtering/killing for private individuals (typically farmers) and/or dressing carcasses for individual hunters. See Code 915 for additional details.

**UNDERWRITING GUIDE**

No change.



**DELAWARE WORKERS COMPENSATION MANUAL OF RULES, CLASSIFICATIONS, AND RATING VALUES FOR WORKERS COMPENSATION AND FOR EMPLOYERS LIABILITY INSURANCE**

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**653 MASONRY**

**OPERATIONS NOT INCLUDED:**

No change.

**UNDERWRITING GUIDE**

Classification Code 654, **CONCRETE CONSTRUCTION**, through Classification Code 920, **JEWELRY STORE – WHOLESALE OR RETAIL**, remain unchanged.

**921 FURNITURE STORE – WHOLESALE**

No change.

**OPERATIONS NOT INCLUDED:**

No change.

**UNDERWRITING GUIDE**

Stove (Cooking), Oven, Or Range Dealer – Wholesale

**922 FURNITURE STORE – RETAIL – ALL EMPLOYEES EXCEPT OFFICE**

Applies to retail stores principally engaged in selling or renting furniture including antique furniture for homes, lawns or gardens to the general public and/or in a retail manner. The word “furniture” as used in this classification includes but is not necessarily limited to: living room, dining room, bedroom or kitchen sets and individual pieces such as sofas, chairs, tables, beds, bedding, chests, breakfronts, bookcases, pianos, organs, all types of floor coverings except ceramic tile and major household appliances such as refrigerators, cooking stoves and washing machines.

No change.

**OPERATIONS ALSO INCLUDED:**

No change.

**OPERATIONS NOT INCLUDED:**

No change.

**UNDERWRITING GUIDE**

Stove (Cooking), Oven, Or Ranger Dealer – Retail

Classification Code 923, **PACKAGING – CONTRACT- NON-CRATING**, through Classification Code 924, **WHOLESALE STORE, N.O.C.**, remain unchanged.

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**925 HARDWARE STORE – RETAIL**

No change.

**OPERATIONS ALSO INCLUDED:**

No change.

**OPERATIONS NOT INCLUDED:**

No change.

**UNDERWRITING GUIDE**

Storage Shed Dealer – Retail  
Stove (Heating) Dealer – Retail

**926 HARDWARE STORE – WHOLESALE**

No change.

**OPERATIONS NOT INCLUDED:**

No change.

**UNDERWRITING GUIDE**

Storage Shed Dealer – Wholesale  
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Classification Code 927, **PHARMACY – ALL EMPLOYEES INCLUDING OFFICE**, through Classification Code 953, **CLERICAL OFFICE EMPLOYEES**, remain unchanged.

**954 SECURITY AGENCY**

No change.

**OPERATIONS NOT INCLUDED:**

Item 1 through Item 4 – No change.

5. Assign Code 980 to school crossing guards employed by a municipality

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