



**DELAWARE WORKERS  
COMPENSATION MANUAL**

**OF**

**RULES, CLASSIFICATIONS  
AND RATING VALUES**

**FOR**

**WORKERS COMPENSATION  
AND FOR EMPLOYERS  
LIABILITY INSURANCE**

**Effective April 1, 2021**

**DELAWARE COMPENSATION RATING BUREAU, INC.**

**Manual Information Page**

**April 1, 2021 Manual**

**Section 1**

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- **Rule IX, Item I – Addition of an established rate and minimum premium for the use of the Waiver of Our Right to Recover From Others (WC 00 03 13) endorsement for the Delaware Insurance Plan (DIP) residual market policies only.**

## PREFACE

- A. This Manual of risk classes, underwriting rules, DCRB rating values and rating plans has been filed with the Delaware Insurance Department as required by Delaware Law. It is effective 12:01 A.M., **January 1, 2021**, with respect to all policies, the effective date of which is **January 1, 2021** or thereafter, subject to the following express conditions, for the insurance companies, corporations and associations listed herein and for no other insurance company, corporation or association.

The Delaware Compensation Rating Bureau shall hereinafter be referred to as the “DCRB”.

### B. Organization of Manual

This Manual has six sections:

- Section 1 – Underwriting Rules
- Section 2 – Rating Values and Classifications/General Auditing and Classification Information
- Section 3 – Endorsements
- Section 4 – Retrospective Rating Plans
- Section 5 – Experience Rating Plan
- Section 6 – Merit Rating Plan

### C. Definitions

The following words are referenced in House Bill 241 of 1993 or have been used in this Manual with meanings intended to be consistent with the requirements of that Act. For purposes of improving the understanding of the Manual, definitions of these words as used elsewhere in this Manual are set forth below.

1. **Data Card** – DCRB Data Cards are issued by the Delaware Compensation Rating Bureau, Inc. These data cards provide the risk name, location, DCRB file number, authorized classification(s) and if applicable the risk's experience modification for a minimum of one year.  
  
Risks approved for the Delaware Construction Classification Premium Adjustment Program and any other applicable credit programs will be shown on these data cards.
2. **DCRB Loss Costs** – Dollar amounts per unit of exposure attributable to the payment of losses under workers compensation and employers liability coverages, filed by the DCRB based on the aggregate experience of all DCRB members and approved by the Insurance Commissioner.
3. **DCRB Rating Values** – All parameters filed by the DCRB and approved by the Insurance Commissioner, and which are used either mandatorily or by option of carriers for purposes of pricing workers compensation and employers liability coverages. Such DCRB rating values include DCRB Loss Costs, experience rating plan values such as Expected Loss Cost Factors, Credibility, Maximum Value of One Accident, and Credibility Weighted Maximum Value Charge, retrospective rating plan values such as the Table of Expected Loss Ranges, Excess Loss Pure Premium Factors, Retrospective Pure Premium Development Factors, and expense parameters applicable to U.S.L. &H.W. coverages such as Premium Discounts, Expected Loss Ratio, Expense Ratios, Tax Multipliers and Loss Conversion Factors.
4. **Carrier Rate** – The amount per unit of exposure which an insurance carrier charges for workers compensation and employers liability insurance.
5. **Carrier Rating Values** – All parameters used by carriers for purposes of pricing workers compensation and employers liability insurance coverages. Such parameters may be either DCRB rating values adopted by a carrier for its own use or values independently determined by a carrier.

6. **Loss Cost** – Dollar amounts per unit of exposure attributable to the payment of losses under workers compensation and employers liability coverages. Loss Costs may be developed either by the DCRB based on the aggregate experience of all DCRB members or may be established by individual carriers based on their own supporting information.
7. **Prospective Loss Costs** – Historical aggregate losses projected through development to their ultimate value and through trending to a future point in time including all loss adjustment or claim management expenses and loss-based expenses excluding other operating expenses, assessments, taxes and profit or contingency allowances in this Manual. The term "Loss Cost" is synonymous with Provision for Claim Payment.
8. **Rating Value** – A parameter or number used in pricing workers compensation or employers liability insurance coverages. Rating Values may be established by the DCRB or by individual carriers. Where individual carriers have established Rating Values different from those of the DCRB, the carrier's values supersede those of the DCRB for purposes of that insurer's policies.
9. **Rating Effective Date (RED)** is the earliest date that a specific experience rating or merit rating adjustment is applied to a policy.

**D. Delaware Compensation Rating Bureau, Inc. Membership List**

Acadia Insurance Co	American Zurich Insurance Co
Accident Fund General Insurance Co	American Zurich Insurance Co
Accident Fund Insurance Co Of America	Amerisure Insurance Co
Accident Fund National Insurance Co	Amerisure Mutual Insurance Co
Accredited Surety And Casualty Company Inc	Amerisure Partners Insurance Co
ACE American Insurance Co	Amguard Insurance Co
ACE American Insurance Co	Arch Indemnity Insurance Co
ACE Fire Underwriters Insurance Co	Arch Insurance Co
ACE Property & Casualty Insurance Co	Arch Property Casualty Insurance Co
ACIG Insurance Co	Argonaut Insurance Co
Acuity A Mutual Insurance Co	Argonaut-Midwest Insurance Co
Advantage Workers Compensation Ins Co	ARI Casualty Co
AIG Property Casualty Co	ARI Insurance Company
AIU Insurance Co	Ashmere Insurance Co
Alea North America Insurance Co	Associated Indemnity Corporation
Allied Eastern Indemnity Co	Atlantic Specialty Insurance Co
Allied Property & Casualty Insurance Co	Atlantic States Insurance Co
Allmerica Financial Alliance Ins Co	Automobile Insurance Co Of Hartford CT
Allmerica Financial Benefit Insurance Co	Bankers Standard Insurance Co
Allstate Indemnity Co	Bedivere Insurance Co
Allstate Insurance Co	Benchmark Insurance Co
Allstate Northbrook Indemnity Co	Berkley Casualty Insurance Co
Amco Insurance Co	Berkley National Insurance Co
American Alternative Insurance Corp	Berkley Regional Insurance Co
American Automobile Insurance Co	Berkshire Hathaway Direct Insurance Co
American Casualty Co Of Reading	Berkshire Hathaway Homestate Ins Co
American Economy Insurance Co	Bitco General Insurance Corporation
American European Insurance Co	Bitco National Insurance Co
American Family Home Insurance Co	Blackboard Insurance
American Fire And Casualty Co	Brethren Mutual Insurance Co
American Guarantee & Liability Ins Co	Brickstreet Mutual Insurance Co
American Guarantee & Liability Insurance Co	Brotherhood Mutual Insurance Co
American Home Assurance Co	Carolina Casualty Insurance Co
American Insurance Co	Carrier Test Data
American Interstate Insurance Co	Century Indemnity Co
American Manufacturers Mutual Ins Co	Cerity Insurance Company
American Modern Home Insurance Co	Charter Oak Fire Insurance Co
American Motorists Insurance Co	Cherokee Insurance Co
American Property Insurance Co	Chubb Indemnity Insurance Co
American Select Insurance Co	Chubb National Insurance Co
American States Insurance Co	Church Mutual Insurance Co

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Cincinnati Casualty Co	Farmland Mutual Insurance Co
Cincinnati Indemnity Co	Federal Insurance Co
Cincinnati Insurance Co	Federal Insurance Co
Cincinnati Insurance Co	Federated Mutual Insurance Co
Citizens Insurance Co Of America	Federated Reserve Insurance Co
Clarendon National Insurance Co	Federated Rural Electric Ins Exchange
Clermont Insurance Co	Federated Service Insurance Co
Commerce & Industry Insurance Co	Fidelity & Guaranty Insurance Co
Continental Casualty Co	Fidelity & Guaranty Insurance Underwriters Inc
Continental Casualty Co	Fidelity And Deposit Co Of Maryland
Continental Indemnity Co	Firemans Fund Insurance Co
Continental Insurance Co	Firemens Insurance Co Of Washington DC
Continental Western Insurance Co	First Dakota Indemnity Co
Crestbrook Insurance Company	First Liberty Insurance Corp
Crum & Forster Indemnity Co	First Nonprofit Insurance Co
Cumberland Insurance Co Inc	Firstline National Insurance Co
Dakota Truck Underwriters	Florists Mutual Insurance Co
Depositors Insurance Co	Foremost Insurance Co Grand Rapids MI
Discover Property & Casualty Insurance Co	Foremost Property & Casualty Ins Co
Donegal Mutual Insurance Co	Foremost Signature Insurance Co
Eastern Advantage Assurance Co	Frank Winston Crum Insurance Company
Eastern Alliance Insurance Co	Frontier Insurance Co
Eastguard Insurance Co	General Casualty Co Of Wisconsin
Electric Insurance Co	General Insurance Co Of America
EMC Property & Casualty Co	Genesis Insurance Co
Emcasco Insurance Co	Glencar Insurance Company
Employers Assurance Co	Goodville Mutual Casualty Co
Employers Compensation Insurance Co	Granite State Insurance Co
Employers Fire Insurance Co	Graphic Arts Mutual Insurance Co
Employers Insurance Co Of Wausau	Gray Insurance Co (The)
Employers Insurance Company of Nevada	Great American Alliance Insurance Co
Employers Mutual Casualty Co	Great American Assurance Co
Employers Preferred Insurance Co	Great American Insurance Co
Everest Denali Insurance Co	Great American Insurance Co Of New York
Everest National Insurance Co	Great American Spirit Insurance Co
Everest Premier Insurance Co	Great Divide Insurance Co
Excelsior Insurance Co	Great Midwest Insurance Co
Explorer Insurance Co	Great Northern Insurance Co
Fairfield Insurance Co	Great West Casualty Co
Falls Lake National Insurance Co	Greater New York Mutual Insurance Co
Farm Family Casualty Insurance Co	Greenwich Insurance Co
Farmers Insurance Exchange	Guideone Mutual Insurance Co
Farmington Casualty Co	Hanover American Insurance Co The

Hanover Insurance Co	Montgomery Mutual Insurance Co
Harco National Insurance Co	Motorists Commercial Mutual Insurance Co
Harford Mutual Insurance Co	National American Insurance Co
Harleysville Insurance Co	National Casualty Co
Harleysville Preferred Insurance Co	National Fire Insurance Co Of Hartford
Harleysville Worcester Insurance Co	National Interstate Insurance Co
Hartford Accident & Indemnity Co	National Liability & Fire Insurance Co
Hartford Casualty Insurance Co	National Surety Corp
Hartford Fire Insurance Co	National Union Fire Ins Of Pittsburgh
Hartford Insurance Co Of The Midwest	Nationwide Agribusiness Insurance Co
Hartford Insurance Co Of The Southeast	Nationwide Assurance Insurance Company
Hartford Insurance Company Of Illinois	Nationwide General Insurance Company
Hartford Underwriters Insurance Co	Nationwide Insurance Company of America
Hartford Underwriters Insurance Co	Nationwide Mutual Fire Insurance Co
HDI-Gerling America Insurance Co	Nationwide Mutual Insurance Co
Highlands Insurance Co	Nationwide Property/Casualty Insurance
Imperium Insurance Co	Netherlands Insurance Co
Indemnity Insurance Co Of North America	New Hampshire Insurance Co
Insurance Co Of Greater New York	New Jersey Manufacturers Ins Co
Insurance Co Of North America / Ina	New York Marine And General Insurance Co
Insurance Co Of The Americas	NGM Insurance Co
Insurance Co Of The State of PA	Norguard Insurance Co
Insurance Co Of The West	North American Specialty Insurance Co
Intrepid Insurance Co	North Pointe Insurance Co
Key Risk Insurance Co	North River Insurance Co
Lamorak Insurance Co	Northstone Insurance Company
Lancer Insurance Co	Nova Casualty Co
Liberty Insurance Corporation	Nutmeg Insurance Company
Liberty Mutual Fire Insurance Co	Oak River Insurance Co
Liberty Mutual Insurance Co	OBI America Insurance Co
LM Insurance Corp	OBI National Insurance Co
Lumbermens Mutual Casualty Co	Ohio Casualty Insurance Co
Main Street America Assurance Co	Ohio Security Insurance Co
Manufacturers Alliance Insurance Co	Old Dominion Insurance Co
Markel Insurance Co	Old Republic General Insurance Corp
Massachusetts Bay Insurance Co	Old Republic Insurance Co
Memic Indemnity Co	One Beacon Insurance Company
Merchants Mutual Insurance Co	Pacific Employers Insurance Co
Mid-Century Insurance Co	Pacific Indemnity Co
Middlesex Insurance Co	Partner Reinsurance Company Of the US
Midwest Employers Casualty Co	Peerless Indemnity Insurance Co
Mitsui Sumitomo Insurance Co Of America	Peerless Insurance Co
Mitsui Sumitomo Insurance USA Inc	Peninsula Indemnity Co

Peninsula Insurance Co (The)  
Penn National Security Insurance Co  
Pennsylvania Lumbermens Mutual Ins Co  
Pennsylvania Manufacturers Assn Ins Co  
Pennsylvania Manufacturers Indemnity Co  
Pennsylvania National Mutual Casualty  
Petroleum Casualty Co  
Pharmacists Mutual Insurance Co  
Phoenix Insurance Co  
Pinnaclepoint Insurance Co  
Praetorian Insurance Co  
Preferred Professional Insurance Co  
Princeton Insurance Co  
Property And Casualty Ins Co Of Hartford  
Protective Insurance Co  
Public Service Insurance Co  
QBE Insurance Corporation  
Red Rock Insurance Co  
Redwood Fire And Casualty Insurance Co  
Regent Insurance Co  
Republic Franklin Insurance Co  
Riverport Insurance Co  
RLI Insurance Co  
Rockwood Casualty Insurance Co  
Safeco Insurance Co Of America  
Safety First Insurance Co  
Safety National Casualty Corp  
Sagamore Insurance Co  
Samsung Fire & Marine Ins Co Ltd USB  
Seabright Insurance Co (Clearspring)  
Security National Insurance Co  
Select Insurance Co  
Selective Insurance Co Of America  
Selective Insurance Co Of South Carolina  
Selective Way Insurance Co  
Seneca Insurance Co Inc  
Sentinel Insurance Co Ltd  
Sentry Casualty Co  
Sentry Insurance A Mutual Company  
Sentry Select Insurance Co  
Sequoia Insurance Company  
Service American Indemnity Company  
Sirius America Insurance Company

Sompo Japan Fire And Marine Insurance Co Of America  
Sompo Japan Insurance Co Of America  
Southern Insurance Co  
Southern Insurance Co Of Virginia  
Southern States Insurance Exchange  
Sparta Insurance Co  
St Paul Fire & Marine Insurance  
St Paul Fire & Marine Insurance Co  
St Paul Guardian Insurance Co  
St Paul Mercury Insurance Co  
St Paul Protective Insurance Co  
Standard Fire Insurance Co  
Star Insurance Co  
Starnet Insurance Co  
Starr Indemnity & Liability Company  
Starr Specialty Insurance Company  
Starstone National Insurance Co  
State Automobile Mutual Insurance Co  
State Farm Fire & Casualty Co  
State National Insurance Co Inc  
Stonington Insurance Co  
Strathmore Insurance Co  
Summitpoint Insurance Co  
Sunz Insurance Co  
T H E Insurance Co  
Technology Insurance Co  
Tokio Marine America Insurance Company  
Trans Pacific Insurance Co  
Transguard Insurance Co Of America Inc  
Transportation Insurance Co  
Travelers Casualty & Surety Co  
Travelers Casualty & Surety Co  
Travelers Casualty & Surety Co Of Amer  
Travelers Casualty Co Of Connecticut  
Travelers Casualty Company  
Travelers Casualty Insurance Co Of America  
Travelers Casualty Insurance Co Of America  
Travelers Commercial Insurance Co  
Travelers Constitution State Insurance Co  
Travelers Indemnity Co  
Travelers Indemnity Co Of America  
Travelers Indemnity Co Of Connecticut  
Travelers Property Casualty Co Of Amer



Tri-State Insurance Co of MN	Vigilant Insurance Co
Triumphe Casualty Co	Wausau Business Insurance Co
Truck Insurance Exchange	Wausau Underwriters Insurance Co
Trumbull Insurance Co	Wellfleet Insurance Company
Twin City Fire Insurance Co	Wellfleet New York Insurance Co
Ullico Casualty Co	Wesco Insurance Co
Union Insurance Co	West American Insurance Co
Union Insurance Company Of Providence	West Bend Mutual Insurance Co
United States Fidelity & Guaranty Co	Westchester Fire Insurance Co
United States Fidelity & Guaranty Co	Westfield Insurance Co
United States Fire Insurance Co	Westfield National Insurance Co
United Wisconsin Insurance Co	Westport Insurance Corporation
Universal Underwriters Insurance Co	Williamsburg National Insurance Co
UPMC Health Benefits Inc	Work First Casualty Co
UPMC Work Alliance Inc	Worth Casualty Company
US Specialty Insurance Co	XL Insurance America Inc
Utica Mutual Insurance Co	XL Specialty Insurance Co
Valley Forge Insurance Co	Zenith Insurance Co
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**RULE I - GENERAL**

**A. WORKERS COMPENSATION**

Workers Compensation as used in this Manual means workers compensation and occupational disease law of Delaware.

**B. STANDARD POLICY**

Standard Policy means the Standard Provisions Workers Compensation and Employers Liability Policy and the Information Page approved by the Delaware Insurance Department prescribed in Section 3 of this manual.

**C. ENDORSEMENT FORMS**

Endorsement form mean standard endorsements contained in the Endorsement Forms Section. A standard endorsement must be used in the form prescribed in Section 3.

**D. ENDORSEMENT FORMS SECTION (SECTION 3)**

Refer to the Endorsement Forms Section for complete description of coverages and instructions on use of the endorsement forms.

**E. APPLICATION OF MANUAL RULES**

Rules apply separately to each policy, except as allowed by Rule VII – PREMIUM DISCOUNT.

**F. EFFECTIVE DATE**

**1. Manual**

This Manual applies only from the policy effective date which occurs on or after the effective date of this Manual.

**2. Changes**

The effective date of a change in any rule, classification or DCRB rating value is 12:01 a.m. on the date approved for use. Any change will be highlighted and linked to the appropriate DCRB circular announcing the change. Unless specified otherwise, each change applies only from the policy effective date which occurs on or after the effective date of the change.

**G. POLICY EFFECTIVE DATE**

**1. Definition**

The policy effective date is the effective month, day and year of the policy in effect.

**2. Long Term Policies**

For application of policy effective dates on policies issued for a term in excess of one year, refer to Rule III - C.

**H. FILING REQUIREMENTS**

**1. Policy**

An exact copy of every Workers Compensation Policy showing the state of Delaware on the Information Page shall be electronically submitted to the Delaware Compensation Rating Bureau within thirty days after the effective date of the policy.

**2. Policy Writing Procedures****a. Policy Numbers**

The policy number designated by the carrier at policy issuance must remain constant and must be used on all endorsements and other documents related to that policy. If a portion of the policy number is designated at inception as the "key" policy number, such designation must be clearly identified on the policy information page and the "key" number must be used on all endorsements and other documents related to that policy.

**b. Renewal Policy Numbers**

The information page of each renewal policy shall identify the policy number of the policy which it renews, in accordance with a. above. This procedure also applies to rewritten policies. The word "same" should be used to indicate that the same policy number has been used on renewal. The word "new" should be used to indicate a newly issued policy.

**3. Endorsements**

An exact copy of all endorsements or agreements attached to the policy at its inception date or issued subsequent to the inception date of the policy must be electronically submitted to the DCRB within thirty days after the date of issue of such endorsement or agreement.

**4. Standard Endorsement Filing Procedure**

a. Any endorsement electronically submitted to the Insurance Department on behalf of DCRB members by the DCRB must be electronically submitted for approval by the DCRB. For filing procedure details refer to Section 3.

b. Non Standard Endorsements filing procedure, refer to Section 3.

**5. Binders**

a. A copy of the binder must be electronically submitted to the DCRB on an approved form with all required endorsements attached no later than thirty days after its date of inception.

b. The binder must contain the classification codes and Carrier Rating Values applicable to the employer in accordance with the assignment issued by the DCRB or in accordance with the Classification Rules of this Manual if no specific DCRB assignment has been made.

c. A binder must be replaced with a short-term policy covering the amount of time the binder was in effect or replaced with a full-term policy including the time period the binder was in effect.

**I. POLICY CORRECTION**

If the DCRB finds that a policy requires correction to conform to Manual rules or classifications, the carrier shall be notified by electronic error message. Such policy shall be corrected and a copy of the correcting endorsement shall be electronically submitted to the DCRB no later than thirty (30) days after notification.



**J. MEDICAL CONTRACTS**

- 1.** Medical contracts and agreements between insurance carriers and insured employers where medical service or supplies are furnished by the employer in consideration of a reduced premium or other consideration cannot be made.
- 2.** Insurance carriers may not furnish medical equipment or hospital supplies to the insured's employer.
- 3.** Medical agreements with physicians and nurses must be in the form of a written contract and must be electronically submitted to the DCRB within thirty days of the effective date of the agreement.

**RULE II – EXPLANATION OF COVERAGES AND METHODS OF INSURING****A. PART ONE – WORKERS COMPENSATION INSURANCE****1. Description of Workers Compensation Coverage**

Workers compensation insurance provides coverage for the statutory obligation of an employer to provide benefits for employees as required by:

- a. Workers compensation law or occupational disease law of any state or territory of the United States, including the District of Columbia, and
- b. United States Longshore and Harbor Workers' Compensation Act.

**2. Delaware workers compensation insurance may be provided only by the Standard Policy.****3. Longshore Coverage**

U.S. Longshore and Harbor Workers' Compensation Act insurance may be provided only by attaching the Longshore and Harbor Workers' Compensation Act Coverage Endorsement (WC 00 01 06A) to the Standard Policy. Refer to Rule XII.

**4. Deductible Coverage**

See Rule II - F.

**B. COVERAGE REQUIREMENTS****1. Compulsory as to all employments:**

Specifically includes persons who are licensed under Title 30, Chapter 25 of the Delaware Code or persons shown to be conducting business in a manner in which they should be so licensed.

Exceptions:

- a. Partners of a partnership or sole proprietors not licensed under Title 30, Chapter 25 of the Delaware Code or shown to be conducting business in a manner in which they should be so licensed.
  - b. Farm labor; domestic servants, casual workers earning less than \$750 in three months from one household. Elective as to state and certain counties, cities and towns. Refer to Title 19, Sections 2307, 2308, 2309 and 2311 of the Delaware Workers Compensation Law.
2. No insurance carrier is permitted to issue policies which would create duplicate coverage for an employer.
  3. No insurance carrier is permitted to issue policies which would insure separate parts of a single employer. (Exception see Rule III - B. 2.)
  4. When an employer proposes to insure his accident and occupational disease compensation liability, such liability must be covered by a single policy of one insurance carrier.

**C. PART TWO – EMPLOYERS LIABILITY INSURANCE**

**1. Description of Employers Liability Insurance**

Employers' liability insurance provides coverage for the legal obligation of an employer to pay damages because of bodily injury by accident or disease, including resulting death, sustained by an employee. Employers liability coverage applies only if the injury or death of an employee arises out of and in the course of employment and is sustained:

- a. In the United States of America, its territories or possessions, or Canada, or
- b. While temporarily outside the United States of America, its territories or possessions, or Canada, if the injured employee is a citizen or resident of the United States or Canada; but suits for damages and actions on judgments must be in or from a court of the United States, its territories or possessions or Canada.

Unless specifically excluded, coverage for the liability of an employer under admiralty law and the Federal Employers Liability Act is provided by employers liability insurance.

**2. Employers Liability for Diseases**

Employers liability insurance for diseases not covered by a workers compensation law or an occupational disease law is provided by the Standard Policy.

**3. Admiralty Law or Federal Employers Liability Act**

Employers liability insurance for liability of an employer under admiralty law or Federal Employers Liability Act is not provided by the Standard Policy. Refer to Rule XII for rules and endorsements to cover or limit this exposure.

**4. Employers Liability Insurance With Workers Compensation Insurance**

Employers liability insurance written with workers compensation insurance is provided by the Standard Policy.

**D. VOLUNTARY COMPENSATION INSURANCE****1. Description of Voluntary Compensation Coverage**

Voluntary compensation insurance does not provide workers compensation coverage and is not available for employments subject to a workers' compensation law. This insurance affords the benefits of a designated compensation law as if the affected employees were subject to that law, even though the law does not require payment of benefits to such employees.

Voluntary compensation insurance shall not provide compensation, medical or other benefits in excess of the statutory requirements in the workers compensation law designated in the standard Voluntary Compensation and Employers Liability Coverage Endorsement.

**2. How Provided**

Voluntary Compensation insurance is provided by attaching the Standard Voluntary Compensation and Employers Liability Coverage Endorsement (**WC 00 03 11A**) to the Standard Policy. Refer to Rule VIII for rules and carrier rating values.

**E. PART THREE – OTHER STATES INSURANCE****1. Description of Other States Coverage**

- a. Employers liability insurance and, where permitted by law, workers compensation insurance are provided in *other* states not listed in Item 3-A of the Information Page by listing states where coverage is to be provided in Item 3-C of the Information Page.
- b. If workers compensation insurance does not apply because the insured or carrier *is unable* to take the necessary action to bring the insured under a workers compensation law, the carrier will reimburse the insured for all compensation and other benefits required of the insured under such law.
- c. Part Three – Other States Insurance does not provide U.S. Longshore and Harbor Workers' Compensation Act coverage. It may be afforded only in accordance with Section I, Rule XII.

**2. States Where Not Available**

Other states coverage is not available in states:

- a. With a monopolistic state fund, or
- b. Where the carrier elects not to write this coverage.

**3. Restriction on Use**

Coverage for operations known or expected to be performed in a state not listed in Item 3-A of the Information Page shall not be provided under Part Three – Other States Insurance.

**4. Premium**

Premium developed for operations covered under Part Three – Other States Insurance shall be based on workers compensation rules and carrier rating values.

**F. DEDUCTIBLE COVERAGE**

Volume 63, Chapter 250, Delaware Laws, requires that every insurer licensed to issue workers compensation and employers liability insurance by the Insurance Department pursuant to Title 18, Delaware Code, shall offer to write each such policy subject to a deductible applying only to medical reimbursement and death benefits. The insured employer shall be permitted to accept or reject such a deductible at the time the policy is issued or renewed. It is required that the following be completed by the employer indicating his election to accept or reject a deductible. The deductible options that, by law, must be offered and the corresponding premium credits are shown on the form below:

**NOTICE OF ELECTION TO ACCEPT OR REJECT AN INSURANCE DEDUCTIBLE  
FOR DELAWARE WORKERS COMPENSATION DEATH AND MEDICAL BENEFITS**

Delaware Law permits an employer to buy workers compensation insurance with a deductible. The deductible is for death and medical benefits and applies to each accident. The deductibles available and the corresponding premium reductions are set forth in Section 2 of this manual:

You are not required to choose a deductible program. However, if you do so choose, it is to be understood that your insurance company will administer and pay all claims and that you will reimburse the insurance company for payments it makes within the amount of the deductible selected. Failure to reimburse the insurance company for such deductible amounts within 30 days can result in cancellation of coverage.

Please show whether or not you want the deductible by initialing the appropriate choice below.

\_\_\_\_\_ Yes, I want a deductible of \_\_\_\_\_ applied to death and medical benefits under the Delaware Workers Compensation Law. I understand that the company shall pay the deductible amount and be reimbursed by the employer shown below.

\_\_\_\_\_ No, I do not want the deductible described in this Notice.

I understand that in accordance with 19 Del. C. §2372, I have the option of modifying the above deductible program choice at the time of renewal of my workers compensation insurance policy with the insurance company named below.

_____ Date	_____ Employer
	_____ Name
	_____ Title

\_\_\_\_\_ Insurance Company

The deductible credit applies to total premium after application of experience modification, if any. The dollar amount of the premium reduction resulting from application of the deductible credit is to be recorded in Item 4 of the Information Page under **Code 9663**.

**G. DELAWARE WORKERS COMPENSATION INSURANCE PLAN (WCIP)**

The Delaware Workers Compensation Insurance Plan is available in the state of Delaware when an employer is unable to obtain workers compensation coverage in the voluntary market. For more information refer to the Delaware Workers Compensation Insurance Plan Handbook or contact the Delaware Compensation Rating Bureau, Inc.

**1. Residual Market Surcharge**

Effective August 1, 1997, the surcharge program applies to all risks insured in the Plan, including risks for which the Plan applications were processed through Delaware and W CIP risks for which residual market applications were processed through another state.

- a. Premium surcharges will apply to risks insured under the Plan which qualify for experience rating and which produce experience modifications in excess of 1.000.
- b. Applicable surcharges to subject risks will be expressed as a factor to be applied to standard premium and will be computed using the following formula:

0.50 x (1.000 - risk credibility in the Experience Rating Plan)

- c. Surcharges so computed will be limited to a maximum factor computed by subtracting unity (1.000) from each risk's experience modification factor.
- d. Surcharges will be computed and expressed to two decimal places.

**RULE III – POLICY PREPARATION – INSURED, POLICY PERIOD AND STATE OF OPERATIONS****Item 1, 2 and 3-A of the Information Page****A. EXPLANATION OF TERMS****1. Employer/Entity**

Employer may be an individual, partnership, joint venture, corporation, association, or a fiduciary such as a trustee, receiver or executor, or other entity.

**2. Insured**

Insured means the employer designated in Item 1 of the Information Page.

**3. Majority Interest (more than 50%)**

Majority Interest as defined in the Experience Rating Plan Manual applies in this Manual usually means:

- a. Majority of voting stock, or
- b. Majority of members or directors if there is no voting stock, or
- c. Majority participation of general partners in profits of a partnership.

**4. Risk**

Risk means a single legal entity or two or more legal entities which qualify for combination.

**B. NAME, ADDRESS, AND OTHER WORKPLACES OF INSURED – ITEM 1****1. Name of Insured**

In addition to providing the complete legal name of the insured, carriers shall designate each fictitious name shown on the Information Page by the symbol D.B.A. (doing business as). In addition, if a fictitious name is shown on an endorsement the same designation, D.B.A., shall be shown. A fictitious name is a business name which is not the legal name of the insured.

Some individuals are known by two or more complete names. If a carrier shows the additional names of such an insured individual, it shall designate each additional name by the symbol A.K.A. (also known as).

Each daily report or applicable endorsement shall identify every corporate name which does not include the words "incorporated" or "corporation" in said name by the designation (A Corp.) following the name.

The effective date of any change, addition or deletion in the name of the insured shall be shown on the endorsement.

When issuing an endorsement to reflect a change in ownership, the following procedure shall be followed:

**2. Combination of Legal Entities**

Separate legal entities may be insured in one policy only if the same person, or group of persons, owns the majority interest in such entities.

**3. Delaware Locations**

All locations and operations of the employer in Delaware shall be insured in one policy. Exceptions approved by the Industrial Accident Board.

**C. POLICY PERIOD – ITEM 2**

**1. Normal Policy Period**

The normal policy period is one year. A policy may be issued for any period but not longer than 3 years.

**2. Policy for One Year**

- a. The manual rules are based on a policy period of one year.
- b. A policy issued for a period not longer than one year and 16 days is treated as a one year policy.

**3. Policy Longer Than One Year**

A policy issued for a period longer than one year and 16 days, other than a 3-year fixed carrier rating value policy, is treated as follows:

- a. The policy period is divided into consecutive 12-month units.
  - b. If the policy period is not a multiple of 12 months, use the Standard Policy Period Endorsement **(WC 00 04 05)** to specify the first or last unit of less than 12 months as a short-term policy.
  - c. All manual rules and procedures apply to each such unit as if a separate policy had been issued for each unit.
- 4. Renewal Certificates, Agreements, Continuing Form Policies, would be handled as policies longer than one year. (See above C. 3.)**

**5. Three-Year Fixed Carrier Rating Value Policy Option**

A policy may be issued for a period of 3 years at fixed carrier rating values. Such a policy shall not be issued if the risk is subject to the Experience Rating Plan on the effective date of the policy.

A policy issued under this option shall be known as a Three-Year Fixed Carrier Rating Values Policy and shall be so designated on the Information Page. Refer to Rule XI.

**6. Annual Rating Endorsements**

An "Annual Rating Endorsement" shall be submitted annually for each continuing form policy or policy written for a period in excess of one year but not more than three years to be effective on the annual policy effective date set by such policy. It shall be submitted to the DCRB not later than thirty days subsequent to its inception.

Annual rating endorsements shall also:

- a. Show the name of the carrier providing the insurance. If the names of affiliated carriers are printed on endorsement forms, the particular carrier providing coverage shall be clearly indicated.
- b. Show the policy number, including all printed and typed prefixes to facilitate the identification of the policy to which the Annual Rating Endorsement is related.



- c. If the annual rating endorsement being filed replaces an annual rating endorsement covering the same period, indicate that it is a rewrite.
- d. Show the date of its inception and expiration.
- e. Show the code number(s) and rate(s) applicable. If the rate(s) or experience modification is not effective as of inception date of the endorsement, also show the effective date of such rate(s) or modification.
- f. Show the premium adjustment period, deposit premium and estimated annual premium for the period covered by the Annual Rating Endorsement.

Annual Rating Endorsements shall be used only for the purpose of showing the proper rates, experience modifications, premium adjustment period, deposit premium and estimated annual premium for each one-year period. They cannot be used to make any other changes in the policy such as, but not restricted to, modifying the name of the insured, adding or eliminating classifications, adding or eliminating locations.

#### **D. STATE LAWS DESIGNATED IN THE POLICY – Item 3-A**

##### **1. Listing of Delaware**

Insurance for operations conducted in Delaware is provided by listing the state in Item 3-A of the Information Page.

##### **2. Longshore Act**

The U.S. Longshore and Harbor Workers Compensation Act shall not be entered in Item 3-A of the Information Page. Refer to Rule XII.

##### **3. Additional States**

A state may be added after the effective date of the policy. For the additional state operations, apply:

- a. Carrier rating values in effect on the effective date of the policy to which the state has been added.
- b. Any change in carrier rating values which applies to outstanding policies for the state being added.
- c. When adding the State of Delaware, the Information Page and attached endorsements shall be prepared so that the Delaware coverage can be clearly determined.

## RULE IV – CLASSIFICATIONS

### Item 4 of the Information Page

#### A. GENERAL EXPLANATION

##### 1. Objective

The objective of the classification system is to group employers into classifications so that the rating value for each classification reflects the exposures common to those employers (See Rule IV, C. 2. & C. 3.). Subject to certain exceptions described later in this rule, it is the business of the insured within Delaware that is classified, not the separate employments, occupations or operations within the business.

#### B. Classifications

##### 1. Basic Classifications

All classifications in the Manual are basic classifications, other than the standard exception classifications. Basic classifications describe the business of an insured such as:

<u>Business</u>	<u>Classification</u>
Manufacture of a Product	Furniture Manufacturing
A Process	Printing
Construction or Erection	Carpentry
A General Type or Character of Business	Hardware Store
A Service	Beauty Parlor

Classifications are listed by group arrangement which is essentially a numeric listing in Section Two of the Manual. Notes following a classification are part of that classification.

##### 2. Standard Exception Classification

Some occupations are common to so many businesses that special classifications have been established for them. They are called standard exception classifications. Employees within the definition of a standard exception classification are not included in a basic classification unless the basic classification specifically includes those employees. The standard exception classifications are defined below:

- a. **CLERICAL OFFICE EMPLOYEES – Code 953** – are employees exclusively engaged in keeping the books or records of the insured or conducting correspondence or who are engaged wholly in office work where such books or records are kept or such correspondence is conducted.

This classification shall be applied only to employees herein described who work exclusively in separate buildings or on separate floors or in departments on such floors which are separated from all other workplaces of the employer by floor to ceiling partitions except for retail stores where a partition at least five feet high is required and within which no work is performed other than clerical office duties as defined in this rule.

Telecommuters i.e., employees who work from their home by use of the internet, email and telephone, shall also be considered clerical office employees.

Office employees shall be separately classified except in connection with those classes which are designated “all employees including office.”

If any clerical office employee (including drafting employees) has any other regular duty, the entire payroll of that employee shall be assigned in accordance with the class to which the business is assigned.

**COVID-19 (CORONAVIRUS) EXCEPTION:**

An employee's job duties may be temporarily reclassified to Code 953 – Clerical Office Employees during any emergency orders, laws, or regulations issued due to COVID-19 (Coronavirus), if separate, accurate, verifiable records are maintained. If such records are not maintained, the employee is assigned to the classification applicable to their duties prior to any emergency orders, laws, or regulations issued due to COVID-19 (Coronavirus) pandemic. Once normal business operations resume, appropriate classifications should be applied.

This exception is for policies in force on March 1, 2020. The exception will continue to remain in effect and will not expire until determined at a later date as circumstances warrant in consultation with Delaware regulatory authorities.

This classification does not apply to:

- (1) The clerk, such as a counter, front desk, lobby, mall kiosk, time, stock or tally clerk or librarian, whose work is necessary, incidental or part of any operation of the business other than clerical office. Such clerk should be assigned to the basic classification of the business.
- (2) A cashier who is responsible for accepting payment for merchandise or services rendered. The cashier's physical location may include but is not necessarily limited to: a booth, behind a counter or on a sales floor. The cashier or any employee whose regular and frequent duty is accepting payment for merchandise or services rendered should be assigned to the basic classification of the business regardless of the physical work location.

- b. SALESPERSONS – OUTSIDE, Code 951** – are employees either exclusively engaged in sales or collection work away from the employer's premises or who regularly and frequently (as defined in Section 2 of this Manual) engaged in sales or collection work away from their employer's premises and devote the balance of their time to clerical office duties. Salespersons, collectors or messengers shall be separately classified except in connection with those classifications designated either "all employees including office" or "all employees except office."

This classification does not apply to:

- (1) Employees delivering merchandise or products. Even though such employees may also collect or solicit, they shall be assigned in accordance with the employer's applicable business classification.
- (2) Floor and/or counter salespersons. Such employees shall be assigned in accordance with the employer's applicable business classification.
- (3) Messengers employed by a messenger or courier service company. Messengers employed by other establishments whose field of business is not that of a messenger or service company shall be assigned to Code 951 except in connection with those classifications designated either "all employees including office" or "all employees except office".
- (4) Employees who sell or solicit exclusively by telephone. Such employees shall be assigned to Code 953 except in connection with any classification designated "all employees including office".
- (5) Salespersons in connection with a business classified to Code 814 and automobile auctioneers in connection with a business classified to Code 820. Such employees shall be classified to Code 819. See Code 819 for additional details.

### 3. General Inclusions

- a. Some operations appear to be separate businesses, but they are included within the scope of all classifications other than the standard exception classifications. These operations are called general inclusions and are:
- (1) Commissaries, restaurants or stores operated for an insured's employees except in connection with construction, erection, lumbering, mining or the recovery of petroleum and/or natural gas.
  - (2) Manufacturing of containers such as bags, barrels, bottles, boxes, cans, cartons or packing cases (and the incident printing thereon) to be used by the employer in the packaging of its products.
  - (3) Medical facilities operated by the insured for its employees.
  - (4) Maintenance or repair and/or cleaning of an insured's buildings, or vehicles or equipment when performed by employees of an insured.
  - (5) Printing or lithographing by an insured on its products.
  - (6) Stamping or Welding – when an integral technique that is a part of an overall manufacturing process.
  - (7) Drilling or Blasting – when conducted by the employees of a surface or underground non-coal mine operator to facilitate mineral extraction. Drilling, redrilling or deepening conducted by an entity whose field of business is the recovery of petroleum and/or natural gas shall be separately classified.
  - (8) Quality control of an insured's products or research laboratories engaged in developing and/or improving products manufactured by an insured.
  - (9) Drivers, chauffeurs and their helpers including all employees whose principal duties are the operation and/or the repair of vehicles.
  - (10) Tools, dies, molds or fixtures made and/or repaired by an insured that are used in the insured's product manufacturing operations.
  - (11) Aircraft travel by employees, other than members of the flying crew, including employees whose payroll is assigned to the Standard Exception Classifications.
  - (12) Child day care services operated by the employer for his employees.
  - (13) Warehousing by an employer of its merchandise, products and/or raw materials.
  - (14) Security guards protecting their employer's premises and property.
  - (15) Heat treating by an insured on its products.
  - (16) Counter personnel
  - (17) Cashiers
- b. Any operation described by a General Inclusion shall be separately classified only if:
- (1) Such operation constitutes a separate and distinct business of the insured as provided in

Rule IV - C. below or

- (2) It is specifically excluded by the classification wording, or
- (3) If the principal business is described by classifications defined as Standard Exceptions, the payroll of all employees not specifically included in the definition for such Standard Exceptions shall be separately classified to Code 971.

#### 4. General Exclusions

Some operations in a business are so unusual that they are excluded from basic classifications. They are separately rated unless specifically included in the basic classification wording. These operations are called general exclusions and are:

- (1) Aircraft operation – all operations of the flying and ground crews.
- (2) New construction or structural alterations by the insured's employees.
- (3) Sawmill Operations – sawing logs into lumber by equipment such as circular carriage or band carriage saws, including operations incidental to the sawmill.
- (4) Stevedoring, including tallying and checking incidental to stevedoring.
- (5) Mining and Quarrying, Clay, Gravel or Sand Excavation and Dredging.

### C. ASSIGNMENT OF CLASSIFICATIONS

#### 1. Objective of the Classification Procedure

- a. The objective of the classification procedure is to assign the one basic classification which best describes each distinct business enterprise of the insured within Delaware. Subject to certain exceptions described in this Rule, each classification includes all the various types of labor found in a distinct enterprise. It is the business which is classified, not the individual employments, occupations or operations within a business. Additional classifications shall be assigned as provided below.
- b. House Bill 430 of 2004 (amending Section 2607, Title 18 of the Delaware Code) permits an insurer to develop a subclassification(s) to the DCRB's classification system as approved by the Insurance Commissioner. The developing insurer shall file any such subclassification(s) with the DCRB and the Insurance Commissioner at least thirty (30) days prior to the proposed effective date for such subclassification(s). The insurer's filing shall demonstrate that payroll and loss data produced under any proposed subclassification(s) can be reported to the DCRB consistent with the DCRB's uniform classification plan and statistical plan. The Insurance Commissioner must disapprove any subclassification filing for which such demonstration is not made.

#### 2. Assignment of a Classification

- a. The policy shall contain only classifications approved by the Delaware Compensation Rating Bureau, Inc. and in accordance with this Manual.

Each classification is presumed to describe an entire business enterprise. Any policy which contains more than a single classification cannot contain any classifications representing a payroll less than that of one full-time employee, but this rule will not apply in classifications involved in Construction, Erection, Stevedoring, Part-Time Aircraft Operations or if the business' basic and major operations are described by the Standard Exception classifications and there are employees whose job duties are not assignable to the Standard Exceptions, except as specified in classification phraseology.

- b. **Single Enterprise.** If a risk consists of a single operation or a number of separate operations which normally occur in the business described by a single manual classification, or separate operations which are an integral part of or incidental to the main business, that single classification which most accurately describes the entire enterprise shall be applied. The separate operations so covered may not be assigned to another classification even though such operation may be specifically described by some other classification or may be conducted at a separate location.

Division of payroll shall be made as provided in respect to General Exclusions, Standard Exceptions or Special Class Wording. For construction or erection work, see special procedure set forth in Rule IV, C. 5.

#### EXCEPTION

Where a retail outlet is located at the same or contiguous premises a business' manufacturing facility, the applicable retail store classification shall apply to the payroll of the retail outlet, provided that such retail outlet is operated in an area physically separate from other operations by a floor-to-ceiling partition, and it is separately staffed.

- c. **Authorized Classifications.** When the classification of any insured has been established by the DCRB, no policy shall be issued or endorsed nor adjustment of premium made under any other or conflicting classification.

In any instance where the established classification does not describe the current operations of the insured, the insuring carrier or insured shall draw the matter to the attention of the DCRB in writing with full particulars prior to the application of any other classification. The reclassification shall not take place until the DCRB has received and reviewed such documentation and has replied in writing to the insured or insuring carrier agreeing with their position or otherwise advising on which class(es) to assign.

The insuring carrier is not relieved of the obligation to apply the class authorized for an insured because of lack of knowledge that the DCRB has established an authorized classification for that insured.

### 3. Assignment of Additional Classifications

- a. **Multiple Classifications/Multiple Enterprises** (Not construction or erection operations – see paragraph 6.)

Additional classifications may be used only when valid evidence supports their authorization or in conformity with the rules stated under "Standard Exceptions" and "Exclusions." Additional classes may not be added without DCRB authorization when their use is in violation of Manual Rules or an existing DCRB data card.

Additional classifications shall be assigned to an insured only if the following conditions exist:

- (1) If the classification wording requires the assignment of an additional classification for specified employees or operations.
- (2) If there are distinct enterprises (meaning thereby businesses, which are specifically classified in this Manual, but not operations that normally occur in the business described by the assigned classifications, nor operations described by any of the General Inclusions), conducted in a given plant by the same insured and the entire work in each enterprise is conducted either in a separate building or on a separate floor or floors of a building, or on the same floor in separate departments divided by floor to ceiling partitions without interchange of labor and the insured conducts each of such enterprises as a separate undertaking with separate records of payroll, then such separate

undertakings shall each be separately classified, (and the proper carrier rating value applied to each).

- (3) See Governing Classification rules for assignment of incidental operations that support more than one distinct enterprise.

#### **b. Governing Classification**

The governing classification is that classification other than the standard exception classifications (which may never be the governing class) which carries the largest amount of payroll exclusive of payroll of miscellaneous employees as defined below.

- (1) This concept shall be utilized not in the initial classification assignment process but to determine how to classify miscellaneous employees when an insured is assigned two or more classifications.

Miscellaneous employees are employees that either supervise or support all the various undertakings of the insured. The functions performed by miscellaneous employees may include but are not necessarily limited to: maintenance, mailroom, shipping and receiving, yard operations, security power plant operations, lobby or front desk personnel, elevator operators, porters, foremen, superintendents or timekeepers.

- (2) The entire remuneration of miscellaneous employees is assignable to the governing classification.
- (3) The governing classification in the case of construction or erection operations shall be determined on a job basis within each policy period if payrolls are kept separately by job within the policy period; otherwise on the basis of the entire policy period.
- (4) If the basic and major operations are described by classifications defined as Standard Exceptions, the payroll of all employees not specifically included in the definition for such Standard Exceptions shall be separately classified to Code 971.

#### **4. Assignment By Analogy**

Any enterprise which is not described by a classification in this Manual shall be assigned to the classification or classifications most analogous from the standpoint of process and hazard. The limitations and conditions of the classification or classifications so assigned and all Manual rules pertaining to the classification shall be applicable.

#### **5. Payroll Assignment – Multiple Classifications - Interchange of Labor**

Some employees who are not miscellaneous employees may perform duties directly related to more than one classification. When there is such an interchange of labor, the entire payroll of employees who interchange shall be assigned to the insuring carrier's or the residual market's highest-valued classification representing any part of their work.

The payroll of one employee shall not be divided into two or more classes except where specifically described in classification wording as "to be separately rated" or "separately rate" and with no requirement for separate staff. See the paragraph immediately below for the auditing procedure.

##### **General Exceptions to C. 5. above**

For Construction, Erection, Temporary Staffing or Stevedoring, the payroll of any individual employee may be divided and allocated to more than one such classification provided the entry on the original records of the insured discloses an allocation of each such individual employee's payroll. Estimated or



percentage allocation of payroll is not permitted. Only a single stevedoring class shall be applied to all payroll developed in the loading or unloading of a single vessel. For further reference see the material under Stevedoring in Section 2 of the Manual. For Executive Officers see Rule IX, A. 4.

## **6. Construction or Erection Operations**

Each distinct type of construction or erection operation at a job or location shall be assigned to the classification which specifically describes such operation provided separate payroll records are maintained for each operation. Estimated or percentage allocation of payroll is not permitted.

Any such operation for which separate payroll records are not maintained shall be assigned to the insuring carrier's or the residual market's highest-valued classification which applies to the job or location where the operation is performed.

A separate construction or erection classification shall not be assigned to any operation which is within the scope of another classification assigned to such a job or location which is assignable to a construction classification designated "all work to completion." All operations of the insured contractor at that job or location shall be assignable to such classification.

## **7. NOC Please see Definitions, Section 2.**

## **8. Changing Classifications**

- a. The DCRB is empowered to determine, revise or modify the classification(s) assigned to any individual insured. No written application by the carrier, agent of record or an insured to change an insured's authorized classification(s) shall be considered by the DCRB until the carrier has issued and filed a copy of its policy Information Page written in accordance with an insured's authorized classification(s). The classification(s) shown in any policy shall be subject to correction or modification, or both, if the DCRB finds by survey or otherwise that the classification(s) shown in the policy are inappropriate to the insured. No written application to change the classification(s) for an insured on the grounds that the insured has been improperly classified shall be considered by the DCRB unless such written application is filed directly with the DCRB by the insured, agent of record or the carrier during the policy period with respect to which the application is made, or within 12 months after the termination thereof.
- b.
  - (1) A change in an insured's classification that results from a recent change in the insured's operations (i.e., an operations change that has taken place during the current policy year or the policy year that has just expired) will be applied pro rata as of the date of the change in the insured's operations, regardless of the premium impact to the insured. When a DCRB review discloses the insured's recent operations change, the DCRB will make written notice to the carrier-of-record, changing the insured's authorized classification(s) for the current policy year and, if warranted, for the policy year that has just expired. When the carrier becomes aware of such recent operations change, the carrier shall make written application to the DCRB to change the insured's authorized classification(s) during the current policy year and, if warranted, for the policy year that has just expired.
  - (2) A correction of a misclassification which results in a premium decrease shall be applied to the insured's policy in effect when the application for correction is made and to the prior policy within 12 months after the termination thereof.
  - (3) A correction of a misclassification which results in a premium increase shall be applied to the employer's first policy effective at least six months subsequent to the date of the DCRB's written misclassification notice.
  - (4) When the temporary interruption or suspension of normal business activities caused by COVID-19 results in a change in business operations, an employer may be temporarily reassigned to an alternate classification if separate, accurate, verifiable records are



maintained. If such records are not maintained, the operations are assigned to the classification applicable to the business prior to any emergency orders, laws, or regulations issued due to the COVID-19 (coronavirus) pandemic. Once normal business operations resume, appropriate classifications should be applied.

This exception is for policies in force on March 1, 2020. The exception will continue to remain in effect and will not expire until determined at a later date as circumstances warrant in consultation with Delaware regulatory authorities.

- c. Any correction of a misclassification arising from discovery by the carrier of a material misrepresentation or intentional omission by the insured, its agent, employees, officers or directors shall be applied effective the date upon which it would have applied had such material misrepresentation or intentional omission not been made. It is recommended that a carrier claiming material misrepresentation or intentional omission as contemplated in this Rule secure a declaratory judgment from the appropriate Court establishing same prior to proceeding with application of this Rule.
- d. The reallocation of payroll by a carrier among an insured's authorized classifications or the DCRB requiring a carrier to reallocate payroll among an insured's authorized classifications or to report payroll under an insured's authorized classifications for an insured's current policy or for the insured's prior policy within 12 months after the termination thereof does not constitute a class change or correction.
- e. Any reclassification pursuant to a revision in classification procedure that DCRB has electronically submitted to and that has been approved by the Insurance Commissioner shall be effective only upon any insured's first policy effective date on or later than the effective date for the revision approved by the Insurance Commissioner.

## 9. Classification Appeals

The DCRB's assignment of an individual risk to a particular classification may be appealed pursuant to Rule XVI, APPEALS FROM APPLICATION OF THE RATING SYSTEM PROCEDURE, Section 1 of this Manual.

## 10. Mercantile Business/Stores

Where a store or dealer sells several types of merchandise, each of which may be subject to a different classification, such store or dealer shall be assigned on the basis of the principal category of merchandise sold. The term "principal" means more than 50 percent of the gross receipts. For further information please see "Wholesale/Retail Mail Order House Or Internet Sales – Definitions" in the General Auditing & Classification Information section of this Manual. For mercantile businesses, such as stores or dealers, the single applicable store or dealer classification is determined separately for each location.

## D. SHOW THE CLASSIFICATIONS IN ITEM 4 OF THE INFORMATION PAGE

Show the proper classification wording, with or without notes, and show the code number in Item 4 of the Information Page. Capitalized classification wording may be used instead of the entire wording. Section 2 of this Manual, Classification Underwriting Guide, may be used for such wording.

## E. "NEW BUSINESS" EMPLOYEE CLASSIFICATION PROCEDURE

1. "New Business" is defined for purposes of this section to be all workers compensation insurance policies except those policies underwritten by an insurance group which also insured the same employer for a policy period expiring immediately prior to the effective date of the policy in question. An insurance group is defined as either a set of individual insurers under a common ownership or an individual carrier which has no other companies under common ownership.

2. Within the first 90 days of the effective date of a "New Business" policy, the employer has the right to request from the carrier a review of the classification assignments of each of its employees with the classifications on the policy. This request shall be presented in writing.
3. If an employee classification review is requested by the employer, the employer must provide the carrier with a list of all the employer's employees showing individually their specific duties. The carrier has the right in conjunction with the employee classification review to conduct an audit and/or inspection to determine the proper classification assignment of the employees.
4. Within 60 days of the employer's request, the carrier shall provide the employer with a report which will show the classification assignment of each listed employee. The carrier will be obligated to use these classification assignments for premium determination purposes for the "New Business" policy period unless review by the Delaware Compensation Rating Bureau, Inc. indicates lower-rated classifications are applicable to an employer's business or employees. Changes in the employer's operations, duties of employees listed or the addition of new employees will not be subject to the classification assignments specified in this report.
5. If the employer does not agree with the carrier's employee classification report, the Delaware Compensation Rating Bureau, Inc. shall review the employer's request, the insurer's response and will determine the appropriate classification assignments for the listed employees.
6. This Section applies only to the assignment of classifications to listed employees whose duties during the policy period are fully and accurately specified at the time of the request for an employee classification review. This procedure does not otherwise limit a carrier's right or obligation to properly classify an employer's operations based on the actual nature of those operations during the policy period.
7. The carrier will send to its "New Business" insureds a "Policyholder Notice" explaining to the insured the procedure that must be followed to request an employee classification review.

**RULE V – PREMIUM BASIS****Item 4 of the Information Page****A. BASIS OF PREMIUM – TOTAL REMUNERATION**

Premium shall be computed on the basis of the total remuneration paid or payable by the insured for services of employees covered by the policy.

***Exception***

Some classifications have a different premium basis. For example, premium for domestic worker classifications is computed on a per capita basis. Refer to Rule XIV.

**B. REMUNERATION – PAYROLL****1. Definition**

Remuneration means money or substitutes for money.

**2. Inclusions**

Remuneration includes:

- a. Wages or salaries;
- b. Total cash received by employees for commissions or draws against commissions;
- c. Bonuses;
- d. Stock bonus plans – market value of stock at the time it is given to employee (refer to Exclusions, m.) as well as employees' contribution to equity based compensation plans other than stock options;
- e. Extra pay for overtime work;
- f. Pay for holidays, vacations or periods of sickness or accrued sick time;
- g. Payment by an employer of amounts otherwise required by law to be paid by employees to statutory insurance or pension plans, such as the Federal Social Security Act or Medicare;
- h. Payment to employees on any basis other than time worked such as piece work, profit sharing or incentive plans;
- i. Payment or allowance for hand tools or power tools used by hand provided by employees and used in their work or operations for the insured;
- j. The rental value of housing (e.g. an apartment or a house) provided for an employee based on comparable accommodations;
- k. The value of lodging other than an apartment or house received by employees as part of their pay to the extent shown in the insured's records;
- l. The value of meals received by employees as part of their pay to the extent shown in the insured's records;

- m. The value of store certificates, merchandise, credits or any other substitute for money received by employees as part of their pay (refer to Exclusions, 1.);
- n. Musicians or entertainers who are not independent contractors shall be included in computation of premiums of hotels or restaurants (maximum of \$1,121 per week for each musician or entertainer);
- o. Adjustments necessary to bring employees, such as tipped employees, to federal minimum wage as reported by the United States Department of Labor;
- p. Payments for salary reduction, retirement or cafeteria plans (IRC 125), health savings accounts and flexible spending accounts which are made through employee authorized salary reductions from the employee's gross pay;
- q. Prevailing wage payments and fringe benefits paid directly to employees based on required government-specified minimum wage rates, including but not limited to the Davis-Bacon Act or the Delaware Prevailing Wage Act (see Section 2 – General Auditing and Classification – Prevailing Wage Payments);
- r. Annuity plans (see Section 1 Rule V, F.2 – Salary Reduction Plans);
- s. Expense reimbursements to employees to the extent that an employer's records do not substantiate that the expense was incurred as a valid business expense (see Section 1 Rule V, F.1 – Employee Expense Reimbursements);
- t. Payment for filming or taping of commercials excluding subsequent residuals which are earned by the commercial participant(s) each time the commercial appears in any type of media.
- u. Automatic Gratuities (See Tips vs. Automatic Gratuities in the General Auditing & Classification Information section).
- v. Deferred or retroactive compensation paid to current employees at time of payment.

### **3. Exclusions**

Remuneration excludes:

- a. Payments by an employer to group insurance or group pension plans for employees, other than payments covered by Rule V - B. 2. g.;
- b. Payments made by an employer to a Group Insurance, Pension Plan or a third party administrator as part of a prevailing wage requirement. For additional information please see the General Auditing and Classification Information in Section 2 of this Manual.
- c. The value of special rewards for individual invention or discovery;
- d. Dismissal or severance payments except for time worked or accrued vacation;
- e. Tips received by employees after minimum wage adjustment has been applied (refer to Inclusions, o).
- f. Payments for active military duty;
- g. Employee discounts on goods purchased from the employee's employer;
- h. Expense reimbursements to employees to the extent that an employer's records substantiate that the expense was incurred as a valid business expense (see Section 1 Rule V, F.1 – Employee

Expense Reimbursements);

- i. Meal money for late work;
- j. Work uniform allowances;
- k. Sick pay paid to an employee by a third party such as an insured's group insurance carrier which is paying disability income benefits to a disabled employee;
- l. Employer provided perquisites ("perks") such as:
  - (1) Use of company-provided automobiles;
  - (2) an airplane flight;
  - (3) a discount on property or services;
  - (4) club memberships;
  - (5) tickets to entertainment or sporting events;
  - (6) Educational assistance;
  - (7) Relocation and moving expenses;
- m. Stock option plans – difference between market value of stock and lower option price is not included as remuneration;
- n. Board of Directors' fees;
- o. Employer contributions to employee benefit plans such as health savings accounts and flexible spending accounts.
- p. Deferred or retroactive compensation paid to retired or terminated employees not employed during the policy period, provided that records adequately show these employees were no longer employees during the policy period.
- q. Payments made by an employer or any public governmental entity to paid furloughed employees as a result of federal, state, and/or local emergency orders, laws, or regulations, issued due to the COVID-19 (coronavirus) pandemic which impact an employer's staffing or business operations. However, any appropriated funds or loans received by an employer specifically to retain or hire working employees are not excluded.

Refer to Rule V.F.6 for the definitions of paid furloughed employees and payments to paid furloughed employees.

Item q. is applicable to policies in force on March 1, 2020. Item q. will continue to remain in effect and will not expire until determined at a later date as circumstances warrant in consultation with Delaware regulatory authorities.

#### **4. Payroll**

Payroll means remuneration. The carrier rating values in this Manual shall be applicable to the remuneration of all employees of the insured without exception, and compensation policies shall not be written except upon the entire payroll of the risk which is the subject of the insurance which risk shall be divided into risk classes where specifically permitted or directed by these rules, but not otherwise. Under no circumstances shall a compensation policy be written on any part of the risk leaving another part of the risk uninsured.

#### **5. Employee Savings Plans**

- a. Contributions, made in the form of an employee authorized salary reduction, which are diverted by an employee for payment, by the employer, into a savings plan shall be included as remuneration for premium computation purposes. Such payments made by the employer into the

plan, of employee salary reduction contributions, shall not be employer contributions.

- b. Contributions of employer funds, made by the employer, the amount which being determined by reference to Employer Contributions, shall not be considered remuneration for premium computation purposes unless same contributions are reported by the employer as current taxable income to the employee.

## **C. ESTIMATED PAYROLLS**

### **1. Estimated Payrolls By Classification**

For each classification shown on the Information Page, the estimated total annual payroll shall be stated in the column headed "Premium Basis –Estimated Total Annual Remuneration."

### **2. Determination of Estimated Payrolls**

Estimated payrolls shown on the Information Page shall reflect actual remuneration anticipated by the insured during the policy period. Such estimates shall be subject to substantiation by records or inspections.

### **3. Approval of Estimated Payrolls**

Adequacy of estimated payrolls is subject to approval by the Delaware Compensation Rating Bureau, Inc.

## **D. WHOLE DOLLARS - PAYROLLS**

All payrolls shall be shown to the nearest dollar. A remainder of \$.50 shall be rounded to the next higher dollar.

## **E. PAYROLL LIMITATION**

### **1. How Payroll Limitation Applies**

For executive officers, sole proprietors, partners and classifications with notes which indicate payroll limitation, the payroll on which premium is based shall exclude that part of the employee's average weekly pay in excess of the applicable weekly limitation, provided:

- a. Books and records are maintained to show separately the total payroll earned by each employee whose average weekly pay for the total time employed during the policy period exceeds the weekly payroll limitation and
- b. Separate records are maintained in summary by classification for such employees.

### **2. Partial Week**

A part of a week shall be treated as a full week in determining average weekly pay.

## **F. BASIS OF PREMIUM Additional Information**

### **1. Employee Expense Reimbursements**

Reimbursement expenses (except for hand or power tools as provided for in Rule V., B. 2. i.) paid to employees may be excluded from the audit provided that all three of the following conditions are met:

- a. The reimbursed expenses paid were incurred upon the business of the employer, and

- b. The amount of each employee's expense payment is shown separately in the records of the employer, and
- c. The amount of each expense reimbursement reflects the actual expenses incurred by the employee in the conduct of his or her work.

## 2. Salary Reduction Plans

In determining the remuneration to be used for premium computation purposes, no deduction shall be permitted for contribution to employee benefit plans made by employees either directly or through salary reduction agreements. The typical salary reduction plan involves a binding salary reduction agreement through which a specific percentage of the employee's salary is not paid to him or her but is paid into a pension, medical or savings plan (Section 125 IRC).

## 3. Strike Periods (Wages Paid)

Wages paid to employees who are not on strike but who are unable to perform their normal duties because of a strike shall be assigned to the classification applicable to the work usually performed by such employees, except that if any such employees perform absolutely no work for their employer and are not present on their employer's premises during such period, such wages shall be assigned to Code 953, Clerical Office Employees, provided the facts are clearly disclosed by the employer's records.

## 4. Traveling Time Payments

Payments made by an employer to an employee to reimburse him or her for time spent in traveling to or from work or to or from a specific job shall be considered as remuneration in accordance with the provisions of Rule V., B. of the Manual, and such remuneration shall be assigned to the Manual classification which applies to the work normally performed by such employee.

## 5. Wages Paid for Idle Time

Idle time is downtime that occurs when employees are not working and the employer pays the employees for the amount of time not worked. Idle time does not include "paid furloughed employees" or "payments to paid furloughed employees" as defined in Rule V.F.6.

- a. The entire amount of wages paid for idle time shall be included as payroll.
- b. Wages paid for idle time due to the following causes shall be assigned in their entirety to the classification which applies to the work normally performed by the employee involved:
  - (1) Suspension or delay of work on account of weather conditions.
  - (2) Delays while waiting for materials.
  - (3) Delays while waiting for another contractor to complete certain work.
  - (4) Delays arising from breakdown of equipment.
  - (5) "Stand-by" time where employees such as operators of cranes, hoists or other equipment are on the job but their active services are not required continuously.
  - (6) Special union requirements or agreements between employer and employees calling for pay for idle time under specified circumstances.
  - (7) Other cause of similar nature.
- c. Wages paid to key employees of construction, erection or stevedoring risks, such as superintendents, foremen or engineers, for periods during which no jobs are in progress, shall be assigned to the classification applicable to the work which each one normally performs. (Exception: Reference Strike Periods – Wages Paid.)

- d. The entire amount of wages paid for idle time to an employee engaged in work other than construction, erection or stevedoring must be assigned without division to the classification which normally applied to that employee.

**6. Payments to Paid Furloughed Employees During Federal, State, and/or Local Emergency Orders, Laws, or Regulations Issued Due to COVID-19(Coronavirus) Pandemic**

- a. For purposes of this rule, “paid furloughed employees” and “payments to paid furloughed employees” are defined within this rule. “Paid furloughed employees” means employees who continue to receive payments during a temporary layoff or an involuntary leave and are not performing any work duties for an employer.
- b. “Payments to paid furloughed employees” means payments made by an employer or any public governmental entity to paid furloughed employees a result of federal, state, and/or local emergency orders, laws, or regulations issued due to the COVID-19 (coronavirus) pandemic which impact an employer’s staffing or business operations. Such payments do not include any appropriated funds or loans received by an employer as authorized by any law or regulation, or public governmental entity, that are used by an employer specifically to retain or hire working employees.
- c. Payments to paid furloughed employees must be assigned to Code 1212, in accordance with the Statistical Plan. Payments to paid furloughed employees made in accordance with this Rule V.F.6 are excluded from the premium, experience rating and merit rating calculations only if the employer keeps separate, accurate, and verifiable records. If separate, accurate, and verifiable records are not maintained, payroll is assigned to the classification for work normally performed by the employee prior to any emergency orders, laws, or regulations issued due to the COVID-19 (coronavirus) pandemic.
- d. If an employee is requested to perform any duties for an employer, the employee is not deemed a paid furloughed employee for any period of time they are performing duties for the employer. If the employee is not deemed a paid furloughed employee, payroll must be assigned to the classification applicable to the work being performed in accordance with Manual Rule IV.A.1.
- e. Rule V.F.6 is effective for policies in force March 1, 2020. This rule will remain in effect and will not expire until determined at a later date as circumstances warrant in consultation with Delaware regulatory authorities.



## **RULE VI – RATING VALUES AND PREMIUM DETERMINATION**

### **Item 4 of the Information Page - continued**

#### **A. DCRB RATING VALUES**

##### **1. DCRB Loss Cost**

DCRB Loss Costs – Dollar amounts per unit of exposure attributable to the payment of losses under workers compensation and employers liability coverages, filed by the DCRB based on the aggregate experience of all DCRB members and approved by the Insurance Commissioner.

##### **2. Disease Or Radiation Loading**

- a. A supplemental disease loading (e.g. Code 0176) may apply to certain basic classifications (e.g. Code 513). The supplemental disease loading is an additional charge. It is not included within the rating value of the basic classification to which it is assigned. Once authorized, a supplemental disease loading may only be removed upon approval of the Delaware Compensation Rating Bureau, Inc.
- b. The Delaware Workers Compensation Law includes "all occupational diseases arising out of and in the course of employment." The classification and loss cost values applicable to basic classifications without a corresponding supplemental disease loading include the usual exposure to diseases with those classifications.
- c. A supplemental occupational disease loading may be applied to the carrier rate for any individual risk where the occupational disease hazard is abnormal. When a carrier plans to use the supplemental loading, they shall supply the DCRB with an inspection report either by an insurance carrier, Industrial Accident Board or some outside source which supports the abnormal disease exposure. Based on this report, the DCRB will authorize the supplemental loading and publish it on the DCRB data card for a minimum of one year. The supplemental loading can be removed only by an inspection report from an insurance company, or some other outside agency evidencing the abnormal exposure no longer exists. The supplemental disease loading is non- ratable in the experience and retrospective plans.

##### **3. Terrorism**

Premium for Terrorism is calculated on the basis of total payroll according to Rule V. The premium charge is calculated by dividing a risk's total payroll by \$100 and multiplying the result times the carrier's rating value. This premium is applied after standard premium and is not subject to any other modifications, including but not limited to premium discount, experience rating, schedule rating, or retrospective rating. Non-payroll exposures are not subject to premium charges for Terrorism. Policies issued on an "If Any" basis will not be charged a terrorism rate, unless premium develops during the policy term or at audit. Per capita charges are not subject to premium for Terrorism.

Terrorism shall be separately stated on the Standard Policy and shall be designated to Statistical Code 9740

##### **4. Catastrophe (other than Certified Acts of Terrorism)**

Premium for Catastrophe (other than Certified Acts of Terrorism) is calculated on the basis of total payroll according to Rule V. The premium charge is calculated by dividing a risk's total payroll by \$100 and multiplying the result times the carrier's rating value. This premium is applied after standard premium and is not subject to any other modifications, including but not limited to premium discount, experience rating, schedule rating, or retrospective rating. Non-payroll exposures are not subject to premium charges for Catastrophe (other than Certified Acts of Terrorism). Policies issued on

an "If Any" basis will not be charged a terrorism rate, unless premium develops during the policy term or at audit. Per capita charges are not subject to premium for Catastrophe (other than Certified Acts of Terrorism).

Catastrophe (other than Certified Acts of Terrorism) shall be separately stated on the Standard Policy and shall be designated to Statistical Code 9741.

## B. PREMIUM

Premium for each classification shown in the policy is determined by multiplying the basis of premium by the rate.

<i>Example of B above</i>		
Payroll	=	\$90,000
Rate	=	x 1.50
Premium	=	\$ 1,350
\$90,000 x 1.50	=	\$ 1,350
100		

## C. WHOLE DOLLARS – PREMIUMS

All premiums shall be shown to the nearest dollar. A remainder of \$.50 shall be rounded to the next higher dollar.

## D. CARRIER RATING VALUES

### 1. Expense Constant

Expense Constant (if any) is determined by individual carriers' rating values. It applies to every policy and it covers expenses such as those for issuing, recording and auditing, which are common to all workers compensation policies regardless of size.

### 2. Minimum Premium

Minimum Premium (if any) is determined by individual carriers' rating values. It is an expression of the lowest premium amount for which a single risk can be written and carried for any period of time.

### 3. Premium Discount

Premium Discount (if any) is determined by individual carriers' rating values. It recognizes that the relative expense of issuing and servicing larger premium policies is less than for smaller policies.

### 4. Retrospective Rating Factors

## E. PREMIUM MODIFICATION EXPERIENCE RATING PLAN

1. If the risk is subject to experience rating, the experience rating modification shall be shown in Item 4 of the Information Page and applied to the premium in accordance with the Experience Rating Plan Manual.
2. Copies of Experience Rate Calculation
  - a. The insurance carrier is furnished with the experience rate calculation. Subsequent insurance carriers may obtain copies of the experience rating calculation by way of special service at the appropriate charge.

- b. The DCRB shall furnish to any insured employer upon his written request, or to the Home Office or Branch Office of any member of the DCRB upon the written request of the employer, a copy of the experience rating calculation of that employer at an appropriate charge.
- c. The insurance carrier of record shall be notified of the DCRB experience modification established by the Experience Rating Procedure not more than 90 days prior to the effective date of the rating.

#### F. PREMIUM DETERMINATION FOR FEDERAL AND MARITIME INSURANCE

Additional rating procedures are in Rules XII and XIII for insurance for employers subject to the U.S. Longshore and Harbor Workers' Act, the Federal Employers Liability Act and Admiralty Law.

#### G. SCHEDULE RATING

1. An insurer may adopt a schedule rating plan, subject to such a plan being "Filed" (approved) by the Delaware Insurance Department. The plans permit the carrier to apply a schedule credit (use Code **9887**) or debit (use Code **9889**) to the standard premium determined in accordance with the DCRB rating values and rating plans filed by the Delaware Compensation Rating Bureau, Inc.
2. The schedule modification is to be applied after application of any experience modification but before premium discount if applicable. The schedule modification does not apply to the expense constant or the minimum premium, if applicable, but does to the following:
  - a. Premium for higher limit under Employers Liability.
  - b. Short rate penalty premium.
  - c. Additional premium resulting from flat increase on outstanding policies.
  - d. Non-ratable elements and supplemental loadings.
3. Show the schedule modification percentage and applicable statistical code on the Information Page.

#### H. PREMIUM CALCULATION ALGORITHM

##### Delaware and Pennsylvania Premium Algorithm Preface:

**Optional use upon July 1, 2000. Mandatory use for policies effective on or after January 1, 2002.**

The computation of workers compensation premium includes a broad complement of potential rating values, pricing programs and other similar or related variables. To the extent that these component parts of premium determination may be applied in a prescribed sequence and using defined formulas and/or relationships, several potential benefits arise including the following

- ☐ Competitive differences within the marketplace can be more clearly defined and consistently applied;
- ☐ Similarly situated risks can receive comparable treatment with respect to specific rating values, pricing programs or other factors, increasing the equity of the marketplace;
- ☐ Analysis of the effects of various components of overall premium determination can be better understood and more intelligently compared across carriers, states and/or time;
- ☐ In the event that new pricing programs or other factors are introduced in the future, the defined existing formulas can provide a consistent basis for the development of programs and system procedures within the workers compensation industry.

**Updates optional use November 26, 2002. Mandatory use for policies effective on or after October 1, 2004.**  
**Delaware and Pennsylvania Workers Compensation Premium Algorithm**  
**Premium Calculation Algorithm**

Line #	Item Name	Associated Statistical Code	Line #	Source & Derivation
(1)	Classification	xxxx	(1)	Carrier value
(2)	Exposure	xxxx	(2)	Risk characteristic
(3)	Carrier Rating Value	xxxx	(3)	Carrier value
(4)	Classification Manual Premium		(4)	(2)/100x(3) if classification has payroll exposure. Special procedures apply to non-payroll classes
(5)	Total Policy Manual Premium		(5)	Sum of (4) for all classifications on the policy
(6)	Employer Liability Increased Limits Factor	xxxx	(6)	Carrier value
(7)	Employer Liability Increased Limits Premium Charge		(7)	(5)x[(6) expressed as a decimal]
(8)	Minimum Premium Employer Liability Increased Limits	9848	(8)	Carrier value
(9)	Minimum Premium Employer Liability Increased Limits Premium Charge	9848	(9)	[(8)-(7)] if (7)<(8) and (6) >0, otherwise zero
(10)	Subject Deductible Credit Percentage	9664	(10)	Carrier value
(11)	Subject Deductible Premium Credit	9664	(11)	[(5)+(7)+(9)]x[(-10) expressed as a decimal]
(12)	Waiver of Subrogation Charge	0930	(12)	Carrier value - subject to experience modification
(13)	Waiver of Subrogation Premium	0930	(13)	Value from Line (12)
(14)	Total Subject Premium		(14)	[(5)+(7)+(9)+(11)+(13)]
(15)	Experience Modification	9898	(15)	Zero for non-experience-rated risks
(16)	Modified Premium		(16)	(14)x(15)
(17)	Merit Rating Credit Factor	9885	(17)	Zero if Merit Rating Credit does not apply
(18)	Merit Rating Credit	9885	(18)	(14)x[(-17) expressed as a decimal]
(19)	Merit Rating Neutral Factor	9884	(19)	Zero whether Merit Rating Neutral Adjustment (no credit or debit) does or does not apply
(20)	Merit Rating Neutral Adjustment	9884	(20)	(14)x[(19) expressed as a decimal]
(21)	Merit Rating Debit Factor	9886	(21)	Zero if Merit Rating Debit does not apply
(22)	Merit Rating Charge	9886	(22)	(14)x[(21) expressed as a decimal]
(23)	Premium After Experience Modification or Merit Rating		(23)	(16) if Experience-Rated, [(14)+(18)+(20)+(22)] if Merit-Rated, (14) if Non-Rated
(24)	Non-Ratable Classifications	xxxx	(24)	Carrier Value
(25)	Non-Ratable Classifications Exposure		(25)	Portion of payroll exposure subject to Non-Ratable Classifications
(26)	Non-Ratable Classification Rating Value	xxxx	(26)	Carrier Value
(27)	Non-Ratable Classification Premium		(27)	(25)/100x(26) [based on applicable Non-Ratable Classification exposure]
(28)	Workfare Program Employees Exposure (PA)	0982	(28)	Number of person weeks. A partial workweek for any worker to be counted as 1 person week.
(29)	Workfare Program Employees Rating Value Exposure (PA)	0982	(29)	Carrier Value
(30)	Workfare Program Employees Premium (PA)		(30)	(28) x (29)
(31)	Non-Ratable Classification Premium Total		(31)	Sum of all (27)+(30) premiums
(32)	Non-Ratable Classification Increased Limits Factor	xxxx	(32)	Carrier value
(33)	Non-Ratable Classification Increased Limits Premium Charge	xxxx	(33)	(31)x [(32) expressed as a decimal]
(34)	Minimum Premium Non-Ratable Classification Increased Limits	9848	(34)	Carrier value
(35)	Minimum Premium Non-Ratable Classification Increased Limits Premium Charge	9848	(35)	[(34)-(33)] if (33) < (34) and (32) > 0, otherwise zero
(36)	Premium Before Schedule Rating		(36)	(23)+(31)+(33)+(35)
(37)	Schedule Rating Plan Adjustment Factor	9887/9889	(37)	Carrier value - use 9887 for schedule credits and 9889 for schedule debits
(38)	Schedule Rating Plan Premium Adjustment	9887/9889	(38)	(36)x[(37) expressed as a decimal]. For schedule credits Line (38) will be negative
(39)	Certified Safety Committee Credit Factor (PA)	9890	(39)	Credit applies if insured is certified
(40)	Certified Safety Committee Premium Credit (PA)	9890	(40)	[(36)+(38)]x[(-39) expressed as a decimal]
(41)	Workplace Safety Program Credit Factor (DE)	9880	(41)	Credit applies if insured qualifies
(42)	Workplace Safety Program Premium Credit (DE)	9880	(42)	[(36)+(38)]x[(41) expressed as a decimal]

Line #	Item Name	Associated Statistical Code	Line #	Source & Derivation
(43)	Construction Classification Premium Adjustment Program Credit Factor	9046	(43)	Based on wage level(s), application to rating organization
(44)	Construction Classification Premium Adjustment Program Premium Credit	9046	(44)	$[(36)+(38)] \times [(-43)]$ expressed as a decimal]
(45)	Drug-Free Workplace Factor <b>(DE)</b>	9846	(45)	Carrier value
(46)	Drug-Free Workplace Credit <b>(DE)</b>	9846	(46)	$[(36)+(38)+(42)+(44)] \times [(-45)]$ expressed as a decimal]
(47)	Managed Care Factor <b>(DE)</b>	9874	(47)	Carrier value
(48)	Managed Care Credit <b>(DE)</b>	9874	(48)	$[(36)+(38)+(42)+(44)+(46)] \times [(-47)]$ expressed as a decimal]
(49)	Package Credit Factor <b>(DE)</b>	9721	(49)	Carrier value
(50)	Package Credit <b>(DE)</b>	9721	(50)	$[(36)+(38)+(42)+(44)+(46)+(48)] \times [(-49)]$ expressed as a decimal]
(51)	Premium After Managed Care and Package Credit If Applicable		(51)	$[(36)+(38)+(40)+(42)+(44)+(46)+(48)+(50)]$
(52)	Assigned Risk Surcharge Factor <b>(DE)</b>	0277	(52)	May apply to some or all assigned risks based on plan and characteristics of individual insured
(53)	Assigned Risk Premium Surcharge <b>(DE)</b>	0277	(53)	$(51) \times [(52)]$ expressed as a decimal]
(54)	Deductible Credit Factor	9663	(54)	Carrier value
(55)	Deductible Premium Credit	9663	(55)	$[(51)+(53)] \times [(-54)]$ expressed as a decimal]
(56)	Loss Constant	0032	(56)	Carrier value - may vary based on risk premium size
(57)	Loss Constant Charge	0032	(57)	Line (56) if applicable
(58)	Short Rate Cancellation Factor	0931	(58)	Carrier value - zero if short rate cancellation does not apply
(59)	Short Rate Premium	0931	(59)	$[(51)+(53)+(55)+(57)] \times [(58)-1.0000]$ if (58)>0, otherwise zero
(60)	Expense Constant	0900	(60)	Carrier value if applicable
(61)	Expense Constant Charge	0900	(61)	Line (60)
(62)	Minimum Premium	0990	(62)	Carrier value
(63)	Minimum Premium Charge	0990	(63)	If (62)> $[(51)+(53)+(55)+(57)+(59)+(61)]$ , (62)- $[(51)+(53)+(55)+(57)+(59)+(61)]$ , otherwise zero
(64)	Unit Statistical Report Total Standard Premium		(64)	$[(51)+(53)+(55)+(57)+(59)+(61)]$
(65)	Premium Discount Amount	0063/0064	(65)	Carrier value based on $[(51)+(53)+(55)+(57)+(59)+(61)]$
(66)	Additional premium Waiver of Subrogation (flat charge)	9115	(66)	Carrier value(s)
(67)	Terrorism	9740	(67)	$(\text{Total payroll}/100) \times \text{carrier rating value}$
(68)	Catastrophe (other than Certified Acts of Terrorism)	9741	(68)	$(\text{Total payroll}/100) \times \text{carrier rating value}$
(69)	Total Policy Premium Subject to Employer Assessment		(69)	$(61)+(64)-(65)+(66)+(67)+(68)$
(70)	Employer Assessment Factor Pursuant to Act 57 of 1997 (PA)	0938	(70)	PCRB value for the specific purpose of computing employer assessments
(71)	Employer Assessment Amount Pursuant to Act 57 of 1997 (PA)	0938	(71)	$[(69)-(11)-(55)] \times 70$ NOTE: Cells (11) and (55) are credits. Subtracting these credits as shown effectively adds the premium reduction given for deductible coverage back into the premium for purposes of calculating employer assessments
(72)	Audit Noncompliance Charge	9757	(72)	Carrier Value x (69)
(73)	Payments to Paid Furloughed Employees Due to Covid-19	1212	(73)	Risk Characteristic

## **RULE VII – PREMIUM DISCOUNT**

### **Item 4 of the Information Page**

#### **A. PREMIUM DISCOUNT**

Premium Discount (if any) is determined by an individual carriers' rating values. It recognizes that the relative expense of issuing and servicing larger premium policies is less than for smaller premium policies.

#### **B. COMBINATION OF POLICIES**

##### **1. Combination Permitted**

Two or more policies issued to the same insured by one or more insurance carriers under the same management may be combined for the purpose of computing the premium discount for that insured.

##### **2. Combination Procedure**

If such separate policies have different expiration dates, the combination for the purpose of 1. above is subject to the following:

- a. The DCRB shall determine the effective date for the application of premium discount.
- b. All such policies in force prior to such effective date shall be cancelled and rewritten as of the effective date.
- c. All policies effective after the effective date of the combination shall be written to expire concurrently with other policies in the combination.

#### **C. LARGE CONSTRUCTION PROJECTS (Wrap-Up)**

The first step in setting up a "Wrap-Up" program requires the carrier to make application to: State of Delaware Department of Labor, Industrial Accident Board, 4425 North Market Street - 3rd Floor, Wilmington, DE 19802.

The following application of the premium discount is optional for large construction projects which are not under a retrospective rating plan:

Policies issued to two or more legal entities engaged in a construction, erection or demolition project may be combined for the purpose of computing premium discount, subject to the following conditions:

##### **1. Insurance Carrier**

All such policies must be issued by one or more insurance carriers under the same management.

##### **2. Policy Limitation**

The policies shall be limited to insurance on such large construction projects.

##### **3. Eligible Entities**

Entities eligible for combination shall be limited to the general contractor (including any owner or principal acting as a general contractor) and subcontractors performing work under contracts let on an ex-insurance basis. In addition, if the contract between the owner or principal and such general contractor is on an ex-insurance basis, the owner or principal shall be an eligible entity under this rule.

**4. Premium Requirement**

Estimated total standard premium for the project to be done by the combined entities must be \$500,000 or more.

**5. Location Requirement**

The project must be confined to operations at a single location. In connection with the building of roadways, tunnels, waterways or surface or underground conduits, the entire job or sections of the job shall be considered a single location if the construction work is performed by a single general contractor for a single owner or principal.

**6. Duration Requirement**

The project must be of definite duration involving work to be performed continuously to completion.

**7. DCRB Notification**

The DCRB must be notified of the method by which the wrap-up policies will be identified

**8. Separate Policy Requirement**

A separate policy is required for each entity included in the wrap-up plan and each policy is subject to that entity's own experience rating modification.

**9. Experience Modifications**

The experience developed by each entity in the combinations will be used in calculating the future experience of the entity. There will be no experience rating for the project as a unit.

**RULE VIII – LIMITS OF LIABILITY****Item 3-B of the Information Page****A. WORKERS COMPENSATION AND EMPLOYERS LIABILITY POLICY****1. Part One – Workers Compensation**

There is no limit of liability in the standard policy for Part One. The policy provides all benefits required by the Delaware Workers Compensation Law.

**2. Part Two – Employers Liability****a. Standard Limits**

The standard limits of liability under Part Two are:

Bodily Injury by Accident: **\$100,000** – each accident

Bodily Injury by Disease: **\$100,000** – each employee

Bodily Injury by Disease: **\$500,000** – policy limit.

**b. Increased Limits**

The limits under Part Two may be increased, subject to the following:

- (1) The limits of liability shall be the same for all states specified in Item 3-A of the Information Page.
- (2) The additional premium for increased limits shall be determined by multiplying the total premium by the percentage in the following Table for Increased Limits. For this purpose, total premium shall be computed after application of any carrier rate but before application of experience rating modification or retrospective rating adjustment.
- (3) The premium for increased limits shall be subject to experience rating modification, merit rating, deductible credit or retrospective rating. The premium for increased limits on non-ratable classifications is not subject to any experience rating modifications, merit rating or retrospective rating.

**TABLE FOR INCREASED LIMITS**

<u>Classification Codes</u>	<u>Limits of Liability</u>	<u>Percentage</u>
	(000s omitted)	
9803	100 / 100 / 1,000	0.1%
9805	100 / 100 / 5,000	0.5%
9806	100 / 100 / 10,000	1.0%
9807	500 / 500 / 500	0.8%
9808	500 / 500 / 1,000	0.9%
9810	500 / 500 / 5,000	1.3%
9811	500 / 500 / 10,000	1.8%
9812	1,000 / 1,000 / 1,000	1.1%
9814	1,000 / 1,000 / 5,000	1.5%
9815	1,000 / 1,000 / 10,000	2.0%
9816	1,000 / 1,000 / over 10,000	(a)
9837	All other	Refer to Table 1
(a) Apply to DCRB for higher limit charges.		



Table 1

Bodily Injury by Accident	Loss Limits	Minimum* Premiums	500	1,000	2,000	3,000	4,000	5,000	6,000	7,000	8,000	9,000	10,000
Each	100		0.00%	0.10%	0.20%	0.30%	0.40%	0.50%	0.60%	0.70%	0.80%	0.90%	1.00%
Accident	200	\$75	0.20%	0.30%	0.40%	0.50%	0.60%	0.70%	0.80%	0.90%	1.00%	1.10%	1.20%
Limit and	300	\$75	0.40%	0.50%	0.60%	0.70%	0.80%	0.90%	1.00%	1.10%	1.20%	1.30%	1.40%
Bodily	400	\$75	0.60%	0.70%	0.80%	0.90%	1.00%	1.10%	1.20%	1.30%	1.40%	1.50%	1.60%
Injury by	500	\$75	0.80%	0.90%	1.00%	1.10%	1.20%	1.30%	1.40%	1.50%	1.60%	1.70%	1.80%
Disease	1,000	\$120		1.10%	1.20%	1.30%	1.40%	1.50%	1.60%	1.70%	1.80%	1.90%	2.00%
Each	2,000				1.40%	1.50%	1.60%	1.70%	1.80%	1.90%	2.00%	2.10%	2.20%
Employee	3,000					1.60%	1.70%	1.80%	1.90%	2.00%	2.10%	2.20%	2.30%
Limit	4,000						1.80%	1.90%	2.00%	2.10%	2.20%	2.30%	2.40%
(\$000	5,000							2.00%	2.10%	2.20%	2.30%	2.40%	2.50%
Omitted)	6,000								2.20%	2.30%	2.40%	2.50%	2.60%
	7,000									2.40%	2.50%	2.60%	2.70%
	8,000										2.60%	2.70%	2.80%
	9,000											2.80%	2.90%
	10,000												3.00%

\*Increased limits of employers liability are available under the Delaware Insurance Plan upon request, subject to maximum limits of \$1million/\$1million/\$1million. Minimum premiums displayed with Table 1 are applicable to Delaware Residual Market. The same minimum premium applies for all the Bodily Injury by Disease policy limits within the same row.

**c. Accident Limit**

The limit of liability under Part Two applies to all bodily injury arising out of any one accident.

**d. Disease Limit**

The limit of liability under Part Two for Bodily Injury by Disease – each employee – applies as a separate limit to bodily injury by disease to any one employee and the limit of liability for Bodily Injury by Disease policy limit applies as an aggregate limit for all bodily injury by disease, regardless of the number of employees who sustain bodily injury by disease.

**e. Show Limit on the Information Page**

The limits of liability under Part Two must be stated in Item 3-B of the Information Page.

**B. VOLUNTARY COMPENSATION INSURANCE**

**1. Standard Limits**

The standard limits of liability under Part Two Employers Liability Insurance for employees subject to voluntary compensation are:

Bodily Injury by Accident: **\$100,000** – each accident  
 Bodily Injury by Disease: **\$100,000** – each employee  
 Bodily Injury by Disease: **\$500,000** – policy limit

The limit of liability for Bodily Injury by Accident applies to all bodily injury arising out of any one accident. The limit of liability for Bodily Injury by Disease – each employee – applies as a separate limit to bodily injury by disease to any one employee and the limit of liability for Bodily Injury by Disease –

policy limit – applies as an aggregate limit for all bodily injury by disease, regardless of the number of employees who sustain bodily injury by disease.

**2. Increased Limits**

- a. The standard limits under Part Two Employers Liability for employees subject to Voluntary Compensation insurance may be increased.
- b. The premium for the increased limits shall be determined by using the Table in Rule A. 2. B.

**3. Premium Determination**

Premium shall be determined on the basis of the workers compensation rules, classifications and DCRB rating values in this Manual for the state workers compensation law designated in the schedule in the Voluntary Compensation and Employers Liability Coverage Endorsement.

**4. Payroll Records**

When voluntary compensation insurance is provided for a group of employees, separate payroll records shall be maintained by the insured for the designated group of employees.

## RULE IX – SPECIAL CONDITIONS OR OPERATIONS AFFECTING COVERAGE AND PREMIUM

### A. EXECUTIVE OFFICERS

#### 1. Definition

Executive Officers of a corporation are the President, Vice President, Secretary, Treasurer or any other officer appointed or elected in accordance with the charter or by-laws of a corporation.

#### 2. Law And Status

- a. Executive Officers of a corporation and members of a limited liability company, which corporation or limited liability company is not licensed under Title 30, Chapter 25 of the Delaware Code or shown to be conducting business in a manner in which they should be so licensed, are covered under the Delaware Workers' Compensation Law. However, up to eight (8) executive officers who are stockholders of the corporation (except construction contractors – see below) or as many as four (4) individuals who are members of a limited liability company, when executing a written agreement between the corporation and such executive officers or between the limited liability company and such members, may elect not to be subject to the law. To exclude such officers or limited liability company members, attach the Partners, Officers and Others Exclusion Endorsement **WC 00 03 08**.

**Note:** As a general rule, executive officers may be excluded only on the effective date of the policy. Any exceptions to this general rule must be approved in writing by the carrier issuing the policy.

- b. **Construction Contractors:** Executive officers of a corporation and members of a limited liability company, which corporation or limited liability company is licensed under Title 30, Chapter 25 of the Delaware Code or shown to be conducting business in a manner in which they should be so licensed, are covered under the Delaware Workers' Compensation Law. However, up to four (4) executive officers who are stockholders of the corporation or as many as four (4) individuals who are members of a limited liability company, when executing a written agreement between the corporation and such executive officers or between the limited liability company and such members, may elect not to be subject to the law. To exclude such officers or limited liability company members, attach the Partners, Officers and Others Exclusion Endorsement **WC 00 03 08**.

**Note:** As a general rule, executive officers and individual members of a Limited Liability Company may be excluded only on the effective date of the policy. Any exceptions to this general rule must be approved in writing by the carrier issuing the policy.

When executive officers are covered under the law they have the same status as employees under the policy.

#### 3. Executive Officers - MULTIPLE CORPORATE ENTERPRISES

An executive officer may either receive a salary from only one or from several corporations insured under one policy. In other instances several policies may be issued to cover several corporations and an executive officer may receive a salary from each of these corporations. The following procedure shall apply in these instances:

Where it is permissible to include more than one corporation on a single policy and such corporations are insured by a single carrier whether under one or more policies, the several corporations shall be considered as a unit with respect to the application of the Executive Officers Rule. In all other cases the rule shall apply on a policy basis.

**4. Executive Officers Remuneration – TREATMENT OF:**

The remuneration of executive officers shall be treated in accordance with the following procedures:

1. The remuneration of an executive officer shall not be included with the payroll of the employer for premium computation purposes, provided:
  - (a) The executive officer is elected for the value of his or her name or because of stock holdings, has no duties and does not come on the premises, except perhaps to attend directors' meetings.
  - (b) The executive officer ceases to perform any duties and does not come on the premises, except perhaps to attend directors' meetings.
2. The remuneration of an executive officer shall be included with the payroll of the employer for premium computation purposes, subject to the minimum and maximum provisions of the Basic Manual, provided:
  - (a) The executive officer ceases to perform any duties, but frequently visits the premises of the employer.
  - (b) The officer frequently visits the premises of the employer for business conferences, directors' meetings or similar duties, even if the officer is an employee or officer of another employer in the operations of which he/she takes an active interest.
  - (c) The officer receives no salary; however, a regular salary is credited to him or her on the books. In this instance, the amount credited must be included in payroll.
  - (d) The officer receives no salary or the audit records fail to disclose the salary. In this instance, the amount to be included in the payroll is the applicable corporate officer minimum.

**5. Premium Determination**

Premium for executive officers, other than elected officers of Delaware or its political subdivisions, shall be based on their total payroll, subject to the following:

- a. The requirements of Rule V-E.
- b. The minimum individual payroll for an executive officer is **\$1,121** per week.
- c. The maximum individual payroll for an executive officer is **\$4,500** per week.
- d. These limitations apply to the weekly payroll of each executive officer for the number of weeks the officer was employed during the policy period.
- e. A part of a week shall be considered a full week in determining the weekly payroll.

**6. Assignment of Payroll**

Payroll assignment shall be made in the same manner as for any employee. No executive officer's payroll may be assigned to the standard exception classification unless that officer's duties fulfill the definition of either Salesmen 951 or Office - 953. See Rule IV.

**7. Flight Duties**

Payroll of an executive officer who is a pilot or member of the flying crew of an aircraft used in the insured's business shall be assigned as follows:

- a. For each week during which the executive officer did not perform flight duties, assign the officer's

payroll as provided in Rule IX –A. 4.

- b. For each week during which the executive officer performed flight duties, assign the officer's payroll for that week to Code 7421. If an executive officer's non-flying duties in such a week are subject to a higher-valued - classification, that insuring carrier's or the residual market's higher-valued classification shall be assigned in that week.

Rules 5. a. and b. apply on the basis of the pilot's log book required under Federal regulations or other verifiable records.

If Code 7421, applies and verifiable records are not maintained to indicate those weeks during which flying is performed by executive officers, their payroll shall be assigned to the insuring carrier's or the residual market's highest-valued classification which applies to any of their operations.

#### 8. Professional Employer Organization (PEO) – Corporate and Limited Liability Clients

The full remuneration of an executive officer(s) or owner member(s) of a Limited Liability Company (LLC) shall be included in the payroll of the PEO without payroll limitation. Executive officers or member owners of an LLC may elect to not be subject to the Delaware Workers Compensation Law. Refer to Rule 2. – Law and Status of this section for officer exclusion procedure. The corporate entity or LLC may also obtain a separate policy of insurance for their officer(s) or LLC member owners.

#### 9. Executive Officers of Unincorporated Associations

Executive officers of an unincorporated association are the President, Vice President, Secretary, Treasurer or any other officer appointed or elected in accordance with the charter or by-laws of an unincorporated association. Executive Officers of an unincorporated association may not elect to be excluded under the law. Premium for an executive officer of an unincorporated association shall be based on their total payroll, subject to the minimum and maximums established for corporate executive officers.

### B. SOLE PROPRIETORS AND PARTNERS OR MEMBERS OF THEIR IMMEDIATE FAMILY

#### 1. Law and Status

- a. Sole proprietors or partners are not covered under Delaware Law.
- b. Sole proprietors or partners **may elect** to be covered in the State of Delaware. They then have the same status as employees under the policy.
- c. Immediate family members of sole proprietors or partners **are covered** under Delaware Law. Immediate family is defined as a parent, spouse, child or sibling of a sole proprietor or partner.

#### 2. Coverage

- a. To provide coverage for a sole proprietor or partner, attach the **Sole Proprietors, Partners, Officers and Others Coverage Endorsement, WC 00 03 10**.
- b. To exclude coverage for Immediate Family members, attach the **Partners, Officers and Others Exclusion Endorsement, WC 00 03 08**.

#### 3. Premium Determination

- a. Premium for sole proprietors, partners or members of their immediate family shall be based on their total payroll.
- b. Rules to set payroll for sole proprietors, partners, or LLC members are the same as for executive

officers. (See Rule IX A. 5. for details.)

- c. If payroll information is not available use the statewide average weekly wage (SAWW ) in effect as of the inception date of the policy. The SAWW may be obtained among other sources from the Delaware Department of Labor's website or from the DCRB's website under the "Quick Reference" table. Profit or loss amounts attributed to the individual's interest in the business are not considered payroll.

**C. CONTRACTORS, GENERAL CONTRACTORS , SUBCONTRACTORS and INDEPENDENT CONTRACTOR(S)**

1. No contractor or subcontractor shall receive compensation under the Delaware Workers Compensation Law, but shall be deemed to be an employer and all rights of compensation of the employees of any such contractor or subcontractor shall be against their employer and not against any other employer.
2. Lessees transporting passengers for hire in motor vehicles leased pursuant to written leases shall not receive compensation under the Delaware Workers Compensation Law but shall be deemed to be employers.
3. "Independent contractor" shall mean any person not excluded from mandatory coverage under provisions of Delaware Workers Compensation Law, Title 19 §2311, who performs work or provides services for a contractor, subcontractor or other "contracting entity" in return for remuneration and/or other valuable considerations but who is not an employee of the contractor, subcontractor or other "contracting entity" or any other person or entity with respect to the work performed or the services provided. "Contracting entity" shall mean any commercial entity that obtains work or services from a person not excluded from mandatory coverage under provisions of this law and who is not an employee of the "contracting entity" or any other commercial entity with respect to the work performed or services provided.

**Important Note:**

**Partners and sole proprietors, when working in an independent contractor role, shall be subject to the same requirements as outlined above and may not rely upon Title 19 §2308 to elect not to be subject to the law.**

**Coverage**

Independent contractors shall have an option to purchase coverage to satisfy this requirement or alternatively shall be insured by the contractor, general contractor, subcontractor or other contracting entity for which they perform work or provide services.

Up to four (4) executive officers who are stockholders of a corporation and up to four (4) individuals who are members of a limited liability company, which corporation or limited liability company is licensed under Title 30, Chapter 25 of the Delaware Code or shown to be conducting business in a manner in which they should be so licensed, may be exempted from Title 19, Section 2311 (a) (4). Refer to Title 19 §2308 of the Delaware Code for more detail.

**Remuneration**

Actual remuneration of the independent contractor will be used to determine premium subject to the executive officer minimum and maximum payrolls approved by the Department of Insurance. (Refer to Section 1, Rule IX, A. 3. for more detail.)

- (a) The general contractor, subcontractor or other contracting entity shall furnish satisfactory evidence that the independent contractor had workers' compensation insurance in force during the time within which the work was performed for the general contractor, subcontractor or other contracting entity. For each independent contractor for which such evidence is not furnished, additional premium shall be charged to the policy which insured the general contractor, subcontractor or other contracting entity as follows:

- i. The general contractor, subcontractor or other contracting entity shall provide a complete payroll record of each uninsured independent contractor. Premium on such payroll shall be based on the classification(s) which would have applied if the independent contractor had been an employee of the general contractor, subcontractor or other contracting entity.
- ii. If the general contractor, subcontractor or other contracting entity does not supply the payroll records of its independent contractor(s), the full subcontract price of the work performed during the policy period by the independent contractor(s) shall be established as the payroll of the independent contractor(s). The additional premium shall be charged on that amount as payroll.

***Exception to (a) ii.***

If investigation on a specific job discloses that a definite amount of the independent contractor's(s') price represents payroll, such amount shall be the payroll for the additional premium computation. In contracts for: (1) for mobile equipment with operators (such as but not limited to: earth movers, graders, bulldozers, or log skidders), the payroll shall not be less than 33 percent of the independent contractor's(s') price; (2) for labor and material, the payroll shall not be less than 50 percent of the independent contractor's(s') price; (3) for labor only, the payroll shall be established as not less than 90 percent of the independent contractor's(s') price.

- iii. If an experience modification has been established for the general contractor, subcontractor or other contracting entity, such experience modification shall be applied to the premium developed for the uninsured independent contractor.
- iv. Any contracting entity shall obtain from an independent contractor or subcontractor, and retain for three (3) years from the date of the contract, the following: a notice of exemption of executive officers or limited liability company members and/or a certification of workers compensation insurance in force. If the contracting entity should fail to do so, the contracting entity shall not be deemed the employer of any independent contractor or subcontractor or their employees but shall be deemed to insure any workers' compensation claims arising from the transaction.
- v. In all other types of commerce, the determination of employee or independent contractor status shall remain as before the adoption of Title 19 §2311 Subsection (a), and Title 19 §2308 and the other provisions defining employees and persons not covered by Title 19, Chapter 23 of the Delaware Code shall apply.

**D. EX-MEDICAL COVERAGE**

Ex-medical coverage is prohibited in the State of Delaware.

**E. PROFFESIONAL OR SEMIPROFESSIONAL ATHLETIC TEAMS – CLASS CODES 970 AND 991**

1. Employees who qualify for payroll limitation include but are not limited to all players, coaches, managers or sports officials and include all players on salary list of the employer.
2. The entire remuneration of each player, coach, manager or sports official should be included in computing premium, subject to a maximum of \$60,000 per policy year.
3. When a player, coach or manager works for two or more teams in the same sport during the policy year, the maximum shall be pro-rated.
4. The remuneration of an individual player, coach, manager or sports official is subject to a minimum of \$500 per policy year, including board and lodging. For more details refer to the Classification and Rating Values Section.



**F. DELAWARE WORKPLACE SAFETY PROGRAM****1. The Effective Date**

Delaware Workplace Safety Program effective February 1, 1989. Revised July 1, 1999.

**2. Eligibility**

- a. Employers are eligible for the Workplace Safety Program if they have **\$3,161** or more of annual Delaware only premium at residual market rates.
- b. Qualifying premium and safety credit percent eligibility is based on the most current required unit statistical card filing (for example, July 1999 employers qualify using the unit statistical report for the July 1996 policy).
- c. The DCRB will test each employer by taking the required unit statistical card payroll times current Residual Market Rates times most current experience modification to determine the employer's qualifying premium.

**3. Employer Notification**

Employers meeting the premium qualification requirement will be notified by the Delaware Department of Insurance seven months in advance of renewal date. This notification will inform the employer of the premium credit they are eligible for if attested safe, together with the schedule of inspection costs.

**4. Inspection**

The cost of each Department of Insurance safety inspection will be borne by the employer and will start at **\$150 per location**. Each work location must pass inspection for the employer to be eligible for premium credit under the Work place Safety Program. Inspection fees for large and/or complex employers may be established by the Department of Insurance.

**5. Employer Action**

Once the employer receives their notification of eligibility, the employer must decide to participate in the Workplace Safety Program. This decision must be made no later than five months before their policy renewal. The employer must contact the Delaware Department of Insurance and request an inspection. Inspections will be made by a representative from one of the independent safety expert companies contracted by the Delaware Department of Insurance.

**6. Delaware Department of Insurance Action**

The Department of Insurance will notify the inspector of the employer's request. The inspector will then contact the employer to set up the first of two inspections. A second unannounced inspection will be made at some later date to confirm initial certifications of safety in the workplace. Failure to pass this non-scheduled inspection will result in withdrawal of the safety credit.

**7. Qualified Employer**

The DCRB will be informed when an employer passes the inspection. The DCRB will then record on the experience rating calculation sheet the credit percentage to apply to the renewal policy. Code 9880 is to be used in policy issuance and statistical reporting to record the Safety Program premium credit, which is to be applied after experience modification and after deviation or schedule rating adjustments but before calculating premium discount and before adding of expense constant.



**For Example:**

975	Restaurant	\$350,000	\$4.39	\$15,365	
953	Clerical	80,000	.54	432	
	Sub-Total			15,797	
9898	Experience Modification		.95	790	Credit
	Sub-Total			15,007	
9887	Schedule Credit 5%			750	Credit
	Sub-Total			14,257	
<b>9880</b>	<b>Safety Program Credit 19%</b>			<b>2,709</b>	<b>Credit</b>
	Sub-Total			11,548	
0063	Premium Discount				
	if applicable				
0900	Expense Constant				
	if applicable				
9999	Estimated Annual Premium			11,548	

**8. Safety Credit Percentages**

Safety credits will be granted according to the following formula:

$$20\% \times [1.0000 - C]$$

Where "C" is the credibility of the qualified employer in the uniform Experience Rating Plan for the policy period expiring immediately prior to the application of the safety credit. If the qualified employer was not experience-rated in the policy period expiring immediately prior to the application of the safety credit, "C" will be set at 0.050. Safety credit packages will be rounded to the nearest whole percent.

**9. DCRB Rating Values**

A Delaware Workplace Safety Program Correction Factor shall be included in loss costs and residual market rates. This factor shall be designed to make the Workplace Safety Program revenue neutral in the aggregate.

**10. Appeals**

The DCRB's determination of the percentage credit for an individual risk eligible for the Delaware Workplace Safety Program may be appealed pursuant to Rule XVI, APPEALS FROM APPLICATION OF THE RATING SYSTEM PROCEDURE, Section 1 of this Manual.

**G. TRUCKERS - INTERSTATE**

The payroll of a trucker shall be assigned to a state in which it has a terminal or base of operations. These guidelines are not applicable to dispatching or broker operations.

Example:

A driver/employee resides in State A. His employer/trucker base of operations is in State B. If the driver/employee regularly travels to the terminal or base of operations in State B to load or unload freight or perform other regular work functions, i.e., mechanic, the driver/employee payroll shall be assigned to State B.

When the trucker does not operate from a terminal or base of operations, the state to which the payroll is assigned shall be determined in accordance with the following procedures.

If it can be established that the trucker does a significant portion of its business in a single state, the

payrolls, other than those payrolls which can be attributed to specific work functions in a specific state, should be assigned to that state. Factors such as driving time, number of pickups and deliveries, revenue and tonnage, should be considered in determining the state of payroll assignment. If a state payroll assignment cannot be made on these factors, then the trucker's payroll shall be assigned to his state of residence.

For the purposes of the guidelines the following definitions apply:

**TRUCKER** – A trucker is the holder of operating authority from a government agency.

**TERMINAL OR BASE OF OPERATIONS** – A permanent location owned, leased or used by the trucker at which loading, unloading and other related non-clerical work functions, such as maintenance and transfers, are performed and from which the driver/employee is assigned work on a regular basis.

**STATE OF RESIDENCE** – The state in which the trucker resides, as evidenced by the location used for filing of federal income taxes.

**REGULAR** – A pattern of 40 hours per week or any other pattern that appears on a continuing basis.

## **H. DELAWARE CONSTRUCTION CLASSIFICATION PREMIUM ADJUSTMENT PROGRAM**

### **1. Program Description**

The Delaware Construction Classification Premium Adjustment Program (DCCPAP) provides for a premium credit for up to one year for a policy which contains one or more construction classifications.

The basis for determining the credit is the total payroll (including overtime premium pay) and hours worked for each construction classification as reported to taxing authorities. The applicable report periods vary according to the policy effective date of each policy, as set forth below.

#### **Policy Effective Dates**

June 1, 2019 through May 31, 2020  
June 1, 2020 and later

#### **Reporting Period for Qualifying Wages**

Third calendar quarter of 2018  
Third calendar quarter of 2019

If the insured did not engage in operations for the complete quarter, then the last complete quarter prior to policy year inception shall be used or, if there was no complete quarter of operations prior to the policy inception, then the first complete quarter after policy inception shall be used. A credit may be determined for each construction classification by dividing the total payroll, including overtime premium pay, by the number of hours worked to arrive at the average hourly wage for the classification. In the absence of specific records for salaried employees, it will be assumed each such individual worked forty (40) hours per week. The credit for average hourly wage is listed below:

**DCCPAP Wage Table**  
**Effective June 1, 2019 through May 31, 2020**

Average Hourly Wage		Credit From Manual Premium	Average Hourly Wage		Credit From Manual Premium
\$20.49	or less	0%	\$25.56	\$26.15	15%
\$20.50	\$20.90	5%	\$26.16	\$26.75	16%
\$20.91	\$21.35	6%	\$26.76	\$27.35	17%
\$21.36	\$21.80	7%	\$27.36	\$28.00	18%
\$21.81	\$22.30	8%	\$28.01	\$28.65	19%
\$22.31	\$22.80	9%	\$28.66	\$29.35	20%
\$22.81	\$23.30	10%	\$29.36	\$30.05	21%
\$23.31	\$23.85	11%	\$30.06	\$30.75	22%
\$23.86	\$24.40	12%	\$30.76	\$31.50	23%
\$24.41	\$24.95	13%	\$31.51	\$32.30	24%
\$24.96	\$25.55	14%	Over \$32.30		25%

**DCCPAP Wage Table**  
**Effective June 1, 2020 and later**

Average Hourly Wage		Credit From Manual Premium	Average Hourly Wage		Credit From Manual Premium
\$21.09	or less	0%	\$26.01	\$26.55	15%
\$21.10	\$21.50	5%	\$26.56	\$27.15	16%
\$21.51	\$21.95	6%	\$27.16	\$27.75	17%
\$21.96	\$22.40	7%	\$27.76	\$28.35	18%
\$22.41	\$22.85	8%	\$28.36	\$29.00	19%
\$22.86	\$23.35	9%	\$29.01	\$29.65	20%
\$23.36	\$23.85	10%	\$29.66	\$30.30	21%
\$23.86	\$24.35	11%	\$30.31	\$31.00	22%
\$24.36	\$24.90	12%	\$31.01	\$31.70	23%
\$24.91	\$25.45	13%	\$31.71	\$32.45	24%
\$25.46	\$26.00	14%	Over \$32.45		25%

The total construction classification credit amount, in dollars, must be calculated and then divided by the total policy premium at DCRB rating values - including construction and non-construction classifications. The result would be the percentage credit which is to be applied to the policy. When calculating the total policy credit the percentage shall be rounded to the nearest whole number with .5 being rounded upward (as an example, 4.4 rounded to 4% and 4.5 rounded to 5%).

The insured shall submit the required payroll and hours worked information to the Delaware Compensation Rating Bureau, Inc. for calculation of any applicable credit. The carrier shall, upon audit, verify the information that was submitted by the insured and used in the calculation of the credit. If the carrier discovers an error in the original request for policy credit, the revised information must be submitted to the Delaware Compensation Rating Bureau, Inc. for recalculation. If the insured does not furnish records to verify the payrolls and hours worked originally submitted and used in the calculation

of the credit, there shall be no credit applied to the policy.

The credit authorized by the Delaware Compensation Rating Bureau, Inc. shall appear on Item 4 of the policy. If the credit applicable to the policy is not available at the time of policy issuance, the carrier shall endorse the policy to provide the appropriate credit information once a qualifying application has been processed and the DCRB has notified the carrier of the credit determined on the basis of such application.

Report Delaware Construction Class Premium Credit on the information page and unit statistical report under **Code 9046**.

Carriers are required to use the approved form to notify all their insureds, who have one or more construction classifications on their policy, that they may be eligible for a premium adjustment credit.

2. **“Construction on classifications”** are those classifications subject to the following code numbers:

601	611	646	653	659	665	673	681
603	615	647	654	660	666	674	682
605	617	648	655	661	667	675	691
607	625	649	656	662	668	676	693
608	643	651	657	663	669	677	695
609	645	652	658	664	670	679	

3. The DCRB will inform the carrier and employer of the credit percentage. The DCRB will then record on the experience rating sheet (when applicable) the credit percentage to apply to the policy. Code 9046 is to be used in policy issuance and statistical reporting to record the construction premium credit, which is to be applied after the experience modification and after the deviation or schedule rating adjustments, but before calculating the premium discount and before adding the expense constant.
4. **Appeals**  
The DCRB's determination of an individual risk's eligibility for and/or the percentage of credit under the Delaware Construction Classification Premium Adjustment Program may be appealed pursuant to Rule XVI, APPEALS FROM APPLICATION OF THE RATING SYSTEM PROCEDURE, Section 1 of this Manual.

DCRB FILE NO \_\_\_\_\_

**DELAWARE WORKERS COMPENSATION – 200\_\_  
PREMIUM CREDIT APPLICATION**

NAME ON INSURANCE POLICY \_\_\_\_\_

INSURANCE COMPANY (Not Agent) \_\_\_\_\_

POLICY NO \_\_\_\_\_ EFF. DATE \_\_\_\_\_

**Notice:** Unless Code(s), total wages paid as reported to taxing authorities, total hours worked, and calendar quarter reported are indicated and application is signed, it cannot be processed. Must include non-construction class code payrolls. Corporate Officers should be included in the appropriate classification. Do not include corporate officers who have elected to be excluded from the Workers Compensation Act. Contact your agent and/or insurance company if assistance is desired.

<u>CLASSIFICATION DESCRIPTION</u>	<u>DELAWARE WC CLASS CODE</u>	<u>TOTAL DELAW ARE WAGES PAID THIS QUATER</u>	<u>TOTAL HOURS WORKED THIS QUARTER (Including O.T.)</u>
<b>Example: Carpentry</b>	<b>651</b>	<b>\$8,000</b>	<b>520</b>
<b>Example: Office</b>	<b>953</b>	<b>\$2,000</b>	<b>400</b>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

The foregoing is based on actual wages and hours worked, as reflected in our payroll records, for the complete calendar quarter ending \_\_\_\_\_.

Signature \_\_\_\_\_ Title \_\_\_\_\_

Telephone Number \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

SEND APPLICATION TO DELAWARE COMPENSATION RATING BUREAU, INC.,  
ATTENTION: **EXPERIENCE RATING** DEPARTMENT– Suite 1500, 30 South 17th Street PHILADELPHIA, PA 19103-4007.

**I. WAIVER OF SUBROGATION (WAIVER OF OUR RIGHTS TO RECOVER FROM OTHERS)**

1. For policies where the carrier waives subrogation rights, --- the Waiver Our Right to Recover From Others endorsement (WC 00 03 13) must be attached to the policy. ---
2. The premium for the waiver endorsement is based on a pricing value and charged determined by the carrier.
3. Voluntary market carriers must file the pricing value and premium charge with the Delaware Department of Insurance. The premium charge associated with the waiver shall be assigned to Code 0930. For policies where a flat charge has been levied for a waiver of subrogation rights, the amount shall be assigned to Code 9115. Code 9115 – Flat Charge Waiver of Subrogation is not included in the Total Standard Premium.
4. Residual market carriers must use the values established by the DCRB in the annual residual market rate filing.
  - a. Blanket waivers are not permitted in the residual market.
  - b. The additional premium charge for residual market (assigned risk) policies is 5% of the total manual premium developed in conjunction with the work for which the waiver is provided, subject to a \$250 minimum premium charge per waiver.
  - c. The residual market premium charge associated with the waiver shall be assigned to Code 0930.

**RULE X - CANCELLATION****A. WHO MAY CANCEL**

The Cancellation Condition of the Standard Policy permits cancellation by the insured or by the insurance carrier.

**IMPORTANT NOTICE: CANCELLATION NOTICES MUST BE ELECTRONICALLY SUBMITTED TO THE DCRB WITHIN 10 DAYS OF ISSUANCE; PROVIDED, HOWEVER, THAT FAILURE TO FILE SUCH NOTICE WITHIN THE REQUIRED TIME SHALL NOT INVALIDATE ANY CANCELLATION WHICH HAS BEEN MADE IN ACCORDANCE WITH THE PROVISIONS OF THE POLICY.**

**B. PREMIUM DETERMINATION – CANCELLATION BY THE INSURANCE CARRIER**

Premium for the canceled policy shall be computed as follows:

**1. Carrier Rating Values and Payroll**

Apply carrier rating values to the payroll developed during the period the policy was in effect.

**2. Experience Rating**

Apply any experience rating modification in accordance with the rules of the Experience Rating Plan Section. Refer to Rule VI-E

**3. Deductible**

Apply the appropriate deductible credit factor, if any, in accordance with the deductible table in Section 2 of this Manual.

**C. PREMIUM DETERMINATION—CANCELLATION BY THE INSURED, WHEN RETIRING FROM BUSINESS**

Compute the premium as provided in B above if a policy is cancelled by the insured when:

1. All the work covered by the policy has been completed, or
2. All interest in any business covered by the policy has been sold, or
3. The insured has retired from all business covered by the policy.

**D. PREMIUM DETERMINATION—CANCELLATION BY THE INSURED, EXCEPT WHEN RETIRING FROM BUSINESS**

The premium for the canceled policy shall be based on the Short Rate Cancellation Table in this rule and computed as follows:

**1. Actual Payroll**

Determine the payroll developed during the period the policy was in effect.

**2. Extended Payroll**

Extend such payroll pro-rata to an annual basis.

**Example**

A payroll of \$55,500 for 185 days would produce a payroll of \$109,500 on an annual basis:

$$\$55,500 \times \frac{365}{185} = \$109,500.$$

**3. Carrier Rate**

Apply carrier rate to the payroll in 2a. above.

**4. Experience Rating**

Apply any experience rating modification in accordance with the rules of the Experience Rating Plan Manual. Refer to Rule VI – 1.

**5. Deductible**

Apply the appropriate deductible credit factor, if any, in accordance with the deductible credit schedule in Section 2 of this Manual.

**6. Short Rate Percentage**

Based on the time the policy was in effect, apply the short rate percentage shown in the Short Rate Cancellation Table in this rule to the annual premium computed on the basis of the extended payroll in order to determine the short rate portion of the annual premium.

**7. Example of a Short Rate Cancellation**

A policy in effect for 185 days develops actual payroll of \$55,500, carrier rate \$.50.

- a. Payroll extended to annual basis =

$$\$55,500 \times \frac{365}{185} = \$109,500.$$

- b. Annual premium = \$109,500 x \$.50 = 548

- c. Short rate percentage for 185 days = 61%  
(See Table on next page)

- d. Short rate premium for cancelled policy =  
\$548 x .61 = \$334

- e. Total premium for cancelled policy = \$334

Refer to the Rules and Interpretation Section for an alternative method of short rate computation.



E. SHORT RATE CANCELLATION TABLE FOR TERM OF ONE YEAR

Days Policy In Force		Percent of One Year Premium
1		5%
2		6
3 - 4		7
5 - 6		8
7 - 8		9
9 - 10		10
11 - 12		11
13 - 14		12
15 - 16		13
17 - 18		14
19 - 20		15
21 - 22		16
23 - 25		17
26 - 29		18
30 - 32	(1 mo)	19
33 - 36		20
37 - 40		21
41 - 43		22
44 - 47		23
48 - 51		24
52 - 54		25
55 - 58		26
59 - 62	(2 mos)	27
63 - 65		28
66 - 69		29
70 - 73		30
74 - 76		31
77 - 80		32
81 - 83		33
84 - 87		34
88 - 91	(3 mos)	35
92 - 94		36
95 - 98		37
99 - 102		38
103 - 105		39
106 - 109		40
110 - 113		41
114 - 116		42
117 - 120		43
121 - 124	(4 mos)	44
125 - 127		45
128 - 131		46
132 - 135		47
136 - 138		48
139 - 142		49
143 - 146		50
147 - 149		51
150 - 153	(5 mos)	52

Days Policy In Force		Percent of One Year Premium
154 - 156		53
157 - 160		54
161 - 164		55
165 - 167		56
168 - 171		57
172 - 175		58
176 - 178		59
179 - 182	(6 mos)	60
183 - 187		61
188 - 191		62
192 - 196		63
197 - 200		64
201 - 205		65
206 - 209		66
210 - 214	(7 mos)	67
215 - 218		68
219 - 223		69
224 - 228		70
229 - 232		71
233 - 237		72
238 - 241		73
242 - 246	(8 mos)	74
247 - 250		75
251 - 255		76
256 - 260		77
261 - 264		78
265 - 269		79
270 - 273	(9 mos)	80
274 - 278		81
279 - 282		82
283 - 287		83
288 - 291		84
292 - 296		85
297 - 301		86
302 - 305	(10 mos)	87
306 - 310		88
311 - 314		89
315 - 319		90
320 - 323		91
324 - 328		92
329 - 332		93
333 - 337	(11 mos)	94
338 - 342		95
343 - 346		96
347 - 351		97
352 - 355		98
356 - 360		99
361 - 365	(12 mos)	100

Short Rate Cancellation Table

Days In Policy	Short Rate Percentages	Factor to Apply to Earned Premium for Period Policy In Effect	Days In Policy Period	Short Rate Percentages	Factor to Apply to Earned Premium for Period Policy in Effect
1	.05	18.2482	46	.23	1.8250
2	.06	10.9489	47	.23	1.7861
3	.07	8.5158	48	.24	1.8250
4	.07	6.3869	49	.24	1.7877
5	.08	5.8394	50	.24	1.7520
6	.08	4.8662	51	.24	1.7176
7	.09	4.6924	52	.25	1.7548
8	.09	4.1058	53	.25	1.7216
9	.10	4.0552	54	.25	1.6899
10	.10	3.6496	55	.26	1.7255
11	.11	3.6496	56	.26	1.6947
12	.11	3.3455	57	.26	1.6650
13	.12	3.3689	58	.26	1.6362
14	.12	3.1283	59	.27	1.6704
15	.13	3.1630	60	.27	1.6425
16	.13	2.9653	61	.27	1.6156
17	.14	3.0056	62	.27	1.5895
18	.14	2.8386	63	.28	1.6222
19	.15	2.8818	64	.28	1.5969
20	.15	2.7377	65	.28	1.5723
21	.16	2.7812	66	.29	1.6038
22	.16	2.6547	67	.29	1.5799
23	.17	2.6980	68	.29	1.5566
24	.17	2.5856	69	.29	1.5341
25	.17	2.4821	70	.30	1.5643
26	.18	2.5270	71	.30	1.5423
27	.18	2.4334	72	.30	1.5208
28	.18	2.3465	73	.30	1.5000
29	.18	2.2656	74	.31	1.5291
30	.19	2.3117	75	.31	1.5087
31	.19	2.2371	76	.31	1.4888
32	.19	2.1672	77	.32	1.5169
33	.20	2.2121	78	.32	1.4974
34	.20	2.1471	79	.32	1.4785
35	.20	2.0857	80	.32	1.4600
36	.20	2.0278	81	.33	1.4870
37	.21	2.0716	82	.33	1.4689
38	.21	2.0171	83	.33	1.4512
39	.21	1.9654	84	.34	1.4774
40	.21	1.9162	85	.34	1.4600
41	.22	1.9585	86	.34	1.4430
42	.22	1.9119	87	.34	1.4264
43	.22	1.8674	88	.35	1.4517
44	.23	1.9079	89	.35	1.4354
45	.23	1.8655	90	.35	1.4194

Short Rate Cancellation Table (Continued)

Days in Policy Period	Short Rate Percentages	Factors to Apply to Earned Premium for Period Policy in Effect	Days in Policy Period	Short Rate Percentages	Factors to Apply to Earned Premium for Period Policy in Effect
91	.35	1.4038	136	.48	1.2882
92	.36	1.4283	137	.48	1.2788
93	.36	1.4129	138	.48	1.2696
94	.36	1.3979	139	.49	1.2867
95	.37	1.4216	140	.49	1.2775
96	.37	1.4068	141	.49	1.2684
97	.37	1.3923	142	.49	1.2595
98	.37	1.3781	143	.50	1.2762
99	.38	1.4010	144	.50	1.2674
100	.38	1.3870	145	.50	1.2586
101	.38	1.3733	146	.50	1.2500
102	.38	1.3598	147	.51	1.2663
103	.39	1.3820	148	.51	1.2578
104	.39	1.3688	149	.51	1.2493
105	.39	1.3557	150	.52	1.2653
106	.40	1.3774	151	.52	1.2569
107	.40	1.3645	152	.52	1.2487
108	.40	1.3519	153	.52	1.2405
109	.40	1.3395	154	.53	1.2562
110	.41	1.3605	155	.53	1.2481
111	.41	1.3452	156	.53	1.2401
112	.41	1.3362	157	.54	1.2554
113	.41	1.3243	158	.54	1.2475
114	.42	1.3447	159	.54	1.2396
115	.42	1.3330	160	.54	1.2319
116	.42	1.3215	161	.55	1.2469
117	.43	1.3414	162	.55	1.2392
118	.43	1.3301	163	.55	1.2316
119	.43	1.3189	164	.55	1.2241
120	.43	1.3079	165	.56	1.2388
121	.44	1.3273	166	.56	1.2313
122	.44	1.3164	167	.56	1.2240
123	.44	1.3057	168	.57	1.2384
124	.44	1.2951	169	.57	1.2311
125	.45	1.3140	170	.57	1.2238
126	.45	1.3036	171	.57	1.2167
127	.45	1.2933	172	.58	1.2308
128	.46	1.3117	173	.58	1.2237
129	.46	1.3016	174	.58	1.2167
130	.46	1.2916	175	.58	1.2097
131	.46	1.2817	176	.59	1.2236
132	.47	1.2996	177	.59	1.2167
133	.47	1.2899	178	.59	1.2098
134	.47	1.2802	179	.60	1.2235
135	.47	1.2708	180	.60	1.2167

Short Rate Cancellation Table (Continued)

Days in Policy Period	Short Rate Percentages	Factor to Apply to Earned Premium for Period Policy in Effect	Days in Policy Period	Short Rate Percentages	Factor to Apply to Earned Premium for Period Policy in Effect
181	.60	1.2099	226	.70	1.1305
182	.60	1.2033	227	.70	1.1255
183	.61	1.2167	228	.70	1.1206
184	.61	1.2101	229	.71	1.1317
185	.61	1.2035	230	.71	1.1267
186	.61	1.1970	231	.71	1.1219
187	.61	1.1906	232	.71	1.1170
188	.62	1.2037	233	.72	1.1279
189	.62	1.1974	234	.72	1.1231
190	.62	1.1910	235	.72	1.1183
191	.62	1.1848	236	.72	1.1136
192	.63	1.1977	237	.72	1.1089
193	.63	1.1914	238	.73	1.1195
194	.63	1.1853	239	.73	1.1149
195	.63	1.1792	240	.73	1.1102
196	.63	1.1732	241	.73	1.1056
197	.64	1.1858	242	.74	1.1161
198	.64	1.1798	243	.74	1.1115
199	.64	1.1739	244	.74	1.1070
200	.64	1.1680	245	.74	1.1025
201	.65	1.1804	246	.74	1.0980
202	.65	1.1745	247	.75	1.1083
203	.65	1.1687	248	.75	1.1038
204	.65	1.1630	249	.75	1.0994
205	.65	1.1573	250	.75	1.0950
206	.66	1.1694	251	.76	1.1052
207	.66	1.1638	252	.76	1.1008
208	.66	1.1582	253	.76	1.0964
209	.66	1.1526	254	.76	1.0921
210	.67	1.1645	255	.76	1.0878
211	.67	1.1590	256	.77	1.0979
212	.67	1.1535	257	.77	1.0936
213	.67	1.1481	258	.77	1.0893
214	.67	1.1428	259	.77	1.0851
215	.68	1.1544	260	.77	1.0810
216	.68	1.1491	261	.78	1.0908
217	.68	1.1438	262	.78	1.0866
218	.68	1.1385	263	.78	1.0825
219	.69	1.1500	264	.78	1.0784
220	.69	1.1448	265	.79	1.0881
221	.69	1.1396	266	.79	1.0840
222	.69	1.1345	267	.79	1.0800
223	.69	1.1294	268	.79	1.0759
224	.70	1.1406	269	.79	1.0719
225	.70	1.1356	270	.80	1.0815

Short Rate Cancellation Table (Continued)

Days in Policy Period	Short Rate Percentages	Factor to Apply to Earned Premium for Period Policy in Effect	Days in Policy Period	Short Rate Percentages	Factor to Apply to Earned Premium for Period Policy in Effect
271	.80	1.0775	321	.91	1.0347
272	.80	1.0735	322	.91	1.0315
273	.80	1.0696	323	.91	1.0283
274	.81	1.0790	324	.92	1.0364
275	.81	1.0751	325	.92	1.0332
276	.81	1.0712	326	.92	1.0301
277	.81	1.0673	327	.92	1.0269
278	.81	1.0635	328	.92	1.0238
279	.82	1.0728	329	.93	1.0318
280	.82	1.0689	330	.93	1.0286
281	.82	1.0651	331	.93	1.0255
282	.82	1.0614	332	.93	1.0224
283	.83	1.0705	333	.94	1.0303
284	.83	1.0667	334	.94	1.0272
285	.83	1.0630	335	.94	1.0242
286	.83	1.0593	336	.94	1.0211
287	.83	1.0556	337	.94	1.0181
288	.84	1.0646	338	.95	1.0259
289	.84	1.0609	339	.95	1.0229
290	.84	1.0572	340	.95	1.0198
291	.84	1.0536	341	.95	1.0169
292	.85	1.0625	342	.95	1.0139
293	.85	1.0589	343	.96	1.0216
294	.85	1.0553	344	.96	1.0186
295	.85	1.0517	345	.96	1.0156
296	.85	1.0481	346	.96	1.0127
297	.86	1.0569	347	.97	1.0203
298	.86	1.0534	348	.97	1.0174
299	.86	1.0498	349	.97	1.0145
300	.86	1.0463	350	.97	1.0116
301	.86	1.0429	351	.97	1.0087
302	.87	1.0515	352	.98	1.0162
303	.87	1.0480	353	.98	1.0133
304	.87	1.0446	354	.98	1.0105
305	.87	1.0411	355	.98	1.0076
306	.88	1.0497	356	.99	1.0150
307	.88	1.0462	357	.99	1.0122
308	.88	1.0429	358	.99	1.0094
309	.88	1.0395	359	.99	1.0065
310	.88	1.0361	360	.99	1.0038
311	.89	1.0445	361	1.00	1.0111
312	.89	1.0412	362	1.00	1.0083
313	.89	1.0379	363	1.00	1.0055
314	.89	1.0346	364	1.00	1.0027
315	.90	1.0429	365	1.00	1.0000
316	.90	1.0429			
317	.90	1.0396			
318	.90	1.0363			
319	.90	1.0330			
321	.90	1.0298			

F. Pro Rata Cancellation Table

JANUARY			FEBRUARY			MARCH			APRIL			MAY			JUNE		
DAY OF MONTH	DAY OF YEAR NUMBER OF DAYS	RATIO	DAY OF MONTH	DAY OF YEAR NUMBER OF DAYS	RATIO	DAY OF MONTH	DAY OF YEAR NUMBER OF DAYS	RATIO	DAY OF MONTH	DAY OF YEAR NUMBER OF DAYS	RATIO	DAY OF MONTH	DAY OF YEAR NUMBER OF DAYS	RATIO	DAY OF MONTH	DAY OF YEAR NUMBER OF DAYS	RATIO
1	1	.003	1	32	.088	1	60	.164	1	91	.249	1	121	.332	1	152	.416
2	2	.005	2	33	.090	2	61	.167	2	92	.252	2	122	.334	2	153	.419
3	3	.008	3	34	.093	3	62	.170	3	93	.255	3	123	.337	3	154	.422
4	4	.011	4	35	.096	4	63	.173	4	94	.258	4	124	.340	4	155	.425
5	5	.014	5	36	.099	5	64	.175	5	95	.260	5	125	.342	5	156	.427
6	6	.016	6	37	.101	6	65	.178	6	96	.263	6	126	.345	6	157	.430
7	7	.019	7	38	.104	7	66	.181	7	97	.266	7	127	.348	7	158	.433
8	8	.022	8	39	.107	8	67	.184	8	98	.268	8	128	.351	8	159	.436
9	9	.025	9	40	.110	9	68	.186	9	99	.271	9	129	.353	9	160	.438
10	10	.027	10	41	.112	10	69	.189	10	100	.274	10	130	.356	10	161	.441
11	11	.030	11	42	.115	11	70	.192	11	101	.277	11	131	.359	11	162	.444
12	12	.033	12	43	.118	12	71	.195	12	102	.279	12	132	.362	12	163	.447
13	13	.036	13	44	.121	13	72	.197	13	103	.282	13	133	.364	13	164	.449
14	14	.038	14	45	.123	14	73	.200	14	104	.285	14	134	.367	14	165	.452
15	15	.041	15	46	.126	15	74	.203	15	105	.288	15	135	.370	15	166	.455
16	16	.044	16	47	.129	16	75	.205	16	106	.290	16	136	.373	16	167	.458
17	17	.047	17	48	.132	17	76	.208	17	107	.293	17	137	.375	17	168	.460
18	18	.049	18	49	.134	18	77	.211	18	108	.296	18	138	.378	18	169	.463
19	19	.052	19	50	.137	19	78	.214	19	109	.299	19	139	.381	19	170	.466
20	20	.055	20	51	.140	20	79	.216	20	110	.301	20	140	.384	20	171	.468
21	21	.058	21	52	.142	21	80	.219	21	111	.304	21	141	.386	21	172	.471
22	22	.060	22	53	.145	22	81	.222	22	112	.307	22	142	.389	22	173	.474
23	23	.063	23	54	.148	23	82	.225	23	113	.310	23	143	.392	23	174	.477
24	24	.066	24	55	.151	24	83	.227	24	114	.312	24	144	.395	24	175	.479
25	25	.068	25	56	.153	25	84	.230	25	115	.315	25	145	.397	25	176	.482
26	26	.071	26	57	.156	26	85	.233	26	116	.318	26	146	.400	26	177	.485
27	27	.074	27	58	.159	27	86	.236	27	117	.321	27	147	.403	27	178	.488
28	28	.077	28	59	.162	28	87	.238	28	118	.323	28	148	.405	28	179	.490
29	29	.079				29	88	.241	29	119	.326	29	149	.408	29	180	.493
30	30	.082				30	89	.244	30	120	.329	30	150	.411	30	181	.496
31	31	.085				31	90	.247				31	151	.414			

Pro Rata Cancellation Table (Continued)

JULY			AUGUST			SEPTEMBER			OCTOBER			NOVEMBER			DECEMBER		
DAY OF MONTH	DAY OF YEAR NUMBER OF DAYS	RATIO	DAY OF MONTH	DAY OF YEAR NUMBER OF DAYS	RATIO	DAY OF MONTH	DAY OF YEAR NUMBER OF DAYS	RATIO	DAY OF MONTH	DAY OF YEAR NUMBER OF DAYS	RATIO	DAY OF MONTH	DAY OF YEAR NUMBER OF DAYS	RATIO	DAY OF MONTH	DAY OF YEAR NUMBER OF DAYS	RATIO
1	182	.499	1	213	.584	1	244	.668	1	274	.751	1	305	.836	1	335	.918
2	183	.501	2	214	.586	2	245	.671	2	275	.753	2	306	.838	2	336	.921
3	184	.504	3	215	.589	3	246	.674	3	276	.756	3	307	.841	3	337	.923
4	185	.507	4	216	.592	4	247	.677	4	277	.759	4	308	.844	4	338	.926
5	186	.510	5	217	.595	5	248	.679	5	278	.762	5	309	.847	5	339	.929
6	187	.512	6	218	.597	6	249	.682	6	279	.764	6	310	.849	6	340	.932
7	188	.515	7	219	.600	7	250	.685	7	280	.767	7	311	.852	7	341	.934
8	189	.518	8	220	.603	8	251	.688	8	281	.770	8	312	.855	8	342	.937
9	190	.521	9	221	.605	9	252	.690	9	282	.773	9	313	.858	9	343	.940
10	191	.523	10	222	.608	10	253	.693	10	283	.775	10	314	.860	10	344	.942
11	192	.526	11	223	.611	11	254	.696	11	284	.778	11	315	.863	11	345	.945
12	193	.529	12	224	.614	12	255	.699	12	285	.781	12	316	.866	12	346	.948
13	194	.532	13	225	.616	13	256	.701	13	286	.784	13	317	.868	13	347	.951
14	195	.534	14	226	.619	14	257	.704	14	287	.786	14	318	.871	14	348	.953
15	196	.537	15	227	.622	15	258	.707	15	288	.789	15	319	.874	15	349	.956
16	197	.540	16	228	.625	16	259	.710	16	289	.792	16	320	.877	16	350	.959
17	198	.542	17	229	.627	17	260	.712	17	290	.795	17	321	.879	17	351	.962
18	199	.545	18	230	.630	18	261	.715	18	291	.797	18	322	.882	18	352	.964
19	200	.548	19	231	.633	19	262	.718	19	292	.800	19	323	.885	19	353	.967
20	201	.551	20	232	.636	20	263	.721	20	293	.803	20	324	.888	20	354	.970
21	202	.553	21	233	.638	21	264	.723	21	294	.805	21	325	.890	21	355	.973
22	203	.556	22	234	.641	22	265	.726	22	295	.808	22	326	.893	22	356	.975
23	204	.559	23	235	.644	23	266	.729	23	296	.811	23	327	.896	23	357	.978
24	205	.562	24	236	.647	24	267	.732	24	297	.814	24	328	.899	24	358	.981
25	206	.564	25	237	.649	25	268	.734	25	298	.816	25	329	.901	25	359	.984
26	207	.567	26	238	.652	26	269	.737	26	299	.819	26	330	.904	26	360	.986
27	208	.570	27	239	.655	27	270	.740	27	300	.822	27	331	.907	27	361	.989
28	209	.573	28	240	.658	28	271	.742	28	301	.825	28	332	.910	28	362	.992
29	210	.575	29	241	.660	29	272	.745	29	302	.827	29	333	.912	29	363	.995
30	211	.578	30	242	.663	30	273	.748	30	303	.830	30	334	.915	30	364	.997
31	212	.581	31	243	.666				31	304	.833				31	365	1:000

**RULE XI – THREE YEAR FIXED RATE POLICY OPTION**

1. A carrier may file a "Three-Year Fixed Rate Option" program with the Delaware Insurance Department.
2. A policy may be issued for a period of three years at a fixed carrier rate, provided the risk is not eligible for the Experience Rating Plan on the effective date of the policy.
3. A policy issued under an approved program shall be designated on the Information Page as follows - "THREE-YEAR FIXED RATE."



**RULE XII – U.S LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT****A. GENERAL EXPLANATION**

The U.S. Longshore and Harbor Workers' Compensation Act (U.S.L. & H.W. Act) is a Federal law which provides for payment of compensation and other benefits to employees such as longshore, harbor workers, ship repairmen, shipbuilders, ship-breakers and other employees engaged in loading, unloading, repairing or building a vessel. It applies to such employees while working on navigable waters of the United States and also while working on any adjoining pier, wharf, dry dock, terminal, building way, marine railway, or other area adjoining such navigable waters customarily used for loading, unloading, repairing or building a vessel. It does not cover masters or members of the crew of a vessel. For complete details see U.S. Code (1946), Title 33, Section 901-49, amended by Public Law 92-576.

**B. WORKERS COMPENSATION INSURANCE – PART ONE**

The standard policy is used to insure the statutory obligation of an employer to furnish benefits required by the U.S.L. & H.W. Act. Attach the Standard Longshore and Harbor Workers' Compensation Act Coverage Endorsement (**WC 00 01 06A**) to provide such insurance. Do not designate the U.S.L. & H.W. Act in Item 3-A of the Information Page.

**C. EMPLOYERS LIABILITY INSURANCE – PART TWO**

For operations subject to the U.S.L. & H.W. Act, the standard limits of liability under Part Two are:

Bodily Injury by Accident: **\$100,000** – each accident  
Bodily Injury by Disease: **\$100,000** – each employee  
Bodily Injury by Disease: **\$500,000** – policy limit, Refer to Rule VIII.

**1. Accident Limit**

The limit of liability applies to all bodily injury arising out of any one accident.

**2. Disease Limit**

The limit of liability also applies as a separate aggregate limit for all bodily injury by disease. The aggregate limit applies separately to bodily injury by disease arising out of work in each state shown in Item 3-A of the Information Page.

**3. Show Limits on Endorsement**

These limits of liability must be stated in the Maritime Coverage Endorsement and/or the Federal Employers Liability Act Coverage Endorsement.

**D. CLASSIFICATIONS AND RATES****1. Classifications**

Classifications for insurance under the U.S.L. & H.W. Act are listed in "Section 2 – Classifications" of this Manual.

**2. Rates for Federal "F" Classifications**

The manual rates for classification code numbers followed by the letter "F" include premium for operations subject to the U.S.L. & H.W. Act.

### 3. Rates for Non-Federal "Non-F" Classifications

The Bureau Rating Values for classification code numbers not followed by the letter "F" do not include premium for operations subject to the U.S.L. & H.W. Act. If operations under such classifications involve some employees subject to U.S.L. & H.W. Act, the manual rates and minimum premiums for such classifications shall be increased by the U.S. Longshore and Harbor Workers' Compensation Coverage Percentage, the value for which is shown in Section 2. Such increased rate shall apply only to payroll of employees engaged in operations subject to the U.S.L. & H.W. Act.

## E. EXTENSIONS OF THE U.S.L. & H.W. ACT

### 1. Defense Bases Act

The Defense Bases Act extends the provisions of the U.S.L. & H.W. Act to employers and their employees on overseas military bases and on other overseas locations under public works contracts being performed by contractors with agencies of the United States Government. Employees who are not United States citizens may be exempted from coverage upon approval of a waiver by the Secretary of Labor. For complete details, see Defense Bases Act, U.S. Code (1946) Title 42 Sections 1651-54, Public Law 208, 77th Congress.

To provide such insurance, attach the Standard Defense Bases Act Coverage Endorsement (**WC 00 01 01**).

### 2. Civilian Employees of Nonappropriated Fund Instrumentalities Act

The Nonappropriated Fund Instrumentalities Act extends the provisions of the U.S.L. & H.W. Act to civilian employees of nonappropriated fund instrumentalities such as post exchanges and service clubs of the Armed Forces. For complete details, see U.S. Code (1970) Title 5, Section 8171 (Public Law 85-538, 85th Congress).

To provide such insurance attach the Standard Nonappropriated Fund Instrumentalities Act Coverage Endorsement (**WC 00 01 08**).

### 3. Premium Determination

For insurance under extensions of the U.S.L. & H.W. Act, determine premium as provided in Rule XII - D.

**RULE XIII – THE ADMIRALTY LAW AND THE FEDERAL EMPLOYERS' LIABILITY ACT**

NOTE: The Delaware Compensation Rating Bureau, Inc. has no jurisdiction over the rates or classification for Admiralty or Federal Employers Liability exposure. The following rule was published by the National Council on Compensation Insurance and is shown here for information purposes only.

**A. General Explanation****1. Admiralty Law**

Masters and members of the crews of vessels are not covered under state workers compensation laws nor under the U.S.L. & H.W. Act. They are subject to admiralty law and, if injured, have the right to sue their employers for damages in the Admiralty Courts where the proceeding is in the nature of an employers' liability suit. They also have the right to transportation, wages, maintenance and cure. Such seamen are subject to a Federal law, the Merchant Marine Act of 1920, known as the Jones Act (46 U.S. Code, Section 688, 1970) which applies the provisions of the Federal Employers Liability Act to seamen. Every person employed on board a vessel is deemed to be a seaman if connected with the operation or welfare of the vessel while in navigable waters. Usually, navigable waters are defined as those which form a continuous highway for interstate or international commerce.

**2. Federal Employers Liability Act (F.E.L.A.)**

The Federal Employers Liability Act applies to employees of interstate railroads. Such employees are not subject to state workers compensation laws. This federal law imposes liability for damages on the railroad if the injured railroad employee can show any negligence on the part of the railroad. For complete details, see 45 U.S. Code, Sections 51-60, 1970.

**B. Description of Coverage Programs**

The Standard Policy may be used to provide insurance for liability under one or more state workers compensation laws and also for liability under admiralty law or F.E.L.A. There are two programs to furnish such insurance:

**1. Program I**

Provides under Part One - Workers Compensation Insurance statutory liability - under the workers compensation law of any state designated in the Information Page and under Part Two - Employers Liability Insurance, Employers liability - for damages under admiralty law or F.E.L.A., subject to a standard limit of liability of \$25,000.

**2. Program II**

Provides the same coverage as Program I, but with the addition of Voluntary Compensation. Under Program II, the insurance carrier will offer a settlement of a claim strictly in accord with the statutory benefits provided in the workers' compensation law designated in the Voluntary Compensation Endorsement attached to the policy as if the claim were subject to the laws of negligence. If the offer of settlement is rejected, Employers liability then applies to such claim or suit, with the same standard limit as for Program I.

**C. Coverage****1. Admiralty Law Endorsements**

To provide Program I for admiralty law, attach the Standard Maritime Coverage Endorsement (**WC 00 02 01**). To provide Program II for admiralty law, also attach the Standard Voluntary Compensation, Maritime Coverage Endorsement (**WC 00 02 03**).

## 2. Admiralty Law Coverage Options

- a. The Maritime Coverage Endorsement (**WC 00 02 01**) excludes liability to provide transportation, wages, maintenance and cure. This endorsement may optionally include a provision to insure such liability for an additional premium based on an (A) rate.

## 3. F.E.L.A. Endorsements

To provide Program I for employments subject to F.E.L.A., attach the Standard Federal Employers Liability Act Coverage Endorsement (**WC 00 01 04**). To provide Program II, also attach the Standard Voluntary Compensation and Employers Liability Endorsement (**WC 00 03 11**).

## 4. U.S.L. & H.W. Act

When insurance is provided for liability under admiralty law or F.E.L.A., insurance for liability under the U.S.L. & H.W. Act also may be necessary. To provide such insurance, attach the Standard Longshore and Harbor Workers' Compensation Act Coverage Endorsement (**WC 00 01 06**).

## D. Limits of Liability

### 1. Standard Limits

### 2. Increased Limits

Increased limits for liability under Part Two - Employers Liability Insurance are available. The additional premium for increased limits shall be determined by applying the factor in the following Table for Increased Limits to the total premium for admiralty or F.E.L.A. classifications before application of:

- a. Expense Constant
- b. Experience rating modification
- c. Premium discount or retrospective rating adjustment

The premium for increased limits is subject to an experience rating modification.

**TABLE FOR INCREASED LIMITS**

Limit Per Accident	Factor	Minimum Premium	
		Program I	Program II
\$ 25,000	1.00	100	200
50,000	1.09	109	218
100,000	1.15	115	230
200,000	1.23	123	246
300,000	1.29	129	258
400,000	1.34	134	268
500,000	1.38	138	276

### 3. Minimum Premium

The separate minimum premium shown in the above Table For Increased Limits applies to a policy which includes classifications for operations subject to admiralty law or the F.E.L.A. Such minimum

premium is the lowest premium for insuring admiralty or F.E.L.A. operations and it shall apply in addition to the minimum premium or premium for other operations on such a policy. It is not subject to an experience rating modification.

## F. CLASSIFICATIONS

NOTE: The Delaware Compensation Rating Bureau, Inc. has no jurisdiction over the rates or classification for Admiralty or Federal Employers Liability Exposure. The following rule is for information purposes only.

The classifications for admiralty or F.E.L.A. operations follow.

### Classifications

Classifications	Code Number		
	Program I	Program	
		State Act Benefits	USL Act Benefits
Boat Livery - boats under 15 tons. This classification includes the laying up or putting into commission of boats. Boats 15 tons or over to be separately rated under the appropriate vessels classification.	7038	7090	7050
Diving - marine	7394	7395	7398
Dredging - all types	7333	7335	7337
Ferries - This classification includes dock employees.	7019	7027	7062
Fishing Vessels - NOC. This classification includes packing, curing or shipping fish and repair of nets or boats.	7039	7091	7051
Oyster Boats - This classification includes planting; harvesting; and operation of boats.	7079	7097	7070
Salvage Operations - marine.	7394	7395	7398
Supply Boats	7020	7028	7131
Tugboats	7020	7028	7131
Vessels - NOC	7016	7024	7047
Vessels - not self-propelled. Such vessels having a regular master and crew who are furnished living quarters aboard the vessel, shall be rated as "Vessels, NOC."	7046	7098	7099
Vessels – sail	7036	7088	7048
Wrecking - marine. This classification includes salvage operations.	7394	7395	7398
Yachts - private - sail or power	7037	7089	7049

### Federal Employers Liability Act

Railroad Operation - all employees including drivers. This classification contemplates the normal operations of railroads including normal maintenance and repair. All extraordinary repair work including such work as rebuilding bridges, grade crossing elimination, laying or relaying track and all new construction operations shall be classified as Code 6702 or 6703.	7151	7153	7152
Clerical Office Employees - NOC	8814	8805	8815
Salespersons, Collectors or Messengers - outside	8737	8734	8738
Railroad Construction - all operations including clerical, salespersons and drivers	6702	6704	6703

**G. WATERS NOT UNDER ADMIRALTY JURISDICTION**

**1. Coverage**

An insured may conduct operations on waters not subject to admiralty jurisdiction. The Standard Policy and endorsement forms shall provide insurance and is subject to the rule which apply to statutory workers' compensation insurance.

**2. Admiralty Law or U.S.L. & H.W. Act Liability**

If there is a potential liability under admiralty law, follow the previous rules for insurance under admiralty law. If there is a potential liability under the U.S.L & H.W. Act, refer to Rule XII.

## **RULE XIV – DOMESTIC WORKERS - RESIDENCIES**

### **A. DEFINITIONS**

1. Please refer to the “Agriculture” in Section 2 of this Manual.

Agriculture is included in Codes 0006, 0008, 0011, 0013, 0016, 0034, 0036 and 0083. For definitions of individual agricultural classes please see the Farms class listing in Section 2.

2. **Inside Domestic Workers**

Domestic Workers – Inside are employees engaged exclusively in household or domestic work performed principally inside the residence. Examples include a cook, housekeeper, laundry worker, maid, butler, companion, nurse and baby sitter.

3. **Outside Domestic Workers**

Domestic Workers – Outside are employees engaged exclusively in household or domestic work performed principally outside the residence. Examples include a private chauffeur and a gardener.

4. **Occasional Domestic Workers**

Domestic Workers – Occasional are domestic workers, inside or outside, who are employed part-time. Any domestic worker employed more than one half of the customary full time shall be assigned and rated as a full-time domestic worker. Examples of occasional domestic workers are persons engaged on certain days for gardening, cleaning, laundering or babysitting.

### **B. COVERAGE**

1. Workers Compensation and Employers Liability Insurance
2. By Voluntary Compensation Insurance

Agricultural and domestic workers are not included within the workers compensation law. Voluntary compensation insurance for agricultural and domestic workers may be provided by attaching the standard Voluntary Compensation Endorsement to a workers compensation policy.

3. Also, agricultural and domestic workers may elect to come under the Workers Compensation Act. This coverage is provided by the standard policy.

### **C. NAME OF INSURED**

The resident owner, the estate of the owner or a family member(s) of the same residence may be named as the insured, but only with respect to the employment of domestic workers in connection with a given residence

### **D. CLASSIFICATIONS**

1. Please refer to the Section 2 Domestic Workers class listing for the Domestic Workers classifications.
2. Please refer to the Section 2 Farms class listing for the agricultural classifications.

**3. Maintenance, Repair Or Construction Operations**

- a. The domestic services classifications (Codes 0913, 0908, 0912 and 0909) include ordinary repair or maintenance of the insured's personal residence or equipment by domestic workers.
- b. Assign Code 971 to payroll developed in the general building maintenance or repair by employees of a commercial building owner, lessee or real estate management firm or business where the basic and major operations are described by classifications defined as standard exceptions.
- c. Assign Code 880 to payroll developed in general building maintenance or repair by employees of an apartment house or condominium complex operator.
- d. Assign the employers' applicable field of business classification to payroll developed in general building maintenance or repair by employees of a business assigned to a classification other than the standard exceptions.
- e. Assign the applicable construction or erection classifications to payroll developed in extraordinary repairs, alterations, new construction, erection or demolition of structures.

**E. DCRB RATING VALUES AND PREMIUM****1. DCRB Rating Values**

The DCRB Rating Values for Codes 0908, 0909, 0912 and 0913 are per capita premium charges. Terrorism **(9740)** and Catastrophe (other than Certified Acts of Terrorism) **(9741)** do not apply to per capita classification premium charges.

**2. Records Required**

The insured shall maintain a record of the names, duties and period of service of each domestic worker.

**3. Full Time Domestic Workers**

Estimated premium for Codes 0912 and 0913 shall be computed on the estimated number of such domestic workers during the policy period. If additional domestic workers under Codes 0912 and 0913 are employed during the policy period or if some domestic workers are no longer employed and are not replaced, the per capita premium charges shall be pro-rated. Each pro rata charge shall be based on the period of employment but shall not be less than 25% of the per capita charge.

**4. Occasional Domestic Workers**

A separate per capita charge shall be applied to each concurrently employed domestic worker.

**F. DCRB RATING VALUES AND PREMIUM**

An approved schedule rating plan shall be applied to the premiums for domestic workers.



**RULE XV – FINAL EARNED PREMIUM DETERMINATION****A. ACTUAL PAYROLL**

Final earned premium for the policy shall be determined on actual, instead of estimated, payroll or other premium basis.

**B. PREMIUM DETERMINATION**

The determination of final earned premium is governed by the rules, classifications and DCRB rating values and carrier rating values, subject to modification by applicable rating plans.

**C. AUDIT RIGHTS OF CARRIER**

The insurance carrier has the right to compute earned premium based on an examination of original payroll records and books of account of the insured, in accordance with Part Five Premium, Section G. (Audit) of the Standard Policy.

**D. AUTHORIZED CLASSIFICATIONS**

Only the classifications shown on a Data Card issued by the DCRB shall be used in auditing the payroll of that employer. The insuring carrier shall contact the DCRB in writing in any instance where the authorized classifications do not describe the employer's operations as delineated in Section 1, Rule IV, Paragraph C., 2., c. of this Manual.

**E. AUDIT NONCOMPLIANCE CHARGE**

- (1) If the employer does not comply with Part Five—Premium, Section G. (Audit) of the policy, the employer will be considered noncompliant with the policy terms and conditions. When this occurs, the carrier may apply an Audit Noncompliance Charge (ANC) subject to the conditions in this rule. The charge is determined by applying the ANC multiplier to the ANC Basis shown in the table below:

ANC Basic	ANC Multiplier	Endorsement
Estimated Annual Premium	Up to two times	Audit Noncompliance Charge Endorsement

- (2) On a multistate policy, the ANC applies only to the exposure in the states where an employer is noncompliant with an audit and where this ANC rule is approved for use
- (3) The ANC is a premium charge and is applied in accordance with the applicable state premium algorithm. The ANC is not part of standard premium.
- (4) The application of the ANC is subject to the following conditions:
- Carriers must comply with all applicable state laws and/or regulations related to audits of workers compensation insurance policies.
  - The Audit Noncompliance Charge Endorsement and/or applicable state-specific endorsement must be attached to the policy at inception of the policy term being audited.
  - The carrier must make two attempts to obtain the audit information and/or complete the audit. At each attempt, the carrier must notify the employer regarding the specific required records and the amount of the ANC to be applied if the employer continues to refuse to comply with the audit.

- d) The carrier must adequately document the audit file regarding the above attempts to obtain the required audit information.
- (e) When a carrier applies an ANC to the policy, and cancellation for audit noncompliance is permissible under state law, the carrier may cancel the policy and must issue a cancellation notice in accordance with applicable state laws and/or regulations.
- (5) This ANC rule applies to mail/email, telephone, computer (remote access), and physical audits, unless otherwise provided by state law.
- (6) The ANC may be applied to guaranteed cost policies as well as retrospectively rated policies.
- (7) The scenarios listed below may occur and are treated as follows:

<b>If an ANC is applied and the employer...</b>	<b>Then the carrier...</b>
Pays the ANC and later allows the audit	<ul style="list-style-type: none"> <li>• Performs the final audit and determines the final policy premium based on the results of the audit; and</li> <li>• Refunds the ANC to the employer, or applies the ANC amount to any outstanding balance on the policy</li> </ul> <p>Submits a unit statistical correction report to remove the ANC charge from the previously reported Unit Statistical data.</p>
Does <b>not</b> pay the ANC but later allows the audit	Performs the final audit and determines the final policy premium based on the results of the audit
<p>Pays the ANC but does <b>not</b> later allow the audit</p> <p>Does not pay the ANC and does <b>not</b> later allow the audit.</p>	<p>Does not change the previously reported:</p> <ul style="list-style-type: none"> <li>• Unit Statistical data</li> <li>• Noncompliance transactions</li> </ul>

- (8) Reinstatements of cancelled policies must be in accordance with all applicable state laws and/or regulations.
- (9) The ANC must be reported, including applicable corrections, in accordance with DCRB's Statistical Plan.
- (10) For assigned risk policies, if an assigned carrier has applied an ANC, the employer will be considered noncompliant with the audit and will remain ineligible for assigned risk coverage until the employer allows the audit to be performed and/or provides the required records. This applies even if the employer has paid the ANC.

**RULE XVI – APPEALS FROM APPLICATION OF THE RATING SYSTEM PROCEDURE**

- A.** Any policyholder aggrieved by the application of the Rating System of the Delaware Compensation Rating Bureau, Inc., (DCRB) may appeal such application to the DCRB in accordance with this appeals procedure (Procedure). “Rating System” is defined to include all workers compensation insurance pricing programs subject to rules set forth in this Manual. The appeal must be filed directly with the DCRB during the policy period with respect to which the application is made, or within twelve months after the termination thereof. Appeals filed beyond this time period will not be granted.

EXCEPTION: An appeal for revision of losses used in experience or merit rating is governed by the Revision of Losses provisions of this Manual.

- B.** An aggrieved party who wants to appeal a DCRB decision concerning an application of the Rating System must first submit a written request for review to the DCRB, together with all information in support of its appeal. DCRB staff will review the request and supporting information. To make certain the facts of an appeal are fully agreed upon, DCRB staff may make written inquiries to the appellant and/or survey the appellant’s Delaware workplace(s). The appellant shall provide complete responses to such inquiries, and shall provide full access to such workplace(s). The DCRB will then notify the appellant in writing that the DCRB staff’s review has been completed and provide to the appellant (or its designated representative) the DCRB staff’s final decision.
- C.** If the appellant is aggrieved following completion of the DCRB staff’s review and final decision, the appellant has the right to present its appeal to the DCRB’s Classification and Rating Committee. An appeal may be taken to the Insurance Commissioner only after the appellant has first exhausted its rights pursuant to this Procedure.
- D.** A Classification and Rating Committee shall be convened to consider the appeal, none of whom may have a direct pecuniary interest in the aggrieved party’s appeal.
- E.** All appeals must be electronically submitted to the DCRB no later than thirty (30) days from the date of the DCRB staff’s final decision and meet the following requirements:
1. The appeal must be in writing.
  2. The appeal must set forth in detail the nature of the complaint, including:
    - All reasons for believing the PCR decision to be in error.
    - All documents in support of the appeal.
    - The specific nature of the relief desired.
  3. The aggrieved party (or its designated representative) must agree to appear before an Appeals Subcommittee of the Classification and Rating Committee.
- F.** Following receipt of an appeal of a DCRB final decision, the DCRB will notify the appellant of the time and place in Delaware of the Classification & Rating Committee meeting at which the matter will be heard
- G.** The procedure at the Classification & Rating Committee hearing is informal:
- The appellant may make an oral presentation of its case or rely solely upon the written material previously submitted to the PCR in connection with the appeal.
  - PCR staff may present testimony and other information to the Appeals Subcommittee relevant to the appeal.
  - The appellant and/or the PCR may also present third-party witnesses and documentary evidence relevant to the appeal.
  - The appellant and the PCR shall have the opportunity to direct questions to any witness who has

- testified before the Appeals Subcommittee.
  - After all testimony and other evidence have been presented, the hearing shall be declared closed by the Chair of the Appeals Subcommittee.
  - After the hearing is closed, the Appeals Subcommittee shall arrive at its decision in executive session. Attendance at the executive session is limited to members of the Appeals Subcommittee and PCRB legal counsel.
  - The effective date of the decision will be specifically determined by the Appeals Subcommittee, in accordance with Manual rules.
- H.** A record of meeting of the Classification & Rating Committee will be kept by DCRB staff. As hearings before the Classification & Rating Committee are informal, there is no stenographic, audio or video record. The Classification & Rating Committee decision will be included in the record of meeting and retained in the records of the DCRB.
- I.** Travel expenses for the appellant will be reimbursed in the same manner as for members of the Classification & Rating Committee. Reimbursement is payable on a per appeal basis, i.e., multiple reimbursements will not be paid when more than one appellant representative attends the Classification & Rating Committee meeting.
- J.** The decision of the Classification & Rating Committee shall be set forth in writing, include the basis for the decision, and be sent to the appellant no later than thirty (30) days after the hearing.
- K.** An appellant is not required to be represented by an attorney. However, an appellant has the right, at the appellant's expense, to be represented by an attorney. An appellant who is represented by an attorney shall notify the DCRB of such representation in writing in advance of the hearing, and shall furnish the DCRB with the attorney's name, mailing address and e-mail address. After the DCRB has received such notification from an appellant, all subsequent correspondence related to the appeal will be directed to the attorney designated by the appellant.
- L.** Notice regarding the time and place of the Classification & Rating Committee hearing as well the Classification & Rating Committee decision in the matter will be provided to the appellant (or its attorney) in writing, via e-mail (if agreed upon) or first class mail.
- M.** Appeals from a final decision of the Classification & Rating Committee must be electronically submitted to the Insurance Commissioner in writing within thirty (30) days of the mailing date of the Classification & Rating Committee's decision. Such appeals must set forth the basis for the appeal and the grounds being relied upon by the appellant.
- N.** Nothing contained in this Procedure shall prevent efforts to resolve any dispute on an informal basis at any stage of these proceedings

**RULE XVII – MEMBER CARRIER DISPUTES (DISPUTE RESOLUTION CONFERENCE)**

- A.** A member carrier aggrieved by a final decision of DCRB staff concerning an application of the rating system (Staff Decision) may submit a written request for a conference with the DCRB President and/or Senior Vice President (Dispute Resolution Conference) to discuss the Staff Decision. This request must be submitted within 30 days of the Staff Decision, and must state the basis of the grievance and the remedy being sought.
- B.** Within 30 days following the Dispute Resolution Conference, the DCRB President or Senior Vice President shall issue a written communication (Conference Decision) to the aggrieved member carrier communicating any change(s) to the Staff Decision and any remedy on account of such change(s). If the member carrier remains aggrieved by the Conference Decision, the member carrier may appeal the Staff Decision, as sustained or modified by the Conference Decision, to the Insurance Commissioner within 30 days of the mailing date of the Conference Decision. Such appeals should be directed to the Insurance Commissioner.
- C.** A copy of the Conference Decision will be sent to the impacted policyholder if the Conference Decision changes the Staff Decision. To the extent the policyholder is aggrieved by the Conference Decision, the policyholder may pursue an appeal of the Conference Decision via the appeals procedure outlined in Rule XVI. In the context of Rule XVI procedures the Conference Decision is considered the DCRB final decision.

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**MANUAL RATES, LOSS COSTS AND EXPECTED LOSS FACTORS  
FOR DELAWARE COMPENSATION INSURANCE**

CODE NO	DCRB* ADVISORY LOSS COSTS	ASSIGNED RISK MANUAL RATE	ASSIGNED RISK MIN PREM.	EXPERIENCE RATING PLAN EXPECTED LOSS FACTORS TABLE**			HAZ GRP A-G
				A-1	A-2	A-3	
005	12.41	17.35	2,000	3.99	5.13	5.79	F
0006	3.92	5.48	1,085	1.26	1.62	1.83	D
007	4.92	6.88	2,000	1.58	2.04	2.30	C
0008	3.69	5.15	1,760	1.19	1.53	1.72	D
009	19.79	27.65	2,000	6.36	8.19	9.23	G
0011	2.72	3.80	1,385	0.87	1.13	1.27	B
0012	3.61	5.04	1,730	1.16	1.49	1.68	D
0013	3.27	4.57	1,600	1.05	1.35	1.53	C
015	10.49	14.66	2,000	3.37	4.34	4.90	E
0016	2.44	3.40	795	0.78	1.01	1.14	C
0034	2.64	3.69	835	0.85	1.09	1.23	C
0036	3.16	4.41	935	1.01	1.30	1.47	C
055	4.24	5.93	1,980	1.19	1.45	1.86	F
059	5.22	7.28	2,000	1.46	1.78	2.28	E
0083	3.62	5.05	1,025	1.16	1.50	1.69	C
101	3.45	4.83	1,670	0.95	1.24	1.41	E
104	3.50	4.90	1,690	0.97	1.26	1.43	B
105	4.17	5.83	1,950	1.15	1.50	1.70	D
106	6.40	8.96	2,000	1.77	2.31	2.61	C
107	2.97	4.15	1,480	0.82	1.07	1.21	B
108	3.29	4.59	1,605	0.91	1.18	1.34	C
109	4.59	6.41	2,000	1.27	1.65	1.87	C
110	3.29	4.59	1,605	0.91	1.18	1.34	B
111	7.40	10.34	2,000	2.05	2.66	3.02	C
112	10.79	15.07	2,000	2.98	3.88	4.40	C
113	2.38	3.32	1,250	0.66	0.86	0.97	C
114	6.92	9.66	2,000	1.91	2.49	2.82	E
115	2.63	3.68	1,350	0.73	0.95	1.07	D
119	3.92	5.48	1,855	1.08	1.41	1.60	C
130	5.79	8.08	2,000	1.60	2.08	2.36	E
132	1.54	2.15	920	0.43	0.55	0.63	C
134	3.60	5.02	1,725	0.99	1.29	1.47	C
135	2.85	3.99	1,435	0.79	1.03	1.16	C
136	3.14	4.38	1,545	0.87	1.13	1.28	C
139	4.71	6.59	2,000	1.30	1.70	1.92	C
141	5.31	7.42	2,000	1.47	1.91	2.16	B
142	2.55	3.57	1,320	0.71	0.92	1.04	C
161	2.27	3.18	1,210	0.63	0.82	0.93	C
163	4.21	5.89	1,970	1.17	1.52	1.72	C

\* Loss, loss adjustment expense and administrative fund assessment provision for use in conjunction with individual carrier expense provisions in writing non-assigned risk business.

\*\* Table A-1 applies to the most current policy year, Table A-2 to the first prior policy year, and Table A-3 to the second prior policy year.

**MANUAL RATES, LOSS COSTS AND EXPECTED LOSS FACTORS  
FOR DELAWARE COMPENSATION INSURANCE**

CODE NO	DCRB* ADVISORY LOSS COSTS	ASSIGNED RISK MANUAL RATE	ASSIGNED RISK MIN PREM.	EXPERIENCE RATING PLAN EXPECTED LOSS FACTORS TABLE**			HAZ GRP A-G
				A-1	A-2	A-3	
165	6.54	9.14	2,000	1.81	2.35	2.67	B
166	3.41	4.77	1,655	0.94	1.23	1.39	C
185	3.50	4.90	1,690	0.97	1.26	1.43	B
187	2.97	4.15	1,480	0.82	1.07	1.21	B
191	2.27	3.18	1,210	0.63	0.82	0.93	C
201	4.52	6.31	2,000	1.25	1.63	1.84	D
204	3.20	4.47	1,570	0.88	1.15	1.30	B
205	3.29	4.60	1,610	0.91	1.19	1.34	B
221	2.38	3.32	1,250	0.66	0.86	0.97	C
222	3.82	5.34	1,815	1.06	1.38	1.56	C
225	2.95	4.13	1,475	0.82	1.06	1.20	C
227	2.10	2.94	1,145	0.58	0.76	0.86	C
255	2.85	3.99	1,435	0.79	1.03	1.16	E
257	2.87	4.02	1,445	0.79	1.03	1.17	C
259	2.54	3.55	1,315	0.70	0.91	1.03	C
261	3.19	4.45	1,565	0.88	1.15	1.30	C
263	2.28	3.19	1,215	0.63	0.82	0.93	C
265	2.85	3.99	1,435	0.79	1.03	1.16	C
275	2.38	3.32	1,250	0.66	0.86	0.97	C
276	3.82	5.34	1,815	1.06	1.38	1.56	C
281	2.59	3.62	1,335	0.72	0.93	1.06	B
282	6.17	8.62	2,000	1.70	2.22	2.51	D
285	2.47	3.45	1,285	0.68	0.89	1.01	B
297	2.59	3.62	1,335	0.72	0.93	1.06	B
301	6.34	8.86	2,000	1.75	2.28	2.59	F
305	4.81	6.71	2,000	1.33	1.73	1.96	D
306	4.12	5.76	1,935	1.14	1.48	1.68	B
309	3.10	4.33	1,530	0.86	1.12	1.26	B
311	3.20	4.47	1,570	0.88	1.15	1.30	C
319	4.55	6.36	2,000	1.26	1.64	1.86	A
323	4.05	5.66	1,905	1.12	1.46	1.65	C
327	3.11	4.35	1,540	0.86	1.12	1.27	C
402	4.29	6.00	2,000	1.19	1.55	1.75	E
403	3.04	4.25	1,510	0.84	1.10	1.24	C
404	3.24	4.52	1,585	0.89	1.16	1.32	E
406	3.93	5.49	1,855	1.09	1.42	1.60	E
407	3.68	5.14	1,760	1.02	1.33	1.50	C
411	5.57	7.79	2,000	1.54	2.01	2.27	E
413	6.51	9.10	2,000	1.80	2.34	2.66	E

\* Loss, loss adjustment expense and administrative fund assessment provision for use in conjunction with individual carrier expense provisions in writing non-assigned risk business.

\*\* Table A-1 applies to the most current policy year, Table A-2 to the first prior policy year, and Table A-3 to the second prior policy year.



**MANUAL RATES, LOSS COSTS AND EXPECTED LOSS FACTORS  
FOR DELAWARE COMPENSATION INSURANCE**

CODE NO	DCRB* ADVISORY LOSS COSTS	ASSIGNED RISK MANUAL RATE	ASSIGNED RISK MIN PREM.	EXPERIENCE RATING PLAN EXPECTED LOSS FACTORS TABLE**			HAZ GRP A-G
				A-1	A-2	A-3	
415	3.62	5.05	1,735	1.00	1.30	1.47	E
416	2.22	3.10	1,190	0.61	0.80	0.91	C
421	7.18	10.04	2,000	1.99	2.59	2.93	E
425	8.10	11.33	2,000	2.24	2.92	3.31	E
427	4.55	6.35	2,000	1.26	1.64	1.85	E
429	4.29	5.99	1,995	1.19	1.54	1.75	D
431	5.80	8.10	2,000	1.60	2.09	2.37	C
433	3.63	5.07	1,740	1.00	1.31	1.48	C
435	4.17	5.83	1,950	1.15	1.50	1.70	C
441	1.31	1.83	830	0.36	0.47	0.54	C
445	2.59	3.62	1,335	0.72	0.93	1.06	C
446	1.44	2.02	885	0.40	0.52	0.59	B
447	4.73	6.61	2,000	1.31	1.70	1.93	E
449	2.43	3.39	1,270	0.67	0.87	0.99	D
451	3.71	5.18	1,770	1.03	1.34	1.51	D
454	6.17	8.63	2,000	1.71	2.22	2.52	C
456	5.04	7.05	2,000	1.39	1.82	2.06	D
457	3.57	4.99	1,715	0.99	1.29	1.46	C
458	1.95	2.72	1,080	0.54	0.70	0.79	B
459	0.99	1.39	710	0.28	0.36	0.41	C
461	3.90	5.45	1,845	1.08	1.40	1.59	D
463	3.03	4.23	1,505	0.84	1.09	1.23	D
464	3.14	4.38	1,545	0.87	1.13	1.28	C
465	3.59	5.01	1,725	0.99	1.29	1.46	D
467	4.40	6.14	2,000	1.21	1.58	1.79	B
471	1.26	1.76	815	0.35	0.45	0.51	B
472	1.15	1.60	770	0.32	0.41	0.47	B
473	2.59	3.63	1,335	0.72	0.93	1.06	B
474	2.12	2.97	1,150	0.59	0.77	0.87	C
475	2.81	3.92	1,420	0.78	1.01	1.15	D
476	1.35	1.90	850	0.37	0.49	0.55	C
477	2.08	2.91	1,135	0.58	0.75	0.85	C
483	1.66	2.33	970	0.46	0.60	0.68	B
485	1.30	1.81	825	0.36	0.47	0.53	B
486	1.53	2.13	915	0.42	0.55	0.62	C
487	1.15	1.60	770	0.32	0.41	0.47	C
488	0.91	1.27	675	0.25	0.33	0.37	B
489	1.35	1.90	850	0.37	0.49	0.55	B
491	3.04	4.25	1,510	0.84	1.10	1.24	C
495	3.71	5.18	1,770	1.03	1.34	1.51	D
497	1.15	1.60	770	0.32	0.41	0.47	B

\* Loss, loss adjustment expense and administrative fund assessment provision for use in conjunction with individual carrier expense provisions in writing non-assigned risk business.

\*\* Table A-1 applies to the most current policy year, Table A-2 to the first prior policy year, and Table A-3 to the second prior policy year.

**MANUAL RATES, LOSS COSTS AND EXPECTED LOSS FACTORS  
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CODE NO	DCRB* ADVISORY LOSS COSTS		ASSIGNED RISK MANUAL RATE		ASSIGNED RISK MIN PREM.	EXPERIENCE RATING PLAN EXPECTED LOSS FACTORS TABLE**			HAZ GRP A-G
						A-1	A-2	A-3	
499	2.81		3.92		1,420	0.78	1.01	1.15	D
501	4.20		5.87		1,965	1.16	1.51	1.71	E
502	3.74		5.23		1,785	1.03	1.35	1.52	A
506	2.02		2.83		1,110	0.56	0.73	0.83	C
507	2.41		3.36		1,260	0.66	0.87	0.98	F
509	6.02		8.42		2,000	1.67	2.17	2.46	G
511	6.29		8.79		2,000	1.74	2.27	2.57	E
512	4.68	a	6.55	b	2,000	1.30	1.69	1.91	E
513	3.48	c	4.87	d	1,685	0.96	1.25	1.42	B
535	2.99		4.18		1,490	0.83	1.08	1.22	C
536	6.07		8.48		2,000	1.68	2.19	2.48	C
544	6.83		9.55		2,000	1.89	2.46	2.79	E
551	1.28		1.79		820	0.35	0.46	0.52	F
553	3.99		5.56		1,875	1.10	1.43	1.62	G
555	1.10		1.54		750	0.30	0.40	0.45	B
563	1.49		2.07		900	0.41	0.53	0.60	C
571	2.76		3.85		1,400	0.76	0.99	1.12	C
573	4.22		5.90		1,970	1.17	1.52	1.72	F
581	1.40		1.97		870	0.39	0.51	0.57	E
587	1.49		2.07		900	0.41	0.53	0.60	C
601	8.19		11.46		2,000	2.12	2.60	3.32	G
603	6.35		8.87		2,000	1.69	2.07	2.65	F
605	7.55		10.56		2,000	2.00	2.46	3.14	E
607	3.62		5.06		1,665	0.96	1.18	1.50	F
608	4.29		5.99		1,865	1.10	1.35	1.73	F
609	4.22		5.89		1,855	1.10	1.35	1.72	F
611	9.66		13.49		2,000	2.58	3.16	4.04	E
615	9.53		13.33		2,000	2.53	3.10	3.97	G
617	3.66		5.11		1,660	0.96	1.17	1.50	F
625	5.15		7.20		2,000	1.38	1.69	2.16	F
643	11.43		15.98		2,000	2.04	2.50	3.20	G
645	5.66		7.91		2,000	1.51	1.85	2.37	F
646	5.44		7.61		2,000	1.47	1.80	2.30	E
647	7.54		10.54		2,000	2.04	2.50	3.20	D
648	4.47		6.25		2,000	1.23	1.51	1.93	E
649	4.00		5.59		1,795	1.05	1.29	1.65	E
651	4.89		6.82		2,000	1.30	1.59	2.03	F
652	7.96		11.12		2,000	2.18	2.67	3.41	F
653	6.16		8.62		2,000	1.65	2.03	2.59	F

\* Loss, loss adjustment expense and administrative fund assessment provision for use in conjunction with individual carrier expense provisions in writing non-assigned risk business.

\*\* Table A-1 applies to the most current policy year, Table A-2 to the first prior policy year, and Table A-3 to the second prior policy year.

a OD: \$0.94 Supplementary is not subject to experience or retrospective rating. Code as 0175.

b OD: \$1.31 Supplementary is not subject to experience or retrospective rating. Code as 0175.

c OD: \$0.35 Supplementary is not subject to experience or retrospective rating. Code as 0176.

d OD: \$0.49 Supplementary is not subject to experience or retrospective rating. Code as 0176.

**MANUAL RATES, LOSS COSTS AND EXPECTED LOSS FACTORS  
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CODE NO	DCRB* ADVISORY LOSS COSTS	ASSIGNED RISK MANUAL RATE	ASSIGNED RISK MIN PREM.	EXPERIENCE RATING PLAN EXPECTED LOSS FACTORS TABLE**			HAZ GRP A-G
				A-1	A-2	A-3	
654	4.72	6.60	2,000	1.23	1.51	1.93	F
655	11.69	16.33	2,000	3.17	3.89	4.97	G
656	6.01	8.40	2,000	1.60	1.96	2.50	G
657	8.64	12.08	2,000	2.29	2.81	3.59	F
658	9.06	12.66	2,000	2.46	3.01	3.85	F
659	16.63	23.25	2,000	4.51	5.52	7.06	G
660	1.92	2.69	1,035	0.51	0.62	0.80	E
661	2.71	3.78	1,300	0.70	0.86	1.10	E
662	5.95	8.32	2,000	1.58	1.94	2.47	E
663	3.45	4.81	1,605	0.92	1.12	1.44	E
664	3.98	5.57	1,740	1.01	1.24	1.59	E
665	6.50	9.08	2,000	1.76	2.16	2.76	F
666	7.25	10.13	2,000	1.95	2.38	3.05	E
667	2.00	2.79	1,060	0.53	0.65	0.83	F
668	7.46	10.43	2,000	2.02	2.47	3.16	E
669	6.94	9.70	2,000	1.83	2.24	2.86	F
670	6.03	8.42	2,000	1.60	1.96	2.51	E
673	5.95	8.32	2,000	1.58	1.94	2.47	F
674	5.24	7.32	2,000	1.39	1.70	2.18	E
675	3.38	4.72	1,625	0.93	1.14	1.46	F
676	4.82	6.75	2,000	1.29	1.58	2.01	E
677	2.83	3.95	1,370	0.75	0.92	1.17	G
679	8.50	11.89	2,000	2.26	2.77	3.54	F
681	6.03	8.42	2,000	1.60	1.96	2.51	F
682	13.39	18.71	2,000	3.55	4.35	5.57	E
691	4.14	5.78	1,855	1.10	1.35	1.72	F
693	4.90	6.84	2,000	1.30	1.59	2.03	F
695	2.64	3.69	1,300	0.70	0.86	1.10	E
709	1.82	2.55	1,035	0.51	0.62	0.80	G
716	2.77	3.87	1,405	0.77	0.95	1.21	E
718	2.80	3.91	1,415	0.78	0.96	1.23	E
721	10.31	14.41	2,000	2.85	3.71	4.20	F
744	0.50	0.70	515	0.14	0.18	0.20	D
751	1.67	2.34	975	0.46	0.60	0.68	E
752	1.00	1.40	710	0.28	0.36	0.41	G
753	4.09	5.71	1,920	1.13	1.47	1.67	C
755	1.93	2.69	1,075	0.53	0.69	0.79	F
757	2.28	3.19	1,215	0.63	0.82	0.93	E
759	5.57	7.79	2,000	1.54	2.01	2.27	E
801	7.22	10.10	2,000	2.32	2.99	3.37	E

\* Loss, loss adjustment expense and administrative fund assessment provision for use in conjunction with individual carrier expense provisions in writing non-assigned risk business.

\*\* Table A-1 applies to the most current policy year, Table A-2 to the first prior policy year, and Table A-3 to the second prior policy year.

**MANUAL RATES, LOSS COSTS AND EXPECTED LOSS FACTORS  
FOR DELAWARE COMPENSATION INSURANCE**

CODE NO	DCRB* ADVISORY LOSS COSTS	ASSIGNED RISK MANUAL RATE	ASSIGNED RISK MIN PREM.	EXPERIENCE RATING PLAN EXPECTED LOSS FACTORS TABLE**			HAZ GRP A-G
				A-1	A-2	A-3	
802	4.73	6.62	2,000	1.52	1.96	2.21	E
803	13.51	18.88	2,000	4.34	5.59	6.30	E
804	2.86	4.00	1,440	0.92	1.18	1.33	E
805	5.06	7.08	2,000	1.63	2.10	2.36	E
806	9.19	12.85	2,000	2.96	3.80	4.29	E
807	5.07	7.09	2,000	1.63	2.10	2.37	E
808	5.05	7.06	2,000	1.62	2.09	2.36	E
809	3.90	5.46	1,850	1.26	1.62	1.82	F
811	6.93	9.68	2,000	2.23	2.87	3.23	E
812	6.70	9.36	2,000	2.15	2.77	3.13	F
813	4.04	5.65	1,900	1.30	1.67	1.88	D
814	3.00	4.19	1,495	0.96	1.24	1.40	C
815	2.53	3.53	1,310	0.81	1.05	1.18	D
816	2.17	3.03	1,170	0.70	0.90	1.01	D
817	8.41	11.75	2,000	2.70	3.48	3.92	E
818	1.38	1.93	860	0.44	0.57	0.64	D
819	1.16	1.62	775	0.37	0.48	0.54	D
820	2.31	3.23	1,225	0.74	0.96	1.08	D
821	6.10	8.52	2,000	1.96	2.52	2.85	C
825	3.62	5.05	1,735	1.16	1.50	1.69	C
828	6.52	9.11	2,000	2.10	2.70	3.04	E
855	4.65	6.51	2,000	1.50	1.93	2.17	E
857	4.40	6.15	2,000	1.41	1.82	2.05	E
858	5.95	8.32	2,000	1.91	2.46	2.78	F
859	6.35	8.88	2,000	2.04	2.63	2.97	E
860	6.55	9.15	2,000	2.10	2.71	3.05	E
862	6.31	8.82	2,000	2.03	2.61	2.95	E
865	2.18	3.05	1,175	0.70	0.90	1.02	C
867	4.04	5.65	1,900	1.30	1.67	1.88	D
871	4.78	6.68	2,000	1.54	1.98	2.23	D
877	2.26	3.17	1,210	0.73	0.94	1.06	B
879	2.31	3.22	1,220	0.74	0.95	1.07	B
880	5.68	7.93	2,000	1.82	2.35	2.65	C
881	2.51	3.50	1,300	0.81	1.04	1.17	B
882	5.40	7.55	2,000	1.74	2.24	2.52	B
883	2.39	3.34	1,255	0.77	0.99	1.12	B
884	0.74	1.02	605	0.24	0.30	0.34	B
885	3.24	4.52	1,585	1.04	1.34	1.51	C

\* Loss, loss adjustment expense and administrative fund assessment provision for use in conjunction with individual carrier expense provisions in writing non-assigned risk business.

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**MANUAL RATES, LOSS COSTS AND EXPECTED LOSS FACTORS  
FOR DELAWARE COMPENSATION INSURANCE**

CODE NO	DCRB* ADVISORY LOSS COSTS	ASSIGNED RISK MANUAL RATE	ASSIGNED RISK MIN PREM.	EXPERIENCE RATING PLAN EXPECTED LOSS FACTORS TABLE**			HAZ GRP A-G
				A-1	A-2	A-3	
886	1.89	2.63	1,055	0.61	0.78	0.88	B
887	0.90	1.26	675	0.29	0.37	0.42	C
888	4.31	6.02	2,000	1.39	1.78	2.01	C
889	0.12	0.17	370	0.04	0.05	0.06	B
890	0.45	0.64	500	0.15	0.19	0.21	C
891	1.27	1.77	815	0.41	0.52	0.59	B
895	0.37	0.51	465	0.12	0.15	0.17	B
896	1.39	1.95	865	0.45	0.58	0.65	A
897	1.51	2.10	910	0.48	0.62	0.70	A
898	3.51	4.91	1,695	1.13	1.45	1.64	C
899	1.21	1.69	795	0.39	0.50	0.56	C
903	0.25	0.35	420	0.08	0.10	0.12	E
904	1.28	1.79	820	0.41	0.53	0.60	E
905	0.10	0.14	360	0.03	0.04	0.05	D
907	3.97	5.54	1,870	1.28	1.64	1.85	B
910	4.57	6.39	2,000	1.47	1.89	2.13	C
911	3.23	4.51	1,585	1.04	1.33	1.51	B
914	2.26	3.17	1,210	0.73	0.94	1.06	B
915	2.07	2.90	1,130	0.67	0.86	0.97	C
916	1.71	2.39	990	0.55	0.71	0.80	B
917	2.91	4.07	1,460	0.94	1.20	1.36	C
918	2.00	2.80	1,105	0.64	0.83	0.93	C
919	1.79	2.51	1,025	0.58	0.74	0.84	B
920	0.53	0.74	525	0.17	0.22	0.25	C
921	4.78	6.68	2,000	1.54	1.98	2.23	D
922	2.25	3.16	1,205	0.73	0.93	1.05	D
923	2.31	3.22	1,220	0.74	0.95	1.07	B
924	3.17	4.43	1,560	1.02	1.31	1.48	B
925	2.22	3.10	1,190	0.71	0.92	1.04	B
926	2.51	3.50	1,300	0.81	1.04	1.17	B
927	1.00	1.40	710	0.32	0.42	0.47	B
928	2.39	3.34	1,255	0.77	0.99	1.12	B
929	3.01	4.21	1,500	0.97	1.25	1.41	C
932	0.61	0.86	560	0.20	0.25	0.29	C
933	3.51	4.91	1,695	1.13	1.45	1.64	C
934	2.77	3.87	1,405	0.89	1.15	1.29	C
935	1.17	1.63	775	0.37	0.48	0.54	C

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**MANUAL RATES, LOSS COSTS AND EXPECTED LOSS FACTORS  
FOR DELAWARE COMPENSATION INSURANCE**

CODE NO	DCRB* ADVISORY LOSS COSTS	ASSIGNED RISK MANUAL RATE	ASSIGNED RISK MIN PREM.	EXPERIENCE RATING PLAN EXPECTED LOSS FACTORS TABLE**			HAZ GRP A-G
				A-1	A-2	A-3	
936	0.29	0.40	430	0.09	0.12	0.13	D
937	6.24	8.72	2,000	2.01	2.58	2.91	D
939	4.88	6.81	2,000	1.57	2.02	2.27	F
940	4.23	5.91	1,975	1.36	1.75	1.97	C
941	3.14	4.38	1,545	1.01	1.30	1.46	C
942	2.33	3.25	1,230	0.75	0.96	1.08	C
943	4.14	5.78	1,940	1.33	1.71	1.93	C
944	2.31	3.23	1,225	0.74	0.96	1.08	B
945	2.54	3.56	1,315	0.82	1.05	1.19	A
946	2.51	3.50	1,300	0.81	1.04	1.17	C
947	4.34	6.07	2,000	1.40	1.80	2.03	B
948	1.71	2.39	990	0.55	0.71	0.80	A
949	0.40	0.56	475	0.13	0.17	0.19	C
951	0.42	0.59	485	0.14	0.18	0.20	E
952	0.51	0.72	520	0.16	0.21	0.24	C
953	0.12	0.17	370	0.04	0.05	0.06	C
954	2.40	3.35	1,260	0.77	0.99	1.12	E
955	0.12	0.17	370	0.04	0.05	0.06	D
956	0.11	0.16	365	0.04	0.05	0.05	D
957	0.50	0.70	515	0.16	0.21	0.23	C
958	1.45	2.03	890	0.47	0.60	0.68	C
959	1.29	1.80	825	0.41	0.53	0.60	C
960	3.21	4.48	1,575	1.03	1.33	1.49	C
961	0.66	0.91	575	0.21	0.27	0.30	C
962	0.12	0.17	370	0.04	0.05	0.06	F
963	0.35	0.49	455	0.11	0.15	0.16	B
964	2.56	3.58	1,320	0.82	1.06	1.19	B
965	0.37	0.51	465	0.12	0.15	0.17	B
966	2.83	3.95	1,425	0.79	0.97	1.24	E
967	0.82	1.15	640	0.26	0.34	0.38	D
968	1.15	1.60	770	0.37	0.47	0.53	B
969	3.28	4.58	1,600	1.05	1.36	1.53	C
970	5.52	7.72	2,000	1.77	2.28	2.58	B
971	2.80	3.90	1,410	0.90	1.16	1.30	C
973	2.60	3.64	1,340	0.84	1.08	1.21	B
974	2.59	3.63	1,335	0.83	1.07	1.21	C
975	1.43	2.00	880	0.46	0.59	0.67	A
976	1.54	2.14	920	0.49	0.63	0.71	B
977	0.41	0.57	480	0.13	0.17	0.19	A
978	2.41	3.37	1,265	0.78	1.00	1.13	C

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**MANUAL RATES, LOSS COSTS AND EXPECTED LOSS FACTORS  
FOR DELAWARE COMPENSATION INSURANCE**

CODE NO	DCRB* ADVISORY LOSS COSTS	ASSIGNED RISK MANUAL RATE	ASSIGNED RISK MIN PREM.	EXPERIENCE RATING PLAN EXPECTED LOSS FACTORS TABLE**			HAZ GRP
				A-1	A-2	A-3	
979	3.36	4.69	1,635	1.08	1.39	1.57	C
980	3.04	4.25	1,510	0.98	1.26	1.42	E
981	2.08	2.91	1,135	0.67	0.86	0.97	A
983	6.25	8.73	2,000	2.01	2.58	2.91	C
984	0.16	0.24	385	0.05	0.07	0.08	C
985	3.30	4.61	1,610	1.06	1.36	1.54	E
986	1.61	2.24	945	0.52	0.66	0.75	C
988	0.14	0.19	375	0.04	0.06	0.06	C
991	4.40	6.15	2,000	1.41	1.82	2.05	A
992	3.90	5.46	1,850	1.26	1.62	1.82	E
995	6.23	8.71	2,000	2.00	2.58	2.91	F
997	0.76	1.06	615	0.24	0.31	0.35	D
999	4.11	5.74	1,925	1.32	1.70	1.92	D
4771	3.58	5.00	2,000	0.99	1.29	1.46	G
0771	0.89	1.25					G
4777	6.93	9.68	2,000	2.23	2.87	3.23	E
7405	1.63	2.27	1,170	0.52	0.67	0.76	E
7445	0.54	0.76					G
7413	0.72	1.00	660	0.23	0.30	0.34	G
7453	0.15	0.22					G
7421	0.86	1.21	660	0.28	0.36	0.40	F
7424	2.05	2.86	1,120	0.66	0.85	0.95	G
7428	1.67	2.34	975	0.54	0.69	0.78	E
9740	0.01	0.02					
9741	0.01	0.01					
Per capita							
0908	152.46	213.08	533	49.02	63.07	71.14	C
0909	64.49	90.13	410	20.73	26.68	30.09	B
0912	384.21	536.98	857	123.53	158.96	179.29	B
0913	378.48	528.96	849	121.68	156.58	176.61	C
A rated							
9985	A	A	A	A	A	A	

\* Loss, loss adjustment expense and administrative fund assessment provision for use in conjunction with individual carrier expense provisions in writing non-assigned risk business.

\*\* Table A-1 applies to the most current policy year, Table A-2 to the first prior policy year, and Table A-3 to the second prior policy year.

Associated classes- both codes must be applied. The second code is not subject to experience rating and applies to the full payroll of the associated class.

**MISCELLANEOUS VALUES**

United States Longshore and Harbor Workers Compensation Premium Discount Percentages. The following premium discounts are applicable to Standard Premiums:

<b>Total Workers Compensation Standard Premium</b>			
First	\$	10,000	None
Next	\$	190,000	9.1%
Next	\$	1,550,000	11.3%
Over	\$	1,750,000	12.3%

**DELAWARE  
UNITED STATES LONGSHORE AND HARBOR WORKERS RATES**

**MANUAL RATES, LOSS COSTS AND EXPECTED LOSS RATES**

Code No.	Assigned Risk Rates	Loss Costs	Min. Prem.	Experience Rating Plan Expected Loss Rate Table			Hazard Group A-G
				A-1	A-2	A-3	
6824F	9.08	6.70	2,860	4.03	4.03	4.03	F
6826F	7.93	5.85	2,540	3.52	3.52	3.52	E
6843F	9.99	7.37	3,000	4.43	4.43	4.43	G
6872F	12.37	9.13	3,000	5.49	5.49	5.49	G
7309F	28.41	20.96	3,000	12.61	12.61	12.61	G
7313F	10.38	7.66	3,000	4.61	4.61	4.61	G
7317	21.98	16.21	3,000	9.75	9.75	9.75	G
7327F	14.92	11.01	3,000	6.62	6.62	6.62	G
7366F	7.00	5.16	2,280	3.11	3.11	3.11	G
8790F	2.80	2.07	1,105	1.24	1.24	1.24	G
8726F	3.37	2.49	1,265	1.50	1.50	1.50	E

- \* Table A-1 applies to the most current policy year, Table A-2 to the first prior policy year, and Table A-3 to the second prior policy year.

United States Longshore and Harbor Workers' Compensation Coverage Percentage applicable only in connection with Rule XII.....**110.36%** (2.1036 X Carrier Rate)

USL&H Expense Constant..... **\$320**

The Residual Market Expense Constant is..... **\$320**



**DELAWARE DEDUCTIBLE TABLE**

Delaware Law permits an employer to buy workers compensation insurance with a deductible. The deductible is for death and medical benefits and applies to each accident. The deductibles available and the corresponding premium reductions are as follows:

<b>Deductible Per Accident</b>	<b>Loss Elimination Ratio</b>	<b>Premium Credit</b>
\$500	0.015	0.011
1,000	0.028	0.020
1,500	0.038	0.028
2,000	0.047	0.034
2,500	0.055	0.040
3,000	0.061	0.044
3,500	0.068	0.050
4,000	0.074	0.054
4,500	0.079	0.058
5,000	0.084	0.061

(Refer to Section 1, Rule II, F for more details)

**DELAWARE RESIDUAL MARKET PREMIUM DISCOUNT**

<b>Total Workers Compensation Standard Premium</b>	<b>Discounts Applicable to Delaware Portion Assigned Risks</b>
First \$10,000 .....	0.0%
Next \$190,000 .....	9.1%
Next \$1,550,000 .....	11.3%
Over \$1,750,000 .....	12.3%

**DELAWARE RETROSPECTIVE DEVELOPMENT FACTORS\***

Retrospective development factors for first, second and third adjustments are calculated below. They are intended for use in retrospective plans with no loss limitation and applicable to the expected loss portion of premium.

First Adjustment	RDF = 0.5944
Second Adjustment	RDF = 0.4615
Third Adjustment	RDF = 0.3581

For those companies using retrospective development factors with loss limitations, the following formula may be used.

$$RDF(LIM) = (1.0 - ELF) \times RDF$$

RDF(LIM) = Retrospective Development Factors at limited basis

ELF = Excess Loss (Pure Premium) Factors exclusive of allocated loss adjustment expenses for given Hazard Group and Loss Limitation

RDF = Retrospective Development Factors without Loss Limitation

**For Example:**

25,000 limit, Hazard Group C ELF = 0.603

First Adjustment       $RDF = (1 - 0.603) \times 0.5944 = 0.2360$

\*The use of retrospective development factors is optional.

### **RETROSPECTIVE RATING PLANS Rating Values**

Residual Market Expected Loss Ratio .....	0.5443
Residual Market Tax - Multiplier.....	1.1306

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### **DELAWARE STATE & HAZARD GROUP RELATIVITIES**

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HAZARD GROUP	FACTOR
A	1.592
B	1.260
C	1.101
D	0.965
E	0.788
F	0.643
G	0.539

## EXCESS LOSS PREMIUM FACTORS

Loss	Hazard Group						
	A	B	C	D	E	F	G
\$10,000	0.463	0.483	0.482	0.493	0.500	0.507	0.517
\$15,000	0.441	0.464	0.464	0.477	0.485	0.494	0.505
\$20,000	0.424	0.449	0.448	0.464	0.471	0.482	0.494
\$25,000	0.409	0.435	0.435	0.451	0.459	0.472	0.485
\$30,000	0.395	0.425	0.422	0.440	0.449	0.463	0.476
\$35,000	0.383	0.414	0.413	0.431	0.440	0.454	0.469
\$40,000	0.374	0.405	0.403	0.422	0.431	0.446	0.462
\$50,000	0.357	0.388	0.388	0.407	0.416	0.433	0.450
\$75,000	0.322	0.357	0.356	0.377	0.387	0.405	0.424
\$100,000	0.295	0.333	0.332	0.354	0.364	0.383	0.402
\$125,000	0.273	0.310	0.310	0.334	0.345	0.365	0.385
\$150,000	0.253	0.292	0.291	0.316	0.327	0.348	0.370
\$175,000	0.235	0.276	0.275	0.301	0.311	0.333	0.356
\$200,000	0.219	0.260	0.260	0.287	0.297	0.320	0.342
\$225,000	0.204	0.245	0.246	0.273	0.285	0.308	0.331
\$250,000	0.191	0.232	0.233	0.261	0.273	0.296	0.320
\$275,000	0.177	0.219	0.221	0.249	0.262	0.284	0.310
\$300,000	0.164	0.206	0.210	0.238	0.250	0.274	0.300
\$325,000	0.151	0.195	0.198	0.227	0.240	0.265	0.290
\$350,000	0.141	0.185	0.187	0.216	0.230	0.256	0.282
\$375,000	0.131	0.174	0.177	0.207	0.221	0.247	0.273
\$400,000	0.122	0.165	0.167	0.197	0.211	0.238	0.265
\$425,000	0.112	0.156	0.158	0.188	0.202	0.229	0.256
\$450,000	0.105	0.147	0.149	0.179	0.193	0.221	0.249
\$475,000	0.097	0.138	0.141	0.171	0.185	0.213	0.241
\$500,000	0.090	0.131	0.133	0.163	0.177	0.205	0.234
\$600,000	0.068	0.106	0.107	0.136	0.149	0.176	0.205
\$700,000	0.050	0.088	0.087	0.114	0.126	0.153	0.181
\$800,000	0.040	0.073	0.072	0.096	0.107	0.133	0.161
\$900,000	0.032	0.063	0.059	0.083	0.092	0.116	0.144
\$1,000,000	0.0260	0.0550	0.0505	0.0716	0.0797	0.1026	0.1285
\$2,000,000	0.0171	0.0342	0.0321	0.0458	0.0514	0.0689	0.0891
\$3,000,000	0.0132	0.0263	0.0249	0.0355	0.0399	0.0547	0.0722
\$4,000,000	0.0104	0.0219	0.0209	0.0297	0.0335	0.0465	0.0620
\$5,000,000	0.0086	0.0191	0.0184	0.0259	0.0292	0.0407	0.0549
\$6,000,000	0.0074	0.0170	0.0165	0.0231	0.0261	0.0364	0.0496
\$7,000,000	0.0063	0.0155	0.0150	0.0210	0.0237	0.0332	0.0453
\$8,000,000	0.0054	0.0140	0.0135	0.0192	0.0219	0.0306	0.0419
\$9,000,000	0.0048	0.0125	0.0122	0.0179	0.0204	0.0285	0.0390
\$10,000,000	0.0042	0.0110	0.0108	0.0168	0.0190	0.0264	0.0365

**EXCESS LOSS PURE PREMIUM FACTORS**

Loss	Hazard Group						
	A	B	C	D	E	F	G
\$10,000	0.642	0.670	0.668	0.684	0.693	0.704	0.717
\$15,000	0.612	0.644	0.643	0.662	0.672	0.685	0.701
\$20,000	0.587	0.622	0.621	0.643	0.654	0.669	0.686
\$25,000	0.567	0.603	0.603	0.626	0.637	0.655	0.674
\$30,000	0.548	0.589	0.586	0.611	0.623	0.642	0.661
\$35,000	0.531	0.575	0.572	0.598	0.610	0.630	0.650
\$40,000	0.519	0.561	0.559	0.586	0.597	0.619	0.641
\$50,000	0.494	0.538	0.537	0.565	0.577	0.600	0.624
\$75,000	0.447	0.495	0.494	0.523	0.537	0.561	0.587
\$100,000	0.409	0.461	0.459	0.491	0.504	0.531	0.557
\$125,000	0.378	0.430	0.430	0.463	0.478	0.506	0.534
\$150,000	0.350	0.404	0.403	0.438	0.453	0.483	0.513
\$175,000	0.325	0.382	0.381	0.417	0.431	0.462	0.494
\$200,000	0.303	0.359	0.360	0.397	0.412	0.444	0.475
\$225,000	0.282	0.339	0.341	0.378	0.395	0.427	0.459
\$250,000	0.263	0.321	0.322	0.361	0.378	0.410	0.443
\$275,000	0.244	0.303	0.306	0.345	0.362	0.394	0.429
\$300,000	0.226	0.285	0.290	0.329	0.346	0.380	0.416
\$325,000	0.209	0.269	0.274	0.314	0.332	0.366	0.402
\$350,000	0.194	0.255	0.258	0.299	0.318	0.353	0.390
\$375,000	0.180	0.241	0.244	0.286	0.305	0.341	0.378
\$400,000	0.166	0.227	0.231	0.272	0.291	0.329	0.366
\$425,000	0.154	0.215	0.218	0.260	0.279	0.318	0.355
\$450,000	0.144	0.202	0.206	0.247	0.267	0.306	0.344
\$475,000	0.133	0.191	0.194	0.236	0.256	0.295	0.334
\$500,000	0.124	0.181	0.183	0.225	0.244	0.284	0.323
\$600,000	0.093	0.146	0.147	0.187	0.205	0.244	0.284
\$700,000	0.068	0.121	0.119	0.156	0.173	0.210	0.250
\$800,000	0.054	0.100	0.098	0.132	0.147	0.183	0.222
\$900,000	0.043	0.086	0.080	0.114	0.126	0.160	0.198
\$1,000,000	0.0342	0.0745	0.0683	0.0977	0.1089	0.1408	0.1769
\$2,000,000	0.0218	0.0457	0.0427	0.0618	0.0695	0.0939	0.1220
\$3,000,000	0.0173	0.0346	0.0327	0.0475	0.0535	0.0742	0.0985
\$4,000,000	0.0144	0.0286	0.0272	0.0393	0.0446	0.0627	0.0844
\$5,000,000	0.0120	0.0246	0.0237	0.0341	0.0387	0.0547	0.0745
\$6,000,000	0.0102	0.0217	0.0211	0.0302	0.0344	0.0487	0.0670
\$7,000,000	0.0087	0.0197	0.0191	0.0273	0.0311	0.0442	0.0610
\$8,000,000	0.0077	0.0179	0.0176	0.0248	0.0286	0.0406	0.0564
\$9,000,000	0.0066	0.0165	0.0162	0.0230	0.0264	0.0377	0.0523
\$10,000,000	0.0059	0.0152	0.0151	0.0214	0.0245	0.0348	0.0489

## EXCESS LOSS PREMIUM FACTORS INCLUDING ALAE

Loss	Hazard Group						
	A	B	C	D	E	F	G
\$10,000	0.552	0.576	0.575	0.588	0.596	0.605	0.616
\$15,000	0.526	0.554	0.553	0.569	0.578	0.589	0.603
\$20,000	0.505	0.535	0.534	0.553	0.562	0.575	0.590
\$25,000	0.488	0.519	0.519	0.538	0.548	0.563	0.579
\$30,000	0.471	0.506	0.504	0.525	0.536	0.552	0.568
\$35,000	0.457	0.493	0.492	0.514	0.525	0.541	0.559
\$40,000	0.446	0.482	0.481	0.504	0.514	0.532	0.551
\$50,000	0.425	0.463	0.462	0.486	0.496	0.516	0.536
\$75,000	0.384	0.426	0.424	0.450	0.462	0.482	0.505
\$100,000	0.352	0.396	0.395	0.422	0.434	0.456	0.479
\$125,000	0.325	0.370	0.370	0.398	0.411	0.435	0.460
\$150,000	0.302	0.348	0.347	0.377	0.390	0.415	0.441
\$175,000	0.279	0.329	0.328	0.359	0.371	0.397	0.424
\$200,000	0.261	0.309	0.310	0.342	0.356	0.382	0.408
\$225,000	0.243	0.293	0.293	0.325	0.340	0.367	0.395
\$250,000	0.227	0.277	0.277	0.311	0.325	0.353	0.381
\$275,000	0.210	0.261	0.263	0.297	0.310	0.339	0.369
\$300,000	0.195	0.246	0.249	0.283	0.298	0.327	0.357
\$325,000	0.180	0.232	0.235	0.270	0.286	0.315	0.346
\$350,000	0.168	0.220	0.222	0.257	0.274	0.304	0.335
\$375,000	0.156	0.207	0.210	0.246	0.263	0.294	0.325
\$400,000	0.145	0.196	0.199	0.235	0.251	0.283	0.315
\$425,000	0.133	0.185	0.188	0.224	0.240	0.273	0.305
\$450,000	0.124	0.174	0.177	0.213	0.230	0.263	0.296
\$475,000	0.115	0.164	0.168	0.204	0.220	0.253	0.287
\$500,000	0.107	0.156	0.158	0.194	0.210	0.244	0.278
\$600,000	0.080	0.126	0.127	0.161	0.177	0.210	0.244
\$700,000	0.059	0.104	0.103	0.135	0.149	0.181	0.216
\$800,000	0.047	0.086	0.085	0.114	0.127	0.158	0.191
\$900,000	0.038	0.075	0.069	0.099	0.109	0.138	0.171
\$1,000,000	0.0301	0.0647	0.0594	0.0846	0.0942	0.1216	0.1526
\$2,000,000	0.0194	0.0399	0.0374	0.0538	0.0604	0.0813	0.1055
\$3,000,000	0.0155	0.0304	0.0288	0.0415	0.0467	0.0644	0.0852
\$4,000,000	0.0125	0.0252	0.0241	0.0345	0.0390	0.0546	0.0732
\$5,000,000	0.0102	0.0218	0.0211	0.0300	0.0339	0.0477	0.0646
\$6,000,000	0.0089	0.0193	0.0188	0.0267	0.0302	0.0425	0.0583
\$7,000,000	0.0075	0.0176	0.0171	0.0241	0.0274	0.0387	0.0531
\$8,000,000	0.0066	0.0161	0.0157	0.0220	0.0252	0.0356	0.0491
\$9,000,000	0.0057	0.0147	0.0143	0.0204	0.0234	0.0331	0.0456
\$10,000,000	0.0050	0.0132	0.0129	0.0191	0.0218	0.0306	0.0427

## EXCESS LOSS PURE PREMIUM FACTORS INCLUDING ALAE

Loss	Hazard Group						
	A	B	C	D	E	F	G
\$10,000	0.766	0.800	0.798	0.817	0.828	0.840	0.856
\$15,000	0.730	0.769	0.768	0.791	0.802	0.818	0.837
\$20,000	0.701	0.743	0.741	0.768	0.781	0.799	0.819
\$25,000	0.677	0.720	0.720	0.747	0.761	0.781	0.804
\$30,000	0.654	0.703	0.699	0.729	0.743	0.766	0.789
\$35,000	0.634	0.685	0.683	0.714	0.728	0.752	0.776
\$40,000	0.619	0.669	0.667	0.699	0.713	0.739	0.765
\$50,000	0.590	0.642	0.641	0.674	0.688	0.716	0.744
\$75,000	0.533	0.591	0.589	0.624	0.640	0.669	0.701
\$100,000	0.487	0.550	0.548	0.586	0.601	0.633	0.665
\$125,000	0.450	0.513	0.513	0.553	0.570	0.603	0.638
\$150,000	0.418	0.482	0.481	0.523	0.541	0.576	0.612
\$175,000	0.387	0.456	0.454	0.497	0.515	0.551	0.589
\$200,000	0.362	0.429	0.429	0.474	0.493	0.529	0.566
\$225,000	0.336	0.404	0.406	0.450	0.471	0.509	0.547
\$250,000	0.314	0.383	0.384	0.430	0.450	0.489	0.528
\$275,000	0.291	0.362	0.364	0.411	0.429	0.469	0.512
\$300,000	0.269	0.342	0.345	0.392	0.412	0.453	0.496
\$325,000	0.248	0.321	0.325	0.374	0.396	0.437	0.481
\$350,000	0.231	0.304	0.307	0.356	0.379	0.422	0.465
\$375,000	0.214	0.286	0.291	0.340	0.363	0.407	0.450
\$400,000	0.197	0.270	0.275	0.324	0.347	0.392	0.437
\$425,000	0.183	0.255	0.259	0.310	0.333	0.377	0.424
\$450,000	0.171	0.240	0.245	0.295	0.318	0.364	0.411
\$475,000	0.158	0.227	0.231	0.282	0.305	0.351	0.398
\$500,000	0.147	0.215	0.218	0.268	0.291	0.338	0.385
\$600,000	0.110	0.173	0.175	0.222	0.244	0.290	0.338
\$700,000	0.080	0.143	0.141	0.186	0.206	0.250	0.298
\$800,000	0.064	0.118	0.116	0.157	0.174	0.218	0.264
\$900,000	0.050	0.102	0.095	0.135	0.150	0.190	0.236
\$1,000,000	0.0399	0.0881	0.0807	0.1158	0.1292	0.1673	0.2103
\$2,000,000	0.0251	0.0536	0.0501	0.0729	0.0821	0.1112	0.1448
\$3,000,000	0.0197	0.0404	0.0381	0.0558	0.0630	0.0877	0.1167
\$4,000,000	0.0165	0.0331	0.0315	0.0460	0.0523	0.0740	0.0998
\$5,000,000	0.0143	0.0284	0.0274	0.0398	0.0453	0.0644	0.0880
\$6,000,000	0.0122	0.0249	0.0242	0.0351	0.0401	0.0572	0.0791
\$7,000,000	0.0105	0.0226	0.0218	0.0316	0.0361	0.0519	0.0720
\$8,000,000	0.0092	0.0204	0.0200	0.0286	0.0331	0.0475	0.0664
\$9,000,000	0.0078	0.0188	0.0184	0.0264	0.0306	0.0441	0.0615
\$10,000,000	0.0069	0.0172	0.0170	0.0246	0.0283	0.0407	0.0574

TABLE OF EXPECTED LOSS RANGES

(From NCCI ITEMR-1405-UPDATE TO RETROSPECTIVE RATING PLAN PARAMETERS  
EXPECTED LOSS RANGES AND STATE HAZARD GROUP RELATIVITIES)

Expected Loss Group				Expected Loss Group				Expected Loss Group			
Expected Loss Range				Expected Loss Range				Expected Loss Range			
95	1,153	-	1,800	65	96,674	-	104,413	35	1,205,738	-	1,353,767
94	1,801	-	2,664	64	104,414	-	112,772	34	1,353,768	-	1,519,973
93	2,665	-	3,520	63	112,773	-	121,799	33	1,519,974	-	1,733,229
92	3,521	-	4,653	62	121,800	-	131,548	32	1,733,230	-	1,992,236
91	4,654	-	6,051	61	131,549	-	142,079	31	1,992,237	-	2,289,951
		-				-				-	
90	6,502	-	7,309	60	142,080	-	153,483	30	2,289,952	-	2,632,157
89	7,310	-	8,821	59	153,484	-	165,953	29	2,632,158	-	3,128,882
88	8,822	-	10,240	58	165,954	-	179,182	28	3,128,883	-	3,741,462
87	10,241	-	11,886	57	179,183	-	193,057	27	3,741,463	-	4,473,981
86	11,887	-	13,787	56	193,058	-	208,012	26	4,473,982	-	5,515,490
		-				-				-	
85	13,788	-	15,593	55	208,013	-	224,126	25	5,515,491	-	7,018,621
84	15,594	-	17,628	54	224,127	-	242,337	24	7,018,622	-	8,931,401
83	17,629	-	19,908	53	242,338	-	262,103	23	8,931,402	-	11,412,761
82	19,909	-	22,151	52	262,104	-	283,489	22	11,412,762	-	14,603,708
81	22,152	-	24,645	51	263,490	-	306,608	21	14,603,709	-	18,686,828
		-				-				-	
80	24,646	-	27,417	50	306,609	-	330,862	20	18,686,829	-	23,911,565
79	27,418	-	30,504	49	330,863	-	356,977	19	23,911,566	-	30,597,107
78	30,505	-	33,660	48	356,978	-	385,341	18	30,597,108	-	41,970,253
77	33,661	-	37,058	47	385,342	-	419,230	17	41,970,254	-	62,073,665
76	37,059	-	40,803	46	419,231	-	456,098	16	62,073,666	-	91,806,463
		-				-				-	
75	40,804	-	44,839	45	456,099	-	496,209	15	91,806,464	-	135,781,024
74	44,840	-	49,089	44	496,210	-	542,249	14	135,781,025	-	200,819,054
73	49,090	-	53,743	43	542,250	-	593,337	13	200,819,055	-	297,009,777
72	53,744	-	58,844	42	593,338	-	649,243	12	297,009,778	-	464,933,744
71	58,845	-	64,233	41	649,244	-	715,710	11	464,933,745	-	735,711,389
		-				-				-	
70	64,234	-	70,065	40	715,711	-	790,930	10	735,711,390	-	1,164,190,072
69	70,066	-	76,421	39	790,931	-	874,056	9	1,164,190,073	-	& over
68	76,422	-	82,857	38	884,057	-	965,918				
67	82,858	-	89,499	37	965,919	-	1,073,888				
66	89,500	-	96,673	36	1,073,889	-	1,205,737				

UNITED STATES LONGSHORE AND HARBOR WORKERS' ACT

Tax Multiplier for coverage developed on classifications providing U.S.L. benefits.....1.1193



**USL&H and  
RESIDUAL MARKET  
PREMIUM DISCOUNT TABLE (IN PERCENT)**

Standard Premium Discount				Standard Premium Discount				Standard Premium Discount			
\$ 0	-	10,055	0.0%	\$ 21,928	-	22,469	5.0%	\$ 393,334	-	424,799	10.0%
10,056	-	10,167	0.1	22,470	-	23,037	5.1	424,800	-	461,739	10.1
10,168	-	10,282	0.2	23,038	-	23,636	5.2	461,740	-	505,714	10.2
10,283	-	10,399	0.3	23,637	-	24,266	5.3	505,715	-	558,947	10.3
10,400	-	10,520	0.4	24,267	-	24,931	5.4	558,948	-	624,705	10.4
10,521	-	10,643	0.5	24,932	-	25,633	5.5	624,706	-	707,999	10.5
10,644	-	10,769	0.6	25,634	-	26,376	5.6	708,000	-	816,923	10.6
10,770	-	10,988	0.7	26,377	-	27,164	5.7	816,924	-	965,454	10.7
10,899	-	11,030	0.8	27,165	-	27,999	5.8	965,455	-	1,179,999	10.8
11,031	-	11,165	0.9	28,000	-	28,888	5.9	1,180,000	-	1,517,142	10.9
11,166	-	11,304	1.0	28,889	-	29,836	6.0	1,517,143	-	1,824,799	11.0
11,305	-	11,446	1.1	29,837	-	30,847	6.1	1,824,800	-	1,983,478	11.1
11,447	-	11,592	1.2	30,848	-	31,929	6.2	1,963,479	-	2,172,380	11.2
11,593	-	11,741	1.3	31,930	-	33,090	6.3	2,172,381	-	2,401,052	11.3
11,742	-	11,895	1.4	33,091	-	34,339	6.4	2,401,053	-	2,683,529	11.4
11,896	-	12,052	1.5	34,340	-	35,686	6.5	2,683,530	-	3,041,333	11.5
12,053	-	12,214	1.6	35,687	-	37,142	6.6	3,041,334	-	3,509,230	11.6
12,215	-	12,380	1.7	37,143	-	38,723	6.7	3,509,231	-	4,147,272	11.7
12,381	-	12,551	1.8	38,724	-	40,444	6.8	4,147,273	-	5,068,888	11.8
12,552	-	12,727	1.9	40,445	-	42,325	6.9	5,068,889	-	6,517,142	11.9
12,728	-	12,907	2.0	42,326	-	44,390	7.0	6,517,143	-	9,123,999	12.0
12,908	-	13,093	2.1	44,391	-	46,666	7.1	9,124,000	-	15,206,666	12.1
13,094	-	13,284	2.2	46,667	-	49,189	7.2	15,206,667	-	45,619,999	12.2
13,285	-	13,481	2.3	49,190	-	51,999	7.3	45,620,000	-	and over	12.3
13,482	-	13,684	2.4	52,000	-	55,151	7.4				
13,685	-	13,893	2.5	55,152	-	58,709	7.5				
13,894	-	14,108	2.6	58,710	-	62,758	7.6				
14,109	-	14,330	2.7	62,759	-	67,407	7.7				
14,331	-	14,559	2.8	67,408	-	72,799	7.8				
14,560	-	14,796	2.9	72,800	-	79,130	7.9				
14,797	-	15,041	3.0	79,131	-	86,666	8.0				
15,042	-	15,294	3.1	86,667	-	95,789	8.1				
15,295	-	15,555	3.2	95,790	-	107,058	8.2				
15,556	-	15,826	3.3	107,059	-	121,333	8.3				
15,827	-	16,106	3.4	121,334	-	139,999	8.4				
16,107	-	16,396	3.5	140,000	-	165,454	8.5				
16,397	-	16,697	3.6	165,455	-	200,377	8.6				
16,698	-	17,009	3.7	200,378	-	208,235	8.7				
17,010	-	17,333	3.8	208,236	-	216,734	8.8				
17,334	-	17,669	3.9	216,735	-	225,957	8.9				
17,670	-	18,019	4.0	225,958	-	235,999	9.0				
18,020	-	18,383	4.1	236,000	-	246,976	9.1				
18,384	-	18,762	4.2	246,977	-	259,024	9.2				
18,763	-	19,157	4.3	259,025	-	272,307	9.3				
19,158	-	19,569	4.4	272,308	-	287,027	9.4				
19,570	-	19,999	4.5	287,028	-	303,428	9.5				
20,000	-	20,449	4.6	303,429	-	321,818	9.6				
20,450	-	20,919	4.7	321,819	-	342,580	9.7				
20,920	-	21,411	4.8	342,581	-	366,206	9.8				
21,412	-	21,927	4.9	366,207	-	393,333	9.9				

Above Table Based on the Following Discounts

First	\$ 10,000	0.0%
Next	\$ 190,000	9.1
Next	\$1,550,000	11.3
Over	\$1,750,000	12.3

### SUBCLASSIFICATION – CARRIER OPTION

House Bill 430 of 2004 (amending §2607, Title 18 of the Delaware Code) permits an insurer to develop a sub classification or sub classifications to the Bureau's classification system as approved by the Insurance Commissioner. The developing insurer shall file any such sub classification or sub classifications with the Bureau and the Insurance Commissioner at least thirty (30) days prior to the proposed effective date for such sub classification or sub classifications. The insurer's filing shall demonstrate that exposure and loss data produced under any proposed sub classification or sub classifications can be reported to the Bureau consistent with the Bureau's uniform classification system and Statistical Plan. The Insurance Commissioner must disapprove any sub classification filing for which such demonstration is not satisfactorily made.

### DEFINITIONS

**ALL EMPLOYEES EXCEPT OFFICE:** There is no payroll division between a business classification designated "all employees except office" and Code 951. Such business classification contemplates all salespersons, including but not necessarily limited to over-the-road salespersons, floor salespersons, inspectors, interior designers or decorators employed by any business assignable to that classification.

**ALL EMPLOYEES INCLUDING OFFICE:** There is no payroll division between a business classification designated "all employees including office" and Codes 951 and 953. Such business classification contemplates all salespersons employed by any business assignable to that classification. Such classification also contemplates clerical office personnel engaged in the administration of the business, regardless of whether the office personnel are located at or contiguous to the business' location or a location separate from the business' location.

**ALL EMPLOYEES INCLUDING OFFICE EXCEPT HOME HEALTH CARE SERVICES:** This definition is the same as the "all employees including office" definition above except for the designated separate personnel (e.g., home health), which shall be subject to separate classification as provided for in this Manual.

**N.O.C.:** Not Otherwise Classified. A classification so designated is to be assigned when there are two or more potential classification assignments, and there is no specific Underwriting Guide entry for a business' principal product or line of merchandise. For example, in the event there is no Underwriting Guide entry for a principal line of merchandise being sold wholesale, the assignment is Code 924.

**PRINCIPAL:** When a store sells several types of merchandise, each of which may be subject to a different classification, such store shall be classified based on the principal category of merchandise sold. The term "principal" means more than 50 percent of the business' overall revenue.

**PRINCIPALLY ENGAGED:** The business activity that generates more than 50 percent of a business' overall revenue.

**RATING SYSTEM:** Includes all workers' compensation pricing programs filed by DCRB with and approved by the Insurance Commissioner. Such include but are not limited to: the assignment by DCRB of an individual business to a particular classification, the continuation or discontinuation of an entity's(ies') previous experience to the experience rating of new ownership, revision of losses used in a business' experience modification or merit rating, an individual business' eligibility for and/or the percentage of credit under the Delaware Construction Classification Premium Adjustment Program, or the discount or surcharge applied to a business eligible for the Merit Rating Plan.

**TO BE SEPARATELY CLASSIFIED OR SEPARATELY CLASSIFY:** When either of these terms is found in a classification's definition, the specified task designated "to be separately classified" or "separately classified" must be separately staffed by non-interchanging personnel.

**TO BE SEPARATELY RATED OR SEPARATELY RATE:** When either of these terms is found in a classification's definition, the payroll of personnel interchanging between that classification's tasks (e.g., shop) and also performing the specified function that is designated "to be separately rated" or "separately rate" (e.g., erection, installation) may be divided between that class and class(es) designated for the specified function, provided the employer's original payroll records show an allocation of payroll to both classifications for each interchanging employee. Estimated or percentage allocation of payroll is not permitted. When separate payroll records are not maintained, the entire payroll of the interchanging employees shall be assigned to the insuring carrier's or the residual market's highest-valued classification representing any part of their work.

**CLASSIFICATIONS****LANDSCAPING AND LOGGING****005 TREE PRUNING, SPRAYING, REPAIRING OR FUMIGATING**

Applicable to businesses pruning, spraying, trimming or fumigating trees. These operations may require tree climbing using ladders and/or ropes and/or aerial buckets. Code 005 applies to the whole tree work job or location, meaning Code 005 also includes ground personnel whose job duties may include but are not necessarily limited to: chipping, cleanup activities, the removal and/or the hauling away of tree limbs and debris regardless of whether or not a separate contract is written for tree pruning or lawn maintenance and another contract is written for the removal, chipping, cleanup activities and/or the hauling away of tree limbs and debris.

Also includes generalist tree care service contractors that perform most or all of the above listed services or specialists principally engaged in providing a single service (e.g., clearing the rights-of-way/tree pruning for utility lines). Code 005 further contemplates tree removal that is incident to the employer's pruning, spraying, repairing, trimming or fumigating services.

**OPERATIONS NOT INCLUDED:**

1. Assign the applicable logging classification to logging businesses or clearing of land projects that include tree removal.
2. Separately rate to Code 012 landscaping or lawn cutting or maintenance.

**UNDERWRITING GUIDE**

Clearing Of Right-Of-Way, For Telephone Or Electric Lines  
Orchard Work, Fumigating By Contractor  
Orchard Work, Pruning By Contractor  
Tree Pruning, Spraying, Repairing, Trimming Or Fumigating

**007 FARM MACHINERY OPERATION BY CONTRACTORS: THRESHING, SHREDDING, ENSILAGE CUTTING, HARVESTING AND HAY BALING****OPERATIONS ALSO INCLUDED:**

1. Specialist contractors performing one or more of the following tasks: filling mushroom beds with compost, spawning or casing.

**OPERATIONS NOT INCLUDED:**

1. Assign the applicable logging classification to logging operations.
2. Assign Code 301 to sawmill operations.

**UNDERWRITING GUIDE**

Compost Filling Of Mushroom Beds – By Contractor  
Ensilage Cutting By Contractor  
Farm Machinery Operation By Contractor  
Fertilizer Application To Soil  
Grain Harvesting By Contractor  
Harvesting By Contractor  
Hay Baling, By Contractor  
Lime Spreading  
Milling Of Grain, With Portable Mills  
Mushroom Bed Filling With Compost – By Contractor  
Shredding Of Agricultural Products By Contractor

Threshing By Contractor

### 009 LOGGING OR LUMBERING, N.O.C.

Applicable to a logging or lumbering business principally engaged in cutting/felling trees for lumber or wood chips or clearing land of trees by chainsaws regardless of the trees' size. Includes stump removal incident to logging or lumbering by the logging business.

Also applicable to the transportation of the logs to a mill and to the construction, maintenance or extension of landings or logging roads when performed by employees of the logging business.

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

1. Assign Code 301 to sawmill operations conducted by a separate crew of employees.
2. Assign Code 811 to specialist contractors engaged in hauling logs for an unrelated logging or lumbering business. Assign Code 301 to log hauling performed by a sawmill business when all logging or lumbering has been outsourced to an unrelated logging or lumbering business (es).

#### **UNDERWRITING GUIDE**

Logging - By Chain Saws

Lumbering – By Chain Saws

### 012 LANDSCAPE CONTRACTOR OR LAWN CUTTING OR MAINTENANCE CONTRACTOR

Includes the construction of dry stone walls, rock gardens, patios, garden walks and the like when such operations are incidental to the landscape or lawn maintenance operations.

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

1. Separately rate to Code 005 tree pruning, spraying, trimming, repairing or fumigating, including ground personnel performing chipping, cleanup, the removal and/or hauling away of tree limbs and debris at a tree job or location.
2. Assign Code 0013 to separately-staffed nursery or Christmas tree raising.
3. Outside domestic workers engaged in the care of lawns, shrubs or grounds surrounding the personal residence of the insured shall be assigned to Code 0912 or Code 0909 pursuant to Section 1, Rule XIV of this Manual.
4. Assign Code 0006 to sod farms.

#### **UNDERWRITING GUIDE**

Artificial Turf Installation - By Contractor

Brush Or Weed Spraying - By Contractor – Except Aerial Spraying

Gardener

Grass Cutting Along Highways By Specialist Contractor

Grass Cutting, Lawns, By Contractor

Installation of Well Pad Containment Liners & Fences (Barriers) – by Independent Contractor

Landscape Contractor

Lawn Care Service Company - Including Lawn Cutting, Maintenance Or Spraying

Residential Pond or Water Garden Installation

Street Or Road Landscape Planting And Maintenance – By Specialist Contractor

Weed Or Brush Spraying - By Contractor – Except Aerial Spraying

### 015 LOGGING OR LUMBERING – MECHANIZED TREE FELLING EQUIPMENT

Applicable to a logging or lumbering business principally engaged in cutting/ felling trees for lumber, wood chips or clearing land by means of mechanized equipment. Mechanized tree felling equipment is a tracked or wheeled unit that has an enclosed cab (e.g., a feller-buncher that has a fixed-grip harvesting head that

can grasp, cut, lift, swing and bunch trees), and the equipment's operator does not normally leave the cab in the performance of his tree cutting/felling duties. Stump removal incident to the logging or lumbering business is included.

Also applicable to the transportation of the logs to a sawmill or another type of customer and to the construction, maintenance or extension of landings or logging roads when performed by the employees of the logging business.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 301 to sawmill operations conducted by a separate crew of employees
2. Assign Code 811 to specialist contractors engaged in hauling logs for an unrelated logging or lumbering business. Assign Code 301 to log hauling performed by a sawmill business when all logging or lumbering has been outsourced to an unrelated logging or lumbering business (es).

**UNDERWRITING GUIDE**

Logging - By Means Of Mechanized Equipment

Lumbering - By Means Of Mechanized Equipment

**MINING AND QUARRYING**

**055 SAND, GRAVEL OR SLAG EXCAVATION – INCLUDING CRUSHING**

Applicable to businesses principally engaged in operating sand or gravel pits and in washing, screening, or otherwise preparing sand or gravel. Also included are businesses principally engaged in surface mining along with milling or otherwise preparing by the producer any type of clay, or performing the dredging of materials on non- navigable waters with incidental shore operations.

**UNDERWRITING GUIDE**

Clay (Any Type) Excavation Or Surface Mining - Including Milling Or Washing

Dredging Of Materials On Non-Navigable Waters With Incidental Shore Operations

Gravel Or Sand Digging Or Excavation – Including Crushing

Metal Salvaging, From Slag Dumps

Quarry, Gravel Or Slag Excavation – Including Crushing

Shale Digging Or Excavation In Open Pits

Slag Digging Or Excavation - Including Crushing

**059 MINERAL MILLING – APPLICABLE TO BUSINESSES THAT DO NOT OPERATE EITHER A MINE OR A QUARRY AND ARE PRINCIPALLY ENGAGED IN THE CRUSHING, GRINDING, PULVERIZING OR OTHERWISE PREPARING CLAY, CERAMIC OR REFRACTORY MINERALS, BARITE OR MISCELLANEOUS METALLIC OR NON-METALLIC MINERALS**

**UNDERWRITING GUIDE**

Clay Milling Or Washing By Other Than Producer

Emery Works - Crushing Or Grinding

Flint Or Feldspar Grinding, Not Done By Quarry

Gravel Crushing By Dealer

Metal Powder Mfg. - Crushing Or Grinding – By Independent Contractor

Mineral Milling

Ore Milling

Powder Mfg. - Metal - Crushing Or Grinding – By Independent Contractor

Stone Crushing By Other Than Producer Or Road Contractor

Talc Mill

Vermiculite Crushing and/or Processing By Other Than Producer

## **FOOD INDUSTRIES**

### **101 GRAIN MILLING**

#### ***UNDERWRITING GUIDE***

Breakfast Cereal Mfg.  
 Feed Mfg. - Preparation Of Cereal Or Compound  
 Feeds For Livestock Or Poultry  
 Flour Mfg. – Wood  
 Flour Milling  
 Grain Mill - Permanently Located Mill  
 Grist Mill - Permanently Located  
 Milling Of Grain - Permanently Located  
 Pellet Mfg. – Wood  
 Potato Flour Mfg.  
 Wood Flour Or Pellet Mfg.

### **104 FOOD PRODUCTS MFG. N.O.C.**

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

1. Assign Code 101 to a business performing cereal milling.
2. Assign Code 106 to a business preparing meat products by smoking, corning, curing, salting, encasing, etc.
3. Assign Code 112 to a business manufacturing, bottling and/or canning any carbonated beverage.
4. Assign Code 113 to a business pickling cucumbers or other foods.
5. Assign Code 113 to a business manufacturing preserved fruits (e.g., candied fruit peels or rinds, pie fillings, soda fountain syrups) by cleaning, cutting and cooking the required ingredients.
6. Assign Code 113 to business manufacturing syrup by mixing and cooking fruits or fruit juices with sugar and related ingredients.
7. Assign Code 113 to a business manufacturing fruit or vegetable juice by pressing the fruit or vegetables to extract the juice by mechanical means and the bottling or canning of the juice.
8. Assign Code 571 to the manufacture of essential oils or extracts such as used for perfume.
9. Assign Code 898 to the preparation of food by caterers.
10. Assign Code 907 to fresh fruit or vegetable packers whose operations typically include washing, sorting, grading and/or chilling the fresh fruit or vegetables for shipment to customers or to fresh fruit or vegetable dealers whose operations may include washing, sizing and/or packaging the fresh fruits or vegetables.
11. Assign Code 911 to a business repackaging food products from large containers into smaller ones involving no processing operations. This would include dry, liquid, semi-liquid or solid products.
12. Assign the applicable agricultural class to a business principally engaged in raising of one or more different fruits or vegetables whose operations may include the washing, sizing and/or packaging thereof prior to shipment to customers.

#### ***UNDERWRITING GUIDE***

Baking Powder Mfg.  
 Beverage Mfg., N.O.C. (Non-Carbonated)  
 Cake Mix Mfg. – Dry Blending  
 Cat Food Mfg. – Dry/Bagged – No Cereal Milling  
 Chinese Food Mfg.  
 Coconut Shredding Or Drying  
 Coffee Grinding And Roasting  
 Corn Chip Mfg.



Dog Food Mfg. - Dry/Bagged - No Cereal Milling  
 Energy/Sports Drinks Mfg. (Non-Carbonated)  
 Flavoring Extract Mfg.  
 Flavoring Syrups Blending  
 Flour Mixing And Blending, No Milling  
 Food Products Mfg., N.O.C.  
 Fruit Flavored Drink Mfg.  
 Fruit Juice Mfg. - From Purchased Concentrates Only  
 Herbs - Blending, Grinding And Packing  
 Ice Mfg. - Not Dry Ice  
 Ketchup Mfg.  
 Licorice Extract Mfg.  
 Malted Milk Mfg. - From Powdered Milk, Sugar, Malt And Cocoa  
 Mayonnaise Mfg.  
 Medicinal Extract Mfg.  
 Mustard (Prepared) Mfg.  
 Noncarbonated Beverage Mfg., N.O.C.  
 Nuts (All Types) - Cleaning And Shelling – By Specialist Contractor  
 Peanut Butter Mfg.  
 Peanut Handling, Cleaning, Grading or Shelling– By Specialist Contractor  
 Pizza Assembly - No Baking Operation  
 Potato Chip Mfg.  
 Relish Mfg. - Fruit Or Vegetable – No Pickling Operations  
 Salad Dressing Mfg.  
 Salad Preparation - Cole Slaw, Egg, Potato, Etc.  
 Sandwich Spread Mfg. - Salad Dressing Base  
 Sauces Mfg.  
 Seasoning - Prepared Sauces – Vegetable  
 Soup Mfg.  
 Spice Grinding  
 Sports/Energy Drinks Mfg. (Non-Carbonated)  
 Sugar Repacking, Mixing, Blending Only  
 Tea - Blending And Mixing Including Packing Into Teabags  
 TV Dinner Type Meals, Cooking, Packing And Freezing  
 Vegetable Sauce Mfg.  
 Vinegar Mfg. - From Purchased Concentrates Only  
 Yeast Mfg.

## **105 BAKERY, WHOLESALE**

Includes payroll developed by employees engaged as delivery salespersons, route salespersons and/or route supervisors engaged in the delivery of the insured's products to customers.

### ***UNDERWRITING GUIDE***

Bakery - Wholesale  
 Cracker Mfg.  
 Doughnut Mfg. - By Wholesale Bakery  
 Ice Cream Cone Mfg.  
 Macaroni, Spaghetti, Vermicelli Or Noodles Mfg.  
 Pretzel Mfg.

## **106 PROCESSED MEAT PRODUCTS MFG. – NO SLAUGHTERING OR HANDLING OF LIVESTOCK**

Applicable to businesses that are principally engaged in making processed meat products. Such businesses will perform no slaughtering of animals whatsoever nor will they handle any livestock. The businesses will receive meat from unrelated concerns in boxed form and/or in carcass or partial carcass form. Processed shall mean that definite changes result in the meat product due to the application of chemicals and/or heat (the use of smoke and/or cooking) to the meat materials. Typical products of such



businesses include but are not necessarily limited to: sausage, frankfurters, ready-to-eat luncheon meats, hams or bacon.

**OPERATIONS ALSO INCLUDED:**

Employees engaged as delivery salespersons, route salespersons and/or route supervisors engaged in the delivery of the business' products to customers.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 111 to a processed meat products manufacturing business that slaughters animals or handles livestock and is principally engaged in the wholesale sale of the processed meat products.
2. Assign Code 915 to a business slaughtering animals and who makes fresh meat cuts and/or processed meat products and is principally engaged in the retail sale of the fresh and/or processed meat products.
3. Assign Code 910 to a business receiving meat in boxed, carcass or partial carcass form and cuts the meats into portion-controlled fresh meat products such as steaks, roasts, or chops. Such business does not utilize chemicals and/or heat (the use of smoke and/or cooking) in processing the meat materials.
4. Assign Code 119 to a business principally engaged in taking beef and/or veal and cutting or grinding this fresh meat into hamburger, hamburger and/or veal patties and/or sandwich steaks.
5. Assign Code 924 to a wholesale meat dealer who performs no cutting (or deboning) or processing of fresh meats, but who may repackage the fresh meats.

**UNDERWRITING GUIDE**

Bacon (Side and/or Sliced) Mfg.  
Cured Meats - Brined, Dried And Salted  
Dehydration Of Meat  
Ham - Boiled, Boneless, Roasted, And Smoked Mfg.  
Luncheon Meats Mfg.  
Pork Products Mfg. - Pickled, Cured, Salted And Smoked  
Processed Meat Products Mfg.  
Sausage Or Other Prepared Meat Products Mfg.  
Scrapple Mfg.

**107 CANDY, CHOCOLATE OR CHEWING GUM MFG**

**UNDERWRITING GUIDE**

Beet Sugar Mfg.  
Candy Mfg.  
Cane Sugar Refining  
Chewing Gum Mfg.  
Chocolate Mfg.  
Cocoa Mfg.  
Confectionery Mfg.  
Corn Starch Mfg.  
Glucose Mfg.  
Milling - Wet Corn  
Molasses Mfg.  
Popcorn Mfg.  
Starch Mfg. - By Wet Corn Milling  
Sugar Cane Milling  
Sugar Refining  
Syrup Or Molasses Refining  
Wet Corn Milling

**108 BREWERY**

Includes the distribution of beer or malt liquors by the manufacturer, bottler or canner. Also includes payroll

developed by employees engaged as delivery salespersons, route salespersons and/or route supervisors engaged in the delivery of the insured's products to customers.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 899 or the appropriate restaurant class (typically Code 897 or 975) to brewpubs, microbreweries, and other businesses brewing beer on the premises and serving that beer primarily by the drink to their customers for on-site consumption.

**UNDERWRITING GUIDE**

Brewery, Including Distributing Stations  
Malt Liquors Mfg. And Distribution

**109 DAIRY PRODUCTS MFG.**

Ice cream manufacturing by a separate group of employees in a physically separate department shall be assigned to Code 110.

Includes payroll developed by employees engaged as delivery salespersons, route salespersons and/or route supervisors engaged in the delivery of the insured's product(s) to customers.

**UNDERWRITING GUIDE**

Butter Or Cheese Mfg.  
Cheese Mfg.  
Condensed Milk Mfg.  
Creamery  
Dairy Products Mfg. (Except Ice Cream Mfg.)  
Dehydration Of Milk  
Malted Milk Powder Mfg., Including Dehydration Of Milk  
Milk Processor – Fluid  
Milk Products Mfg., N.O.C. (Excluding Ice Cream Mfg.)  
Yogurt Mfg.

**110 ICE CREAM MFG.**

**UNDERWRITING GUIDE**

Ice Cream Mfg.  
Water Ice Mfg.

**111 SLAUGHTERHOUSE – WHOLESALE, ALL OPERATIONS**

For businesses principally engaged in receiving live animals (e.g., cattle, hogs and/or sheep), killing the animals and dressing the carcasses to produce meat products and selling the meat products on a wholesale basis. A business eligible for this classification will normally ship deboned meats in boxed form and/or may also ship meats in carcass form. Such business may also produce processed meat products like bacon, ham, sausage, luncheon meats and/or also sell some portion of the meat production as fresh meat cuts (e.g., steaks, roasts).

**OPERATIONS ALSO INCLUDED:**

1. Employees engaged as delivery salespersons, route salespersons and/or route supervisors engaged in the delivery of the business' products to customers.

2. The employer's processing of animal by-products resulting from the employer's animal killing operations which may include but is not necessarily limited to: cooking of fat into tallow or lard and/or washing, scraping and salting of hides.

***UNDERWRITING GUIDE***

Butchering - Wholesale, Not Stockyards  
 Meat Packing Plant - Wholesale, Including Slaughtering  
 Packing House - Wholesale, Including Slaughtering  
 Slaughterhouse - Wholesale, Including Processing

**112 CARBONATED BEVERAGE MFG.**

***OPERATIONS ALSO INCLUDED:***

1. Applicable to a business principally engaged in manufacturing, bottling and/or canning any carbonated beverage
2. The distribution of the carbonated beverage(s) by the manufacturer, bottler or canner.
3. Payroll developed by employees engaged as delivery salespersons, route salespersons, and/or route supervisors engaged in the delivery of the insured's products to customers.

***OPERATIONS NOT INCLUDED:***

1. Assign Code 104 to a business principally engaged in manufacturing non-carbonated beverages not otherwise classified.
2. Assign Code 108 to a business principally engaged in brewing, bottling and/or canning beer, ale or malt liquors.

***UNDERWRITING GUIDE***

Alcoholic Beverage Bottling – Carbonated  
 Beverage Mfg., Carbonated - Bottled Or Canned  
 Bottling Or Canning Of Carbonated Beverages  
 Canning Or Bottling Of Carbonated Beverages  
 Carbonated Beverage Mfg. - Bottled Or Canned  
 Mineral Water, Carbonated - Bottled Or Canned  
 Soft Drinks (Carbonated) Mfg. - Bottled Or Canned

**113 PRESERVING OR CANNING OF FOOD**

***UNDERWRITING GUIDE***

Alcoholic Beverage Distilling  
 Apple Cider Or Juice Mfg.  
 Applesauce Mfg.  
 Canning Or Preserving Of Food  
 Cat Or Dog Food Mfg. - Canned  
 Dehydration Of Food - Except Dehydration Of Meat Or Milk  
 Distilling Of Alcoholic Liquors  
 Dog Or Cat Food Mfg. – Canned  
 Eggs, Dehydrated  
 Eggs, Powdered  
 Frozen Fruit, Fruit Juice, Processing  
 Fruit Evaporating  
 Fruit Juice Mfg.  
 Fruit Or Vegetable Juice, Canned, Bottled Or Bulk  
 Fruit Preserving  
 Gelatin Mfg.

Jam Mfg.  
Jelly Mfg.  
Juice Mfg. – Fruit  
Pet Food Mfg. - Canned - Non Farm Domestic  
Pickle Mfg.  
Pie Filling Mfg.  
Preserving Or Canning Of Food  
Sauerkraut Mfg.  
Spirituuous (Distilled) Liquor Bottling By Distiller  
Syrup Mfg., For Soda Fountains  
Tomato Paste Mfg.  
Vegetable And Fruit Juice - Canned, Bottled Or Bulk  
Vegetable Canning  
Vinegar Mfg. - By Fermentation  
Whiskey Mfg.  
Winery

**114 RENDERING WORKS**

Applicable to businesses principally engaged in rendering inedible grease and tallow from animal fat, bones and meat scraps; and businesses principally engaged in manufacturing animal oils and animal meal.

***UNDERWRITING GUIDE***

Animal And Marine Fat And Oil Mfg.  
Animal Oil Mfg.  
Animal Rendering Works, N.O.C.  
Cod Liver Oil Mfg.  
Fish Oil Mfg.  
Grease And Tallow Mfg.  
Grease Mfg., Animal  
Oil Mfg., Animal

**115 TOBACCO PRODUCTS MFG., INCLUDING TOBACCO REHANDLING**

***UNDERWRITING GUIDE***

Cigar Mfg.  
Cigarette Mfg.  
Snuff Mfg.  
Tobacco (Chewing And Smoking) And Snuff Mfg.  
Tobacco Rehandling  
Tobacco Stemming And Redrying

**119 MEAT PRODUCTS MFG., N.O.C.**

Applicable to businesses principally engaged in making hamburger and/or hamburger or veal patties and/or sandwich steaks.

***UNDERWRITING GUIDE***

Hamburger Or Hamburger Patty Mfg.  
Meat Products Mfg., N.O.C.  
Sandwich Steak Mfg.  
Veal Patty Mfg. - Plain Or Breaded

**TEXTILES AND CLOTHING MFG.**

**130 TEXTILE WASTE, SHODDY AND UNWOVEN FELT, MFG., THE GARNETING OF FIBERS**

***UNDERWRITING GUIDE***

Cotton Batting Mfg.  
Cotton Waste Mfg.  
Felt Mfg. – Unwoven  
Hatters' Fur Processing  
Padding And Upholstery Filling Mfg.  
Processed Waste And Recovered Fibers And Flock Mfg.  
Shoddy Mfg.  
Sisal Garneting  
Weather Stripping Mfg. – Felt  
Wool Reworking

**132 SPINNING OR WEAVING**

***UNDERWRITING GUIDE***

Artificial Silk Spinning And Weaving Of Carbonizing Of Hair Or Wool  
Carpet Mfg.  
Chenille Products Weaving  
Combing Of Fibers  
Cordage Mfg., Including Fiber Preparation  
Cotton Gin Operation  
Cotton Spinning And Weaving  
Curled Hair Mfg. Felt Mfg. – Woven  
Fiber Preparation For Spinning Or Weaving  
Flax Spinning And Weaving  
Fur Mfg. - Synthetic Gilling Of Fibers  
Hackling Of Fibers  
Hair Processing (Excluding Dehairing Or Wig Making)  
Hemp Spinning And Weaving  
Jute Spinning And Weaving  
Label Mfg., Woven Labels  
Linen Cloth Weaving  
Linen Thread Mfg.  
Mop Head Mfg., From Cotton Waste, No Other Operations  
Moss Ginning  
Narrow Fabric Mill - Cotton, Wool, Silk Or Man Made Fibers  
Nylon Spinning And Weaving  
Opening Of Fibers  
Paper Twine Mfg.  
Picking Of Fibers  
Pipe Cleaner Mfg.  
Plush Or Velvet Mfg.  
Rayon Spinning And Weaving  
Ribbon Mfg., Textile Fabrics  
Rope Mfg., Including Fiber Preparation  
Rug Mfg.  
Scouring Of Natural Or Synthetic Fibers  
Separating Of Natural Or Synthetic Fibers  
Silk Spinning And Weaving  
Silk Thread Or Yarn Mfg.  
Silk Throwing And Weaving  
Spinning Of Fibers

Textile Weaving  
 Thread Mill  
 Tire Cord And Fabric Mfg.  
 Twine Mfg., Including Fiber Preparation  
 Velvet Mfg.  
 Weaving Of Textile Fibers  
 Webbing Mfg.  
 Wire Cloth Weaving (Wire Drawing To Be Separately Rated By Code 406, Rolling Mill, N.O.C.)  
 Wool Combing Or Scouring  
 Wool Spinning And Weaving  
 Woven Carpet And Rug Mfg. Yarn Mfg. – Wool  
 Yarn Mill, Wool, Including Carpet And Rug Yarn Silk  
 Yarn Throwing, Twisting, And Winding Mill, Cotton, Man-Made Fibers And Silk

**134 KNIT GOODS MFG.**

Applies to the knitting of yarn into cloth or fabric and the dyeing and/or finishing of the knitted fabric by the knitting mill. Subsequent manufacturing of clothing or non-apparel textile product shall be assigned to either Code 161 or to Code 163, respectively, when performed by a separate crew of employees in a physically separate work area.

***UNDERWRITING GUIDE***

Braid And Fringe Mfg.  
 Glove Mfg. – Knit  
 Knit Glove Mfg.  
 Knit Goods Mfg., N.O.C.  
 Lace Mfg.  
 Necktie Mfg., Knitted

**135 HOISERY MFG.*****UNDERWRITING GUIDE***

Hosiery Dyeing  
 Hosiery Finishing  
 Hosiery Mfg.  
 Knitting Mill, Hosiery

**136 EMBROIDERY MFG.**

Includes quilted cloth manufacturing for garment and household furnishing. Payroll developed in mattress or box spring manufacturing shall be classified by Code 165.

***UNDERWRITING GUIDE***

Emblem Mfg.  
 Embroidery Mfg.  
 Pleating, Stitching Or Tucking – Dress Fabrics Or Trimmings – Not Clothing Mfg.  
 Quilted Cloth Manufacturing Contractor – For Garments Or Household Furnishings  
 Trimmings Mfg., Fancy Trimmings Or Piping, Not Manufacturing Binding, Tape Or Ribbon

**139 DYEING, MERCERIZING, BLEACHING, PRINTING, COATING OR FINISHING NEW GOODS – EXCLUDING HOSIERY FINISHING, RUBBER OR RESIN COATING AND OIL-CLOTH MANUFACTURING WHICH ARE SEPARATELY RATED AS PROVIDED FOR IN THIS MANUAL*****UNDERWRITING GUIDE***

Bleaching, Fabrics  
 Cloth Printing  
 Coating New Fabrics, Except Rubberized Fabrics Or Oilcloth

Dyeing  
 Fabric Coating, N.O.C.  
 Feather Dyeing  
 Finisher Of Broad Woven Fabrics  
 Finishing New Textile Goods  
 Impregnated Fabrics Mfg.  
 Machine-Painting Shade Cloth  
 Mercerizing Of New Goods  
 Printing Of Fabrics  
 Textile Bleaching And Dyeing  
 Textile Printing  
 Typewriter Ribbon Mfg.  
 Yarn Dyeing Or Finishing

#### 141 LAUNDRY, N.O.C.

Also includes payroll developed by employees engaged as delivery salespersons, route salespersons and/or route supervisors performing the pick-up of items to be laundered or cleaned and the delivery of the items after laundering or cleaning.

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

1. Assign Code 928 to separately-staffed receiving, collecting or distributing stations with no laundering at the same or contiguous locations.

##### **UNDERWRITING GUIDE**

Diaper Service – Laundry  
 Furniture Cleaning Or Polishing On Customers' Premises  
 Industrial Launderer  
 Infant Wear Service Laundry  
 Launderer, Industrial  
 Laundry Collection By Launderer  
 Laundry, Hand  
 Laundry, N.O.C.  
 Linen Supply Service Including Laundering  
 Towel Supply Service Including Laundering  
 Uniform Supply Service Including Laundering

#### 142 DRY CLEANING PLANT

Receiving, collecting or distributing stations that are separately staffed and with no dry cleaning at the same or contiguous location shall be assigned to Code 928.

Includes primarily risks engaged in dry cleaning or dyeing apparel and household fabrics other than rugs (see Code 141). Establishments dyeing fabrics for the trade are classified by Code 139.

Also includes payroll developed by employees engaged as delivery salespersons, route salespersons and/or route supervisors performing the pick-up of items to be laundered or cleaned and the delivery of the items after laundering or cleaning.

##### **UNDERWRITING GUIDE**

Cleaning And Dyeing, Except Rug Cleaning By Dry Cleaner  
 Cloth Sponging (Shrinking), Inspection Or Mending – By Specialist Contractor  
 Drapery Dry Cleaning Plant  
 Dry Cleaning Plant, Except Rug Cleaning  
 Dyeing And Cleaning, Except Rug Cleaning By Dry Cleaner  
 Feather Washing, Steaming, Cleaning And Renovating  
 Fur Clothing - Cleaning, Tumbling, Glazing, Combing And Ironing

Laundry Collection By Dry Cleaner

## 161 APPAREL MFG.

Restricted to the manufacture of wearing apparel from woven or knit fabrics, related materials such as leather or rubber or resin coated fabrics.

The manufacture of yarn into knitted cloth or fabric shall be assigned to Code 134 when performed by a separate group of employees in a physically separate department. If there is no separation, all payrolls shall be assigned to Code 134.

### **UNDERWRITING GUIDE**

Academic Costumes Mfg. - Caps And Gowns

Apparel Mfg.

Bathing Suit Mfg. - Knitting To Be Separately Rated

Belt Mfg. - Cloth - Wearing Apparel Only - No Buckles, Webbing Or Leather Parts Mfg.

Beret Mfg.

Burial Garment Mfg.

Cap Mfg. - Graduation Caps And Gowns

Cap Mfg. - Headwear

Cloth Cutting By Contractor - Garment Fabrics

Clothing Mfg.

Coat - Front Or Interlining Mfg.

Collar Mfg.

Costume Mfg. - Masquerade Or Theatrical

Diaper Mfg. - Cloth

Dress Mfg.

Front Or Interlining Mfg. - Coat

Fur Clothing Mfg. (Preparation Of Skins To Be Separately Rated)

Fur Plate Mfg.

Fur Pointing

Garment Sewing Contractor

Glove Lining Mfg.

Glove Mfg., Except Fire Resistant, Industrial Use, Knit Or Rubber

Handkerchief Mfg.

Hat Frame Mfg., Ladies

Hat Lining Mfg.

Hat Mfg., Felt

Hat Mfg., N.O.C.

Insulated Clothing Mfg. - Thermal Type

Leather Clothing Mfg.

Lingerie Mfg.

Lining Mfg. - Hat

Linings, Sewing Into Coats By Hand

Mask Mfg. - Costume - Cloth

Millinery And Straw Hat Mfg.

Millinery Mfg., Felt

Nail head Ornamentation Attaching Nail heads Or Similar Articles To Textile Fabrics By Means Of Foot Presses

Necktie Mfg., From Fabric

Raincoat And Other Waterproof Outer Garments Mfg.

Robe And Dressing Gown Mfg.

Rubber Garment Mfg., No Rubber Mill

Sewing Contractor - Garment

Sewing, Hand

Shoulder Pad Or Coat Front Mfg.

Shoulder Strap For Lingerie Mfg. - Fabric

Shower Cap Mfg. - Plastic



Suede Clothing Mfg.  
 Suit, Skirt, And Coat Mfg.  
 Suspender Mfg. - No Buckles, Webbing Or Leather Parts Mfg.  
 Textile Mending, Invisible Weaving Of Wearing Apparel  
 Tie Mfg. - Neckwear  
 Uniform Mfg.  
 Vestment Mfg.  
 Women's, Misses', And Juniors' Outerwear Mfg., N.O.C.  
 Women's, Misses', Children's, And Infants' Underwear And Nightwear Mfg.  
 Work Clothing Mfg.

**163 TEXTILE PRODUCTS MFG., N.O.C.**

Contemplates sewn non-apparel textile products including products made from soft textile type plastics such as vinyl.

The manufacture of yarn into cloth or fabric shall be separately classified as provided in this Manual.

Separately rate the installation, removal or repair of furnishing goods to Code 670.

***UNDERWRITING GUIDE***

Accordion Door Mfg. - Fabric Or Plastic – No Woodworking  
 Air Conditioner Cover Mfg.  
 Baby Blanket, Crib Linen Mfg.  
 Ball Mfg. - Sporting Goods - Inflatable Plastic Beach Type  
 Banner Mfg.  
 Bedding Mfg. - Blanket, Sheet, Pillowcase  
 Bedspread Mfg.  
 Belt Mfg. - Industrial Use - From Premanufactured Textile Fabric  
 Bias Bindings Mfg.  
 Bindings Mfg. - Bias And Straight  
 Blanket Mfg.  
 Blanket, Sheet, Pillowcase - Bedding Mfg.  
 Buffing And Polishing Wheel Mfg. - Made From Cloth - No Metal Parts  
 Bunting Mfg., Shop Only  
 Casket Or Coffin Lining Mfg. - No Casket Mfg. Or Upholstery Work  
 Chenille Products Mfg. From Chenille Cloth  
 Coffin Or Casket Lining Mfg. - No Casket Mfg. Or Upholstery Work  
 Comforter Or Quilt Mfg.  
 Cover Mfg. - Air Conditioner  
 Curtain Mfg.  
 Door Mfg., Accordion - Plastic Or Fabric – No Woodworking  
 Drapery Or Curtain Mfg.  
 Feather Assembly - Sewn, On Wire Frames Decorated For Costumes/Band Plumes  
 Feather Pillow Mfg.  
 Flag Mfg., Shop Only  
 Furnishing Goods Mfg. - Not Canvas Or Burlap  
 Hammock Mfg.  
 Heating Pad Mfg. - Fabric Covering Only  
 House Furnishings Mfg. - From Textile Fabrics  
 Household Linens, Bedspreads, Towels, Drapes Mfg.  
 Kite Mfg.  
 Lamp Shade Mfg. (Excluding Frame Manufacturing)  
 Linen Mfg. - House Furnishings  
 Lining For Casket Interiors Mfg. - No Casket Mfg. Or Upholstery Work  
 Measuring Tape Mfg. - Cloth - Sewing Type  
 Mosquito Netting - No Mfg. Of Net  
 Napkin Mfg. – Cloth

Netting - Mosquito - No Mfg. Of Net  
 Pennant Mfg.  
 Pillow Cover Mfg.  
 Pillow Mfg.  
 Polishing Cloth Mfg.  
 Polishing Wheel Mfg. - Cloth Or Felt - No Metal Parts  
 Pool Mfg. - Swimming - Inflatable Kiddie-Type Pools  
 Quilt Or Comforter Mfg.  
 Roller Mfg. - Covered Sleeves Only  
 Safety Belt Mfg. - Automobile - No Hardware Mfg.  
 Scenery - Theatrical - Curtain And Drapery Mfg.  
 Shoe Ornament Mfg. – Fabric  
 Shoe Shining Or Polishing Cloth Mfg.  
 Shower Curtain Mfg. - Cloth, Plastic, Vinyl  
 Sleeping Bag Mfg.  
 Slipcover Mfg.  
 Stage Scenery - Theatrical - Curtain And Drapery Mfg.  
 Stuffed Toy Mfg. – Cloth  
 Table Cloth Mfg.  
 Table Pad Mfg. - From Cardboard And Fabric  
 Tape Mfg. - Mending – Fabric  
 Theatrical Scenery - Curtain And Drapery Mfg.  
 Towel Mfg., Textile Fabrics (Except For Disposable Towel Mfg.)  
 Toy Mfg. - Stuffed Animals Or Other Cloth Stuffed Toys  
 Umbrella Mfg.  
 Wheel Mfg. - Cloth - Buffing And Polishing – No Metal Parts  
 Wig Mfg. - Synthetic Materials  
 Window Shade Mfg. - No Roller Mfg.

**165 MATTRESS OR BOX SPRING MFG.**

The manufacture of wire springs shall be classified by Code 457 provided such operations are conducted by a separate crew of employees in a physically separate department.

***UNDERWRITING GUIDE***

Mattress Mfg.

**166 CANVAS OR BURLAP PRODUCTS MFG.**

Includes manufacturing or repairing bags made from textile cloth or fabric.

Separately rate the installation, removal or repair of awnings, tents or other canvas products away from the shop to Code 681.

***UNDERWRITING GUIDE***

Automobile Convertible Top Mfg. - Fabric Or Vinyl, No Installation  
 Automobile Seat Cover Mfg. - No Installation  
 Awning Mfg. – Cloth  
 Awning Or Tent Mfg.  
 Bag Mfg. - Fabric Or Bulk Materials  
 Bag Renovating, Textile Fabrics  
 Burlap Goods Mfg.  
 Canvas Products Mfg.  
 Cloth Bag Mfg.  
 Cloth Bag Repairing  
 Furnishing Goods Mfg. - Canvas Or Burlap  
 Knapsack Mfg.  
 Life Jacket Or Preserver Mfg.

Parachute Mfg. (Hardware Mfg. To Be Separately Rated)  
Sail Making  
Sporting Goods - Knapsack Mfg.  
Tent Mfg.  
Textile Bag Mfg. - Canvas Or Burlap

**185 EMPLOYMENT CONTRACTOR – TEMPORARY FOOD PRODUCTS MFG., N.O.C. Staff**

Applicable only to temporary staff provided to customers whose business classification is Code 104.

Please see the Employment Contractor - Temporary Staffing entry in the General Auditing & Classification Information section for further information on classifying temporary staff.

***UNDERWRITING GUIDE***

Employment Contractor - Temporary Food Products Mfg., N.O.C. Staff  
Food Products Mfg., N.O.C. – Temporary Staff  
Temporary Food Products Mfg., N.O.C. Staff

**187 EMPLOYMENT CONTRACTOR - TEMPORARY CANDY, CHOCOLATES OR CHEWING GUM MFG. STAFF**

Applicable only to temporary staff provided to customers whose business classification is Code 107.

Please see the Employment Contractor - Temporary Staffing entry in the General Auditing & Classification Information section for further information on classifying temporary staff.

***UNDERWRITING GUIDE***

Candy, Chocolate Or Chewing Gum Mfg. - Temporary Staff  
Employment Contractor - Temporary Candy, Chocolate Or Chewing Gum Mfg. Staff  
Temporary Candy, Chocolate Or Chewing Gum Mfg. Staff

**191 EMPLOYMENT CONTRACTOR - TEMPORARY APPAREL MFG. STAFF**

Applicable only to temporary staff provided to customers whose business classification is Code 161.

Please see the Employment Contractor – Temporary Staffing entry in the General Auditing & Classification Information section for further information on classifying temporary staff.

***UNDERWRITING GUIDE***

Apparel Mfg. - Temporary Staff  
Employment Contractor - Temporary Apparel Mfg. Staff  
Temporary Apparel Mfg. Staff

**201 TANNING AND LEATHER DRESSING**

***UNDERWRITING GUIDE***

Degreasing Skins  
Fur Dressing Or Dyeing  
Leather Dealer  
Leather Dressing  
Leather Finishing  
Leather Tanning  
Sheepskin Pickling  
Tanning, Leather  
Wool Pulling

**204 SHOE MFG.**

***UNDERWRITING GUIDE***

Boot And Shoe Mfg.  
Counter, Heel And Sole Mfg. – Leather  
Footwear Mfg. - Not Rubber  
House Slippers Mfg.  
Shoe Findings Mfg.  
Shoe Mfg.  
Shoe Repairing  
Shoe Stock Mfg., No Tanning Or Leather Dressing  
Slipper Mfg.

**205 LEATHER GOODS MFG., N.O.C.**

Includes the manufacture of handbags, purses, wallets, dog collars, leashes, straps, belts, etc. from leather, simulated leather or vinyl sheet.

***UNDERWRITING GUIDE***

Bag Mfg., Traveling  
Baseball Mfg.  
Basketball Mfg.  
Dog Collar Mfg.  
Football Mfg.  
Glove Mfg., Including Baseball, Boxing, Handball Or Punching Bag Glove (Except Rubber Gloves)  
Handbag, Mfg. - From All Materials  
Harness Or Saddle Mfg.  
Leash Mfg.  
Leather Belting Mfg.  
Leather Embossing  
Leather Goods Mfg., N.O.C. (See Also Gloves, Hats, Shoes)  
Leather Skiving  
Luggage Mfg., Excluding Trunks  
Medicine Ball Mfg.  
Personal Leather Goods Mfg.  
Pocketbook Mfg. - From All Materials  
Purse Mfg. - From All Materials  
Saddle Mfg.  
Strap Mfg. - From Leather, Simulated Leather Or Plastic  
Volleyball Mfg.  
Wallet Mfg.  
Women's Handbag Or Purse Mfg.

**221 PLASTIC ARTICLES MFG., INJECTION MOLDING**

***UNDERWRITING GUIDE***

Injection Molding Of Plastics  
Plastic Articles Mfg., Injection Molding

**222 PLASTIC ARTICLES MFG., N.O.C**

Applicable to plastic molding businesses principally engaged in the molding of any plastic product by any plastic molding technique except for plastic molding businesses principally engaged in injection molding which is assigned to Code 221 or businesses principally engaged in molding plastic composite products which is assigned to Code 227.

***UNDERWRITING GUIDE***

Artificial Marble Products Mfg.  
 Bag Mfg. – Plastic  
 Cable Mfg. - Insulated Electrical - Wire Drawing To Be Separately Rated  
 Hose Mfg. – Plastic  
 Marble Products Mfg. – Artificial  
 Molding, Plastic - Of Any Product By Any Molding Technique Other Than Injection Molding  
 Pipe Mfg. - Plastic  
 Plastic Articles Mfg., N.O.C.  
 Plastic Bag Mfg.  
 Plastic Mfg., Sheets And Rods  
 Plastic, Molded Products Mfg. N.O.C.  
 Vanity Mfg. - Resin Poured Or Cast Type/Artificial Marble Product  
 Wire Insulating - Includes Incidental Wire Stranding - Wire Drawing To Be Separately Rated

**225 RUBBER GOODS OR TIRE MFG.**

***UNDERWRITING GUIDE***

Balloon Mfg. - Rubber - Advertising And Toy  
 Bathing Cap Mfg. – Rubber  
 Boot And Shoe Mfg. – Rubber  
 Bottle Mfg. – Rubber  
 Elastic Mfg.  
 Eraser Mfg.  
 Fabrics, Rubberized  
 Foam Rubber Mfg.  
 Gasket Mfg. – Rubber  
 Glove Mfg. – Rubber  
 Heel Mfg. – Rubber  
 Hose Mfg. – Rubber  
 Latex, Foamed Mfg.  
 Life Jacket Mfg. - Inflatable Rubberized Fabric  
 Life Raft Mfg. – Rubber  
 Printers' Roller Mfg.  
 Reclaiming Rubber  
 Rubber Band Mfg.  
 Rubber Products Mfg., N.O.C.  
 Rubber Reclaiming  
 Rubber Tire Mfg.  
 Rubber Tire Retreading  
 Rubberized Fabrics Mfg.  
 Sheeting - Rubber Or Rubberized Fabric  
 Sponge Rubber And Sponge Rubber Products Mfg.  
 Stopper Mfg. – Rubber  
 Tire And Inner Tube Mfg.  
 Tire Recapping Or Retreading  
 Toy Mfg. – Rubber  
 Tubing – Rubber  
 Vulcanized Rubber Products Mfg.  
 Wet Suit Mfg. – Rubber  
 Wire Insulating – Rubber

**227 OILCLOTH, LINOLEUM AND CORK CARPET MFG.**

***UNDERWRITING GUIDE***

Artificial Leather Mfg.  
 Coating New Fabrics, Rubberized Or Oilcloth  
 Cork Carpet Mfg.

Fiberglass (A Fibrous Glass And Resin Composite) Mfg.  
 Leather (Imitation) Mfg.  
 Linoleum Mfg.  
 Metallizing Of Fabrics  
 Oilcloth Mfg.  
 Plastic Composite Products Molding  
 Resin Coated Fabric Mfg.  
 Rubber Coating  
 Silo Mfg. - Fiberglass, Shop Only  
 Waxing Of Cloth  
 Yarn, Plastic Coated - Made From Purchased Yarn

**PAPER AND PAPER GOODS MFG. AND PRINTING**

**255 PAPER OR PULP MFG. – ALL KINDS**

***UNDERWRITING GUIDE***

Abrasive Paper Or Cloth Preparation  
 Bark Peeling, In Paper Mill  
 Building And Roofing Paper Mfg.  
 Building Paper Mfg.  
 Cardboard Mfg.  
 Emery Cloth Mfg.  
 Fiber (Paper) Products Mfg.  
 Fiber Tube Mfg.  
 Fiberboard Mfg.  
 Paper Coating And Glazing - By Paper Mill  
 Paper Finishing - By Paper Mill  
 Paper Mfg.  
 Paper Mill  
 Particle Board Mfg.  
 Photographic Film And Dry Plate Mfg.  
 Pipe Mfg., Fiber  
 Pulp (Paper) Mfg.  
 Roofing Paper Or Roofing Felt Mfg.  
 Sandpaper Mfg.

**257 BOX MFG. – PAPER**

Applicable to businesses principally engaged in the manufacture of folding and/or set-up boxes. The boxes contemplated by this classification may be made from any non-corrugated paper material (e.g., paper box board or cardboard stock) which is cut, scored, creased and glued to the correct form.

Printing by a box manufacturer on its own products is construed to be incident to the box making enterprise and is not subject to separate classification. There shall be no payroll division between Code 257 and Code 281 unless the employer fulfills the multiple enterprise criteria delineated in Rule IV, Section 1 of the Manual.

***UNDERWRITING GUIDE***

Box Mfg. - Paper - (Non-Corrugated)  
 Folding Cardboard Or Paperboard Box Mfg.  
 Paper Box Mfg.  
 Set- Up, Box Mfg.

**259 PAPER PRODUCTS MFG., N.O.C.**

Applicable to businesses principally engaged in the manufacture of one or more converted paper products that are not otherwise classified by either Codes 257, 261, 263 or 265. These products include but are not necessarily limited to: paper towels, products made from tissue paper, paper cups or plates, holiday or party decorations, party favors, mailing tubes, paper cans, paper bags or doilies and paper sheeting, slitting or winding.

Any printing conducted by a paper products manufacturer not otherwise classified (Code 259) on its business products is incident to such enterprise and is not subject to separate classification.

**OPERATIONS NOT INCLUDED:**

There shall be no payroll division between Code 259 and any printing classification unless the employer fulfills the multiple enterprise criteria delineated in Rule IV, Section 1 of the Manual.

**UNDERWRITING GUIDE**

Air Filter Mfg. - All Types  
 Bag Mfg. – Paper  
 Bed Under pads – Disposable  
 Box Or Container Cardboard Partitions Mfg.  
 Can Mfg. – Paper  
 Cardboard Or Paper Mailing Tube Mfg.  
 Coffee Pot Filter Mfg. – Paper  
 Coin Wrapper Mfg.  
 Cup Mfg. – Paper  
 Diaper Mfg. – Disposable  
 Die Cutting - Paper, Paperboard Or Cardboard – By Specialist Contractor  
 Disposable Diaper Mfg.  
 Disposable Towel Mfg.  
 Drinking Straw Mfg. – Paper  
 Filter Mfg. - Air - All Types  
 Garland Mfg.  
 Holiday Decorations Mfg. - Paper Or Plastic  
 Mailing Tube Mfg.  
 Match Mfg. – Paper  
 Napkin Mfg. – Paper  
 Paper Bag Mfg.  
 Paper Cup, Dish Or Plate Mfg. Paper Hat Mfg. – All Types  
 Paper Or Cardboard Mailing Tube Mfg.  
 Paper Or Foil Goods Mfg.  
 Paper Products Mfg., N.O.C.  
 Paper Sheeting, Slitting Or Winding  
 Paper Towel Mfg.  
 Papier-Mache Goods Mfg.  
 Partitions (Cardboard) Mfg. - For Boxes Or Containers  
 Party Decorations Or Favors Mfg.  
 Sanitary Food Container Mfg. – Paper  
 Sanitary Napkin Mfg.  
 Tinsel Mfg.  
 Tissue Paper Products Mfg. - Facial Or Toilet  
 Towel Mfg. – Paper Or Disposable  
 Tubes Or Cores Mfg. – Paper  
 Under pads Mfg. - Bed – Disposable  
 Wallpaper Mfg. - (Paper Mfg. To Be Separately Rated)

**261 CORRUGATED PAPER AND/OR CORRUGATED BOX OR CONTAINER MFG.**

Applicable to businesses principally engaged in the corrugating of paper and/or the manufacture of products from corrugated material (e.g., corrugated containers). The employer receives paper that may have been corrugated by an unrelated source or the employer receives paper which is corrugated as part of the employer's manufacturing process. Corrugation involves paper being slowly passed over a steam or gas heated metal drum, and then revolved around a roll covered with silicate of soda which is deposited on the tips of the corrugation. The paper is then moved along until it reaches the paper liner (either a single or double facing), and then the corrugated paper and liner(s) travel under pressure where they are combined and dried.

Also applicable to the manufacture of fiberboard and/or fiberboard products along with the fabrication of honeycomb products used for padding in shipping containers and a filler for hollow core flush doors.

Printing operations on the above products by the manufacturer thereof are construed to be incident to the enterprise and not subject to separate classification. There shall be no payroll division between Code 261 and Code 281 unless the employer fulfills the multiple enterprise criteria delineated in Rule IV, Section 1 of the Manual.

**UNDERWRITING GUIDE**

Box Mfg. – Corrugated  
Corrugated Paper and/or Corrugated Products Mfg.  
Fiberboard Products Mfg.  
Honeycomb Products Mfg.

**263 PAPER COATING/FINISHING – BY CONTRACTOR**

Applicable to businesses principally engaged in operations involving various kinds of coatings which are mixed in mixers or agitators and run into troughs of coating machines. Rolls of paper, plastic film or other materials (except rubber or textile fabric) are coated as they pass over the rolls revolving through this mixture. The paper, plastic film or other materials are dried on rolls or stacks, some may be polished or embossed, finished by calendaring, slit to desired widths and rewound or sheeted to size, then labeled and packed. Some products may be printed with advertising material before the coating or on the reverse side, after this operation.

In the manufacture of oiled, paraffined or waxed paper the waxes or oils are heated and mixed, and paper is run through a waxing machine and over a drying roll. The now waxed paper is then cut, slit, rewound on spools or sheeted or die-cut, wrapped and packed.

Laminated paper, plastic film or other materials are produced by feeding a paste or glue between layers of paper, plastic film or other materials, pressing the layers together, drying and finishing by winding into rolls or sheeting to size, or else cutting, slitting or die-cutting to size and shape, wrapping and tying into bundles.

Printing operations on the above products by the manufacturer thereof are construed to be incident to the enterprise and not subject to separate classification. There shall be no payroll division between Code 263 and Code 281 unless the employer fulfills the multiple enterprise criteria delineated in Rule IV, Section 1 of the Manual.

**UNDERWRITING GUIDE**

Carbon Paper Mfg.  
Coating and/or Glazing Of Paper Or Plastic – By Specialist Contractor  
Die Cutting – Paper, Paperboard Or Cardboard – By  
Laminating – Paper – By Contractor  
Paper Finishing - By Specialist Contractor  
Paper Laminating - By Contractor  
Pressure-Sensitive Labels Or Paper Mfg.  
Waxed Paper Mfg. - Coating Paper With Wax – No Paper Mfg.



**265 STATIONARY PRODUCTS MFG.**

Applicable to businesses principally engaged in the manufacture of stationery and loose-leaf ledgers or notebooks. Cardboard, binders' cloth, leather or imitation leather, canvas, paper, glue, paste, gold leaf, printing and ruling ink, metal rings, posts, screws, separators or fittings are received from unrelated concerns. Cardboard is cut to size and covered with leather, imitation leather or cloth by gluing, pasting and some sewing. Covers are reinforced by stripping and may be embossed in ink or gold leaf and the appropriate fittings are attached to complete the binder. Fillers for the binders are manufactured from paper which is cut to size on either manual or power cutters.

Also applicable but not limited to the production of writing tablets or pads, files, desk pads, index cards or envelopes.

Paper ruling, screen printing or other printing operations on the above products by the manufacturer thereof are construed to be incident to such enterprise and not subject to separate classification. There shall be no payroll division between Code 265 and Code 281 unless the employer fulfills the multiple enterprise criteria delineated in Rule IV, Section 1 of the Manual.

***OPERATIONS NOT INCLUDED:***

The manufacture of metal rings, posts, screws, separators or fittings shall be assigned to the appropriate metal working class.

***UNDERWRITING GUIDE***

Binder Mfg., Ringed  
Computer Paper Mfg. (No Paper Mfg.)  
Desk Calendar Mfg.  
Envelope Mfg.  
File Folder Mfg.  
File Jacket Mfg.  
Index Card Mfg.  
Loose-Leaf Binder Or Ledger Mfg.  
Notebook Mfg. (No Paper Mfg.) - All Types  
Notepad Mfg.  
Ringed Binder Mfg.  
Stationery Products Mfg.

**275 EMPLOYMENT CONTRACTOR - TEMPORARY PLASTICS ARTICLES MFG. - INJECTION MOLDING STAFF**

Applicable only to temporary staff provided to customers whose business classification is Code 221.

Please see the Employment Contractor - Temporary Staffing entry in the General Auditing & Classification Information section for further information on classifying temporary staff.

***UNDERWRITING GUIDE***

Employment Contractor - Temporary Plastic Articles Mfg. – Injection Molding Staff  
Plastic Articles Mfg. – Injection Molding – Temporary Staff  
Temporary Plastic Articles Mfg. – Injection Molding Staff

**276 EMPLOYMENT CONTRACTOR - TEMPORARY PLASTICS ARTICLES MFG. - N.O.C. STAFF**

Applicable only to temporary staff provided to customers whose business classification is Code 222.

Please see the Employment Contractor - Temporary Staffing entry in the General Auditing & Classification Information section for further information on classifying temporary staff.

**UNDERWRITING GUIDE**

Employment Contractor - Temporary Plastic Articles Mfg., N.O.C. Staff

Plastic Articles Mfg., N.O.C. - Temporary Staff

Temporary Plastic Articles Mfg., N.O.C. Staff

**281 PRINTING, N.O.C**

Applicable to printing businesses principally engaged in the reproduction of printed products or providing one or more printing industry services pursuant to a Code 281 Underwriting Guide entry or printed products that are not specifically classified by an Underwriting Guide entry. Also includes the bindery department that finishes the employer's print production. Finishing may include but is not necessarily limited to: collating, cutting to size including die cutting, scoring and perforating, rounding corners, tab cutting, folding, drilling or punching holes, stapling, sewing, wire stitching, gluing – perfect binding, laminating, foil stamping or embossing.

**OPERATIONS ALSO INCLUDED:**

(Businesses principally engaged in one more of the following activities)

1. The screen printing of any product including finished apparel articles
2. Web-press production of printed product either specifically assigned to Code 281 or not specifically classified by an Underwriting Guide entry (e.g., books, business forms, direct mail advertising)
3. Service contractors to the printing industry (e.g., printers' finishers)
4. Specialist contractors decorating china or glassware by means of purchased or customer-provided decals, the cutting or engraving of glassware, engraving per se or making printing plates
5. The manufacture of plastic or vinyl sign letters and the application of such onto a substrate – shop only, no installation
6. The manufacture of rubber stamps

**OPERATIONS NOT INCLUDED:**

1. Assign Code 136 to embroidery operations performed by an embroidery business or a separate staff in a physically separate work area.
2. Assign Code 265 to a manufacturer of stationery products including but not necessarily limited to loose-leaf or ringed binders, envelopes, notebooks or file folders.
3. Assign Code 282 to a newspaper or periodical publisher who also prints the newspaper or periodical or to a contract printer principally engaged in printing any product(s) denoted in a Code 282 Underwriting Guide entry by means of a web press (es).
4. Assign Code 285 to printing businesses principally engaged in providing customer copy reproduction by means of sheet-fed offset printing presses that utilize paper sheet sizes greater than 17 x 22 inches or that have four or more color towers, regardless of the paper sheets' size, or any Halm envelope printing unit, or another sheet-fed unit/printing technique (e.g., letterpress) on paper sheets of any size.
5. Assign Code 932 to printing businesses providing customer copy reproduction by means of small offset presses, also known as duplicators, on paper sheet sizes 17 x 22 inches or less or electro-static (photo) copiers on paper of any size.
6. Assign Code 948 to a business that performs printing and direct mailing, provided that more than 50 percent of the print production is used as direct mail.
7. Code 281 and another printing class (Codes 257, 259, 261, 263, 265 or 948) will not be assigned to any printing business unless that business fulfills the multiple enterprise criteria specified in Rule IV, Paragraph C. 3. a. 2.
8. Code 281 may not be assigned when printing operations are a General Inclusion into the business' governing classification.

**UNDERWRITING GUIDE**

Book Printing By Web Press - By Publisher Or Contractor

Bookbinding Or Rebinding - By Specialist Contractor

Bottle Cap Printing

Business Forms Printing - By Web Press  
 Chemical Etching - By Specialist Contractor  
 China Decorating - By Specialist Contractor With No China Mfg.  
 Cigar Band, Printing  
 Coin Wrapper, Printing - By Specialist Contractor  
 Dress Pattern Printing  
 Electrotyping - By Specialist Contractor  
 Engraving - By Specialist Contractor  
 Etching (By Chemical Method) By Specialist Contractor  
 Glass Products Decorating Or Engraving By Specialist Contractor  
 Greeting Card Printing By Publisher Or Contractor  
 Label (Pressure-Sensitive) Printing By Web Press - By Specialist Contractor  
 Paper Dress Pattern Printing  
 Pattern (Dress) Printing – Paper  
 Photoengraving - By Specialist Contractor  
 Plastic Sign Letters Mfg. - Shop Only  
 Playing Cards Mfg.  
 Pressure-Sensitive Label Printing By Web Press - By Specialist Contractor  
 Printers' Finisher - By Specialist Contractor  
 Printing - Books Or Greeting Cards - By Publisher Or Contractor  
 Printing Plate Mfg. - By Specialist Contractor  
 Printing, N.O.C.  
 Rubber Stamp Mfg.  
 Screen Printing (Including Finished Textile Articles) - By Specialist Contractor  
 Stereotyping - By Specialist Contractor  
 Tag Printing  
 Vinyl Sign Letters Mfg. - Electronically Scored - Shop Only

## **282 NEWSPAPER OR PERIODICAL PRINTING – BY PUBLISHER OR CONTRACTOR PRINTER**

Applicable to businesses principally engaged as a newspaper(s) publisher or the publisher of another type of publication(s)/intellectual property assigned to Code 282 by Underwriting Guide entry who also prints the newspaper(s) or other publication(s)/intellectual property. Also applicable to printing businesses principally engaged in printing newspapers or another publication(s)/intellectual property specifically assigned to Code 282 by an Underwriting Guide entry for unrelated customers. The newspaper(s) or other type(s) of publication(s)/intellectual property will be printed by means of a web press (es) regardless of whether the publisher or a contract printer performs the printing.

### **OPERATIONS ALSO INCLUDED:**

1. A newspaper's pages may be cut, collated and folded by the web press. Inserts may be placed into the newspaper by inserting machine or by hand. The newspapers may be tied into bundles and delivered either by the publisher and/or contract printer.
2. A periodical may be finished by performing one or more of the tasks listed below: collating, cutting to size including die cutting, scoring and perforating, rounding corners, tab cutting, folding and gluing – perfect binding. The periodical publisher and/or contract printer may further mail the periodical to subscribers.

### **OPERATIONS NOT INCLUDED:**

1. Code 282 and another printing class will not be assigned to any publishing and/or printing business unless that business fulfills the multiple enterprise criteria specified in Rule IV, Paragraph C. 3. a. 2.

### **UNDERWRITING GUIDE**

Catalogue Printing By Publisher Or Contract Printer  
 Comic Book Printing By Publisher Or Contractor  
 Magazine Printing By Publisher Or Contractor

Newspaper Inserts (e.g., Advertising, Sunday Comics, Sunday Magazines) Printing By Publisher Or Contractor

Newspaper Printing By Publisher Or Contractor

Periodical Printing By Publisher Or Contractor

Statistical Report Printing By Publisher Or Contractor

Telephone Book Printing By Publisher Or Contractor

Trade Journal Printing By Publisher Or Contractor

## **285 PRINTING – PRINCIPALLY SHEET-FED PRESS PRODUCTION**

Applicable to printing businesses principally engaged in providing customer copy reproduction by means of sheet-fed offset printing presses that utilize paper sheet sizes greater than 17 x 22 inches or that have four or more color towers regardless of the paper sheets' size or any Halm envelope printing unit or another sheet-fed press printing technique (e.g., letterpress) on paper sheets of any size. Also includes the bindery department that finishes the employer's print production. Finishing may include but is not necessarily limited to: collating, cutting to size including die cutting, scoring and perforating, rounding corners, tab cutting, folding, drilling or punching holes, stapling, sewing, wire stitching, gluing – perfect binding, laminating, foil stamping or embossing.

### **OPERATIONS ALSO INCLUDED:**

1. Assign Code 281 to printing businesses principally engaged in providing customer copy reproduction of printed products or providing printing industry services pursuant to a Code 281 Underwriting Guide entry or that are not specifically classified by an Underwriting Guide entry.
2. Assign Code 932 to printing businesses principally engaged in providing customer copy reproduction by means of small offset presses, also known as duplicators, on paper sheets sized 17 x 22 inches or less or electrostatic copiers on paper of any size.
3. Code 285 and another printing class will not be assigned to any printing business unless that business fulfills the multiple enterprise criteria specified in Rule IV, Paragraph C. 3. a. 2.

### **UNDERWRITING GUIDE**

Printing - Principally Sheet-Fed Press Production (Of Any Printed Product)

## **297 EMPLOYMENT CONTRACTOR - TEMPORARY PRINTING STAFF**

Applicable only to temporary staff provided to customers whose business classification is Code 281.

Please see the Employment Contractor - Temporary Staffing entry in the General Auditing & Classification Information section for further information on classifying temporary staff.

### **UNDERWRITING GUIDE**

Employment Contractor - Temporary Printing Staff

Printing - Temporary Staff

Temporary Printing Staff

## **WOODWORKING**

## **301 SAWMILL**

Includes the grading, sorting, pulling, piling, air or kiln drying, loading and storage of sawmill products.

### **OPERATIONS NOT INCLUDED:**

1. Subsequent wood products manufacturing operations conducted by a separate crew of employees in a physically separate department shall be separately classified as provided in this Manual.

***UNDERWRITING GUIDE***

Barking Mill  
Kiln Drying Of Lumber - By Sawmill  
Sawmill  
Snow Fence Mfg., Cutting Lath From Logs.  
Wood Chips Mfg.

**305 CARPENTRY SHOP, INCLUDING PLANING MILL**

Includes but is not necessarily limited to the manufacture of sash, doors, assembled millwork, pallets or wood trusses.

Separately rate erection work as provided in this Manual.

***OPERATIONS NOT INCLUDED:***

1. Assign Code 301 to sawmill operations.
2. Assign Code 306 to a business principally engaged in making wood-turned products.
3. Assign Code 309 to a business principally engaged in making woodenware products not otherwise classified as defined in this Manual.
4. Assign Code 855 to the operation of a physically separate and separately-staffed lumber and/or building materials dealer on the premises of a Carpentry Shop that fulfills the multiple enterprise criteria discussed in Rule IV, C. 3. a. 2., Section 1 of this Manual.
5. Assign Code 935 to the operation of a physically separate and separately-staffed retail store on the premises of a lumber and/or building materials dealer and Carpentry Shop that also fulfills the multiple enterprise criteria discussed in Rule IV, C. 3. a. 2., Section 1 of this Manual.

***UNDERWRITING GUIDE***

Assembled Millwork Mfg.  
Bark Peeling In Veneer Mill  
Barrel Repair - Wood – By Specialist Contractor  
Barrel Stock Mfg., No Sawmill Work  
Basket Mfg. – Veneer  
Box Shook Mfg.  
Building Mfg., Portable – Wood  
Carpentry Shop  
Contract Packaging - Crating - In Shop  
Crate Mfg. – Wood  
Door Frame Or Sash Mfg. – Wood  
Door Mfg. – Wood  
Fence Mfg. - Wood, Shop Only  
Flooring Mfg. – Wood  
Furniture Stock Mfg. - Non-Turned - By Specialist Contractor  
Hardwood Dimension And Flooring Mill, No Sawmill Operation  
Keg Mfg. – Wood  
Ladder Mfg. – Wood  
Laminated Wood Building Beam And Column Mfg.  
Last Block Mfg.  
Millwork Plant  
Modular Home Mfg.  
Packaging, Contract - Crating - In Shop  
Packing Case Mfg.  
Pallet Mfg.  
Panel Mfg. - Soft Wood Or Plywood  
Planing Mill  
Plywood Container Mfg.  
Plywood Mfg., Including Veneer Mfg.  
Porch Enclosure Mfg.

Prefabricated Building Mfg. - Wood, Shop Work  
 Railing Or Stair Mfg. – Wood  
 Sash Mfg. – Wood  
 Sash, Door Or Assembled Millwork Mfg.  
 Screen Mfg., Window – Wood  
 Shingle Mfg. - Wood, Including In Shop Staining  
 Shingle Staining, In Shop, No Off-Premises Work  
 Shook Mfg.  
 Shuttle Mfg.  
 Silo Mfg. - Wood, Shop Only  
 Staircase Or Stair Mfg. – Wood  
 Stave Mfg. – Wood  
 Structural Members, Laminated Wood - Arches, Trusses, Timbers  
 Tank Building - Wood, Shop Only  
 Trellis Mfg. – Wood  
 Truss Mfg. – Wood  
 Veneer Container Mfg.  
 Veneer Mfg.  
 Wire bound Box And Crate Mfg.  
 Wooden Barrel Mfg.  
 Wooden Box Mfg., Except Cigar Boxes

**306 WOOD TURNED PRODUCTS MFG.**

***UNDERWRITING GUIDE***

Axe Handle Mfg.  
 Dowel Mfg. – Wood  
 Furniture Turned Stock Mfg. - By Specialist Contractor  
 Gunstock Mfg., Finished Or Unfinished Shapes  
 Handle Mfg. – Wood  
 Lath Mfg. – Wood  
 Peg Or Skewer Mfg. – Wood  
 Pencil Stock Mfg. – Wood  
 Pulley Block Mfg. – Wood  
 Shade Roller Mfg. – Wood  
 Spool Mfg. – Wood  
 Umbrella Handle Mfg. – Wood  
 Veneer Products Mfg., N.O.C. - No Veneer Mfg.  
 Window Shade Roller Mfg. – Wood  
 Wood Tack Strip Mfg.  
 Wood Turned Products Mfg.  
 Wooden Frames Or Seats Mfg. - For Furniture

**309 WOODENWARE MFG., N.O.C.**

***UNDERWRITING GUIDE***

Bird House Or Feeder Mfg. – Wood  
 Bowling Pin Mfg. – Wood  
 Brush Mfg.  
 Cane Mfg.  
 Coat Hanger Mfg. – Wood  
 Cork Products Mfg.  
 Crutches Mfg. – Wood  
 Golf Club Heads Or Shafts Mfg. – Wood  
 Gunstock Mfg., Finished  
 Hat Block Mfg. – Wood  
 Lead Pencil Mfg.  
 Mop Mfg.

Pencil, Penholder Or Crayon Pencil Mfg. – Wood  
 Pipe Mfg., Tobacco – Wooden  
 Sign Or Sign Letter Mfg. – Wood, Shop Only, No Erection  
 Ski Mfg. – Wood  
 Spice, Cutlery Or Wine Racks Mfg. – Wood  
 Toothpick Mfg.  
 Veneer Products Mfg., N.O.C. – No Veneer Mfg.  
 Wooden Tobacco Pipe Mfg.  
 Woodenware Mfg., N.O.C.

### 311 CABINET WORKS – WITH POWER-DRIVEN MACHINERY

Applicable to a business principally engaged in the manufacture of cabinets, cabinet parts or other similar wood products in which power-driven machinery is used. Many of the products contemplated by this classification are made to buyers' or customers' specifications and require installation.

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

1. Finishing of cabinets, cabinet parts or similar wood products by their manufacturer. The term finishing means shellacking, staining, painting, lacquering or varnishing or covering with formica, porcelain or similar materials.

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

1. Separately rate installation work by either Code 646 or Code 648 as provided in the Underwriting Guide.
2. Assign Code 327 to upholstering operations conducted by a separate employee crew in a physically separate department.

#### **UNDERWRITING GUIDE**

Architectural Woodwork Mfg.  
 Bookcase Mfg. – Wood  
 Bulletin Board Mfg.  
 Cabinet Works - Wood - With Power-Driven Machinery  
 Counter Top Mfg. – Wood  
 Display Case Mfg. – Wood  
 Exhibit Booth Mfg.  
 Kiosk Mfg.  
 Kitchen Cabinet Mfg. – Wood  
 Library Cabinet Mfg. – Wood  
 Parquet Flooring Mfg. – Hardwood  
 Partition Mfg. – Wood  
 Picture Frame Mfg. – Wood  
 Refrigerated Showcase Mfg. – Wood  
 Restaurant Booth Mfg. – Wood  
 Room Divider Mfg.  
 Showcase Mfg. – Wood  
 Store Counter Mfg. – Wood  
 Toy Mfg. – Wood  
 Vanities Mfg. – Wood (Architectural or Bathroom)  
 Walk-In Refrigerator Mfg.

### 319 FURNITURE ASSEMBLY

Applicable to businesses principally engaged in the assembly of wood, metal or plastic furniture or cabinet-type products from parts manufactured by unrelated businesses. Included are all types of home or office furniture such as tables, chairs, dressers, chests of drawers, bed frames or desks or cabinet-type products.



The assembly work is normally accomplished by means of nails, screws, brackets, glue, dowel pins and clamps. Also includes the finishing of the assembled products by painting, staining, varnishing, lacquering, shellacking or covering surfaces with formica-type materials.

The repair or reconditioning of wood, metal or plastic furniture or cabinet-type products which does not require the manufacture or fabrication of parts (or whereby the fabrication is not performed by the risk but parts are purchased from other unrelated risks) shall also be assigned to this classification. The type of operations found here would involve only tightening loose parts, regluing parts or replacing broken parts, stripping off the old finish and applying a new finish.

**OPERATIONS NOT INCLUDED:**

Upholstering of new or used, repaired or reconditioned furniture conducted by a separate crew in a physically separate area shall be assigned to Code 327.

**UNDERWRITING GUIDE**

Broom Mfg. - Assembling Only - No Woodworking

Coffin Assembly - No Wood Or Metal Working

Furniture Assembly - From Prefabricated Parts Or Pieces Only - No Woodworking

Furniture Stripping - Incidental To Assembling Or Refinishing Operations Only

Furniture Stripping, No Woodworking - By Specialist Contractor

Lamp (Floor Or Table) Assembly Only - No Metal Or Wood Fabricating

Wreath Assembly - Artificial - Plastic And Fabrics

**323 FURNITURE MFG. – WOOD**

Applicable to employers principally engaged in the manufacturing of individual completed wood furniture pieces or sets including but not necessarily limited to: bedroom, living room or dining room pieces or sets, office furniture, billiard tables, console-type audio or television cabinets, pianos or piano cases, juvenile or nursery furniture, lawn or garden furniture, frames for upholstered furniture, occasional tables, chairs, desks or wardrobes.

This classification contemplates both the fabrication of the various parts on woodworking machines and the subsequent assembly of the components into completed furniture. Also included is the finishing by staining, painting, varnishing, lacquering or polishing. In addition, hardware such as hinges, pulls, locks or casters may be attached.

Also applies to the repair of furniture when it is necessary to machine new parts as replacements for damaged or broken parts.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 327 to a separate employee crew in a physically separate work area performing upholstery.
2. The manufacture of furniture parts which are not assembled into completed furniture or completed chair or furniture frames by the same employer is assignable to Code 305 for non-turned furniture parts or to Code 306 for all turned furniture stock.

**UNDERWRITING GUIDE**

Billiard Table Mfg.

Cedar Chest Mfg.

Chair Or Chair Frame Mfg. – Wood

Coffin Mfg. – Wood

Fiber Furniture Mfg.

Furniture Assembling - Wood, By A Furniture Manufacturer, Including Woodworking

Furniture Frame Mfg. – Wood

Furniture Mfg. – Wood



Headboard Mfg. - Wood (Upholstery Work If Conducted By A Sep. Crew In A Sep. Dept. Shall Be Separately Rated)  
Musical Instrument Mfg. – Wood  
Organ Building - Including Installation  
Piano Or Player Piano Mfg.  
Rattan Or Fiber Furniture Mfg.  
Tank, Seat Or Cabinet Mfg. - Toilet – Wood  
Trunk Mfg. – Wood  
Venetian Blind Mfg. – Wood  
Willow Ware Mfg.  
Wood Household Or Office Furniture Mfg.  
Wooden Coffin Mfg.  
Wooden Musical Instruments Mfg.

### **327 FURNITURE UPHOLSTERING, SHOP ONLY**

An upholstering shop's operations shall include but are not necessarily limited to: fabric cutting and sewing, spring- up, trimming and the final assembly of the upholstered materials onto the manufactured frame.

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

1. Furniture frame manufacturing or assembly shall be classified as provide for in this Manual.
2. Upholstering operations conducted at customers' locations is assignable to Code 670.

#### ***UNDERWRITING GUIDE***

Automobile Seat Cover Installation and/or Seat Upholstering  
Automobile Top Installation, Fabric Or Vinyl  
Coffin Or Casket Upholstery Work  
Furniture Upholstering  
Reupholstering  
Upholstering Car Seats  
Upholstering Shop Only, No Furniture Assembling

## **PRIMARY NONFERRIOUS METAL WORKING**

### **402 SMELTING OF NONFERROUS METALS OR HOT-DIP GALVANIZING**

Also includes employers principally engaged in melting nonferrous scrap metal to produce ingots.

Not available for businesses principally engaged in the handling of any ferrous scrap metals. Such businesses must be assigned to Code 858.

Galvanizing by methods other than the hot-dipping procedure shall be assigned to the classification best describing the process.

#### ***UNDERWRITING GUIDE***

Aluminum Ingots And Primary Production Shapes From Bauxite/Alumina  
Copper Smelting And Refining, Primary  
Galvanizing Works - Hot Dip  
Lead Mfg., Red Or White  
Lead Sheet, Pipe And Shot Mfg.  
Lead Smelting  
Lead Smelting And Refining, Primary  
Melting Of Nonferrous Scrap Metals

Precious Metal Refining, Primary  
 Primary Smelting And Refining Of Nonferrous Metals, N.O.C.  
 Red Lead Mfg.  
 Retinning Of Metal Not Done In Rolling Mill  
 Rust Proofing (Hot Dipping) Of Metals Secondary Smelting, Refining, And Alloying Of Nonferrous Metal And Alloys  
 Smelting Of Nonferrous Metals, N.O.C.  
 Tin Smelting And Refining  
 White Lead Mfg.  
 Zinc Smelting And Refining, Primary

#### **403 ROLLING, DRAWING OR EXTRUDING NONFERROUS METALS**

Also includes making nonferrous pipe or tubes or forging nonferrous metals.

Subsequent product(s) manufacturing operations conducted by a separate crew(s) of employees, in a physically separate department(s), shall be separately classified as provided for in this Manual.

##### ***UNDERWRITING GUIDE***

Aluminum Extruded Products Mfg.  
 Atomizing Molten Nonferrous Metal  
 Can Mfg., Seamless  
 Cold Rolling Or Drawing, Nonferrous Metals  
 Copper Pipe Or Tube Mfg. By Extruding And Drawing  
 Drawing - Nonferrous Metals  
 Extruded Products Mfg. - Nonferrous Metals  
 Forging - Nonferrous Metals Only  
 Metal Can Mfg., Seamless  
 Miniature Tube Mfg. - From Nonferrous Metals  
 Nonferrous Metals Cold Rolling, Drawing, Extruding, Or Forging  
 Pipe Mfg. - Brass, Copper Or Aluminum  
 Platinum Group Metals - Rolling, Drawing and/or Extruding  
 Powder Mfg. - Atomizing Molten Nonferrous Metal  
 Tin Foil Mfg.  
 Tube Mfg. - Nonferrous  
 Wire Drawing - Nonferrous Metals  
 Wire Mfg. - Nonferrous

### **STEEL MAKING AND ROLLING MILLS**

#### **404 STEEL MFG.**

##### ***UNDERWRITING GUIDE***

Stainless Steel Mfg.  
 Steel Mfg.

#### **406 ROLLING MILL - FERROUS METALS - NOT AVAILABLE FOR ROLLING MILLS OPERATED BY STEEL MANUFACTURERS.**

##### ***UNDERWRITING GUIDE***

Cold Rolling Or Drawing - Ferrous Metals  
 Cold-Rolled Sheet Mfg. - By Specialist Contractor  
 Corrugating Iron And Steel - Cold-Rolled - By Specialist Contractor  
 Doubling Process, Sheet Rolling - By Specialist Contractor  
 Ferrous Metals Cold Rolling Or Drawing  
 Plate Steel Mfg. - By Specialist Contractor

Rolling Mill - Ferrous Metals – By Specialist Contractor  
Sheet Rolling, Cold Rolling - By Specialist Contractor  
Steel Wire Drawing  
Wire Drawing – Ferrous  
Wire Mfg.

**407 TUBE OR PIPE MFG., IRON OR STEEL – NOT CAST IRON PIPE – EXCLUDING STEEL MAKING BUT INCLUDING SKELP ROLLING**

***UNDERWRITING GUIDE***

Miniature Tube Mfg. - From Ferrous Metals  
Pipe Or Tube Mfg. - Iron Or Steel  
Skelp Rolling  
Steel Pipe And Tube Mfg.  
Tube Mfg. - Iron Or Steel

**STEEL FABRICATING**

**411 STEEL FABRICATING – BRIDGE AND STRUCTURAL SHOPS, SHOP ONLY, ERECTION TO BE SEPARATELY RATED AS CLASS 655**

***UNDERWRITING GUIDE***

Bridge Shop  
Radio And Television Tower, Fabrication  
Steel Fabrication, Bridge And Structural Shops  
Steel Works, Structural  
Steel Fabrication  
Tower, Transmission, Fabrication

**413 IRON WORKS – SHOP – ORNAMENTAL, NON-STRUCTURAL IRON OR STEEL FABRICATING**

Separately rate installation, service, or repair to the applicable construction classification(s) as warranted.

***UNDERWRITING GUIDE***

Aluminum Railings Mfg.  
Architectural Or Ornamental Iron Work Mfg.  
Balcony Mfg.  
Banister Mfg. – Metal  
Fence Or Fence Post Mfg. - Ornamental Iron Or Steel  
Fire Escape Mfg.  
Flagpole Mfg. – Metal  
Flooring Mfg. - Open Steel Grating  
Furniture Mfg. - Wrought Iron  
Gate Mfg. - Ornamental Metal  
Grandstand Or Bleacher Mfg. – Metal  
Grating Mfg. - Open Steel Flooring  
Iron Shutter Mfg.  
Iron, Ornamental, Fabrication Shop  
Lamp Post Mfg. – Metal  
Metal Arches Mfg., For Buildings  
Metal Lath Mfg.  
Ornamental Brass Goods Mfg.  
Ornamental Or Architectural Metal Work Mfg.  
Partition Mfg. - Ornamental Iron  
Pipe Bending - Fabrication Shop  
Power Pipe Fabrication

Racing Sulky Mfg.  
Railing Mfg.  
Stair Railing Mfg. – Metal  
Steel Curtain Wall Mfg.  
Sulky Mfg., Racing

**415 FABRICATED PLATE WORK – METAL, INCLUDING BUT NOT NECESSARILY LIMITED TO BOILER OR TANK MFG. – SHOP ONLY**

Plate shall be #3 U.S. Standard Gauge (1/4" thick) or thicker.

***UNDERWRITING GUIDE***

Autoclave Mfg., Industrial  
Boiler Mfg., Shop Only  
Buoy Mfg. – Metal  
Casing Mfg., Boiler Metal Plate  
Condenser Mfg., Steam  
Culvert Mfg. - Metal Plate  
Cylinder Mfg. - Pressure Metal Plate  
Dumpster Or Refuse Container Mfg. - From Metal Plate  
Gas Tank Mfg. - Metal Plate  
Industrial Boiler Mfg.  
Liquid Oxygen Tank Mfg. - Metal Plate  
Military Tank Hull Mfg.  
Oil Storage Tank Mfg. - Metal Plate  
Plate Work, Fabricated  
Pressure Vessel Mfg. - Industrial Metal Plate  
Refuse Container Or Dumpster Mfg. - From Metal Plate  
Still Mfg. - Pressure Metal Plate  
Tank Mfg. - Pressurized Or Non-Pressurized, Including For Tank Trucks - From Metal Plate  
Truss Plate Mfg. – Metal  
Vacuum Tank Mfg. - Metal Plate  
Vat Mfg. - Metal Plate

**416 CAR MFG., RAILROAD – ALL KINDS**

***UNDERWRITING GUIDE***

Car Mfg., Rebuilding Or Repair, Railroad - All Kinds  
Freight Car Mfg.  
Industrial Locomotive And Parts Mfg.  
Locomotive And Parts Mfg.  
Mine Car Mfg.  
Railroad Car Mfg.  
Railway Maintenance Car Mfg.  
Refrigerator Car Mfg.  
Switching Locomotive And Parts Mfg.  
Tank Freight Car Mfg.  
Tender Mfg., Locomotive

**FOUNDRIES**

**421 STEEL FOUNDRY, OPEN-HEARTH AND ELECTRIC**

The secondary machining of castings by a separate staff in a physically separate work area shall be assigned to Code 461.

**UNDERWRITING GUIDE**

Casting Foundry, Steel  
Electric Steel Foundry  
Foundry, Steel  
Steel Alloy Castings Mfg.  
Steel Foundry

**425 IRON FOUNDRY, N.O.C.**

The secondary machining of castings by a separate staff in a physically separate work area shall be assigned to Code 461.

**UNDERWRITING GUIDE**

Cast Iron Pipe Mfg.  
Casting Foundry, Ductile Or Grey Iron  
Ductile Iron Foundry  
Enameled Cast Iron Ware Mfg.  
Foundry, Iron, N.O.C.  
Grey Iron Foundry  
Heater Or Radiator Mfg. - Cast Iron  
Hydrant Mfg. Water - Cast Iron  
Iron Foundry, N.O.C. (See Also Classes 427 And 445)  
Manhole Cover Mfg. - Cast Iron  
Pipe Mfg. - Cast Iron, N.O.C.  
Radiator Or Heater Mfg. - Cast Iron  
Stove Mfg. - Cast Iron

**427 MALLEABLE IRON FOUNDRY**

The secondary machining of castings by a separate staff in a physically separate work area shall be assigned to Code 461.

**UNDERWRITING GUIDE**

Casting Foundry, Malleable Iron  
Foundry, Malleable Iron  
Malleable Iron Foundry

**429 DIE CASTING MFG**

Also includes secondary machining of die castings by the die casting employer. There is no payroll division with Code 461.

**UNDERWRITING GUIDE**

Aluminum Die Castings Mfg.  
Die Castings Mfg. - Aluminum, Brass, Bronze, Copper Or Zinc  
Zinc Die Castings Mfg.

**447 NONFERROUS METALS FOUNDRY**

Also includes secondary machining of nonferrous castings by the foundry employer. There is no payroll division with Code 461.

**UNDERWRITING GUIDE**

Aluminum Castings Mfg.  
Aluminum Ware Mfg., Cast  
Brass Castings Mfg.  
Bronze Castings Mfg.

Bushing Or Bearing Mfg. - Nonferrous Metal – Cast  
 Casting Mfg. - Nonferrous Metals  
 Centrifugal Castings Mfg. - Nonferrous Metals  
 Copper Castings Mfg.  
 Foundry - Nonferrous, N.O.C.  
 Hardware Mfg. - Nonferrous - By Foundry Method  
 Investment Castings Mfg. - Nonferrous Metals  
 Nonferrous Metals Foundry  
 Plumbing Fixture Fittings And Trim (Brass Goods) Mfg. – Cast  
 Spin Casting Foundry - Nonferrous Metals  
 Type Foundry  
 Zinc Castings Mfg.

## METAL WORKING

### 431 FORGING

Includes die making, trimming or grinding and heat treating operations. The secondary machining of forgings by a separate staff in a physically separate work area shall be assigned to Code 461.

#### **UNDERWRITING GUIDE**

Anvil Mfg. - Forged  
 Forging, N.O.C.  
 Gun Forging, Iron And Steel  
 Horseshoe Mfg.  
 Iron Forging  
 Press Forging  
 Projectile Or Shell Casing Mfg.: Forging - Separately Rate Loading Or Testing With Explosives  
 Upset Forging

### 433 TOOL MFG. – FORGED

Applicable to businesses principally engaged in the manufacture of tools by use of forging techniques or methodology. Steel or alloy metals in various bar and rod forms will be cut to length and then heated in furnaces. The heated metal stock is then forged with drop hammers, reheated and forged to final shape or form with the appropriate dies or patterns. The forgings are then cooled, trimmed or ground as needed and tempered by heat treating. Includes secondary machining of the forged tools by the forge business. There is no payroll division with Code 461.

Examples of products within the scope of this classification are: axes, agricultural and gardening tools, sledge hammers, logging tools, construction tools and oil well tools.

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

Specialist businesses principally engaged in the heat treating of metal for unrelated customers.

#### **UNDERWRITING GUIDE**

Agricultural Tools Mfg.  
 Axe Mfg.  
 Construction Tools Mfg.  
 File (Tool) Mfg. – Forged  
 Gardening Tools Mfg.  
 Heat-Treating Of Metal - By Specialist Contractor  
 Logging Tools Mfg.  
 Oil Well Tools Mfg.  
 Sledgehammer Mfg.

Tool Mfg. – Forged

#### **435 SPRING MFG. – HOT WOUND**

Also includes Chain Mfg.

##### ***UNDERWRITING GUIDE***

Automobile Bumper Mfg.

Automobile Spring Mfg.

Chain Mfg.

Coiled Flat Spring Mfg.

Leaf Spring Mfg.

Railroad Car Or Locomotive Spring Mfg.

Spring Mfg. - Hot Wound

Steel Spring Mfg. - Except Wire (Cold Wound) Springs

Torsion Bar Spring Mfg.

#### **441 TOOL MFG., N.O.C.**

Applies to a business principally engaged in machining tool steel or tungsten carbide into tools used for cutting or machining operations on machine shop equipment (e.g., lathes, mills). Also applies to a business principally engaged in making jigs or fixtures used to hold or position work on machine shop equipment. Further applies to a business principally engaged in machining tool steel or tungsten carbide into molds for plastics or powdered metal molding or nonferrous metal casting or dies for wire drawing, metal stamping, plastic or nonferrous metal extrusion. The business' machining operations may include but are not necessarily limited to turning, milling, grinding or tapping. The tools, dies or molds may be assembled together, polished, buffed, tested and inspected.

A business principally engaged in the operations discussed above is typically a job shop. A job shop is defined for this classification as a business principally engaged in machining one or more of the above listed products for unrelated businesses and that has either no proprietary product(s) or the business' proprietary product(s) generates less than 50 percent of the business' revenue.

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

1. Employers principally engaged in the manufacture of one or more of the following products: wood or metal patterns, models, aircraft propellers-wood, architectural scale models, last forms-wood or wood carving by hand or machine.

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

1. Cemented carbide tips for cutting tools or any other products made from powdered metal that are pressed to shape, machined and sintered shall be assigned to Code 506.
2. Molds or patterns produced by foundry (the melting and casting of the molten metal) process shall be assigned to the appropriate foundry class.
3. Dies produced by chemical etching or engraving shall be assigned to Code 281.
4. The manufacture of forged tools shall be assigned to Code 433.
5. Products made by molding plastic shall be assigned to the appropriate plastic molding classification.
6. Metal stamping or sheet metal products fabrication shall be classified as provided in this Manual.
7. Assign Code 445 to the manufacture of non-forged and non-powered hand tools, such as screwdrivers, pliers, hammers or chisels and/or non-forged bench tools.
8. Assign Code 445 to saw blade (all types) or industrial knife manufacture.
9. Machined Parts Mfg. - N.O.C. shall be defined as machining single-piece parts for unrelated businesses and where more than 50 percent of the single-piece machined parts made by the employer are not assigned to any other manufacturing classification. Businesses so principally engaged shall be assigned to Code 446.
10. Assign the applicable manufacturing classification when the employer is principally engaged in

- assembling single-piece machined parts into end-product components. Assembly operations include but are not limited to: welding, fastening, inserting, pressing and the joining of springs, ball bearings, gears or other parts or components to any other part or component.
11. An employer principally engaged in machining single-piece parts specifically assigned to any manufacturing classification shall be assigned to that specified manufacturing classification.
  12. Specialist contractors electroplating parts manufactured by an unrelated business (es) shall be assigned to Code 449.
  13. Code 441 is not applicable to any business that has a separate department making tools, dies, molds or any of the other products assigned to Code 441 principally for use by that business in making any product(s) assigned to another manufacturing classification by this Manual.

**UNDERWRITING GUIDE**

Aircraft Propeller Mfg. – Wood

Architectural Scale Model Mfg. - By Specialist Contractor

Cutlery Mfg. (Non-Forged) For Household Or Butcher Shop/Restaurant Use

Die Mfg.

Fixture Or Jig Mfg.

Gauge Mfg. - Ring, Plug Or Snap

Jig Or Fixture Mfg.

Label Mfg. – Metal

Last Form Mfg. – Wooden

Machine Tools And Accessories Mfg.

Machine Tools Mfg. - Metal - Cutting Or Forming Types

Model Or Pattern Mfg. - Wood Or Metal, Shop Only, Excluding Castings

Mold Mfg., Excluding Castings

Pattern Or Model Mfg. - Wood Or Metal, Shop Only, Excluding Castings

Punch Mfg., For Marking Metal

Sewing Machine Attachment Mfg. (e.g., Hemmers, Binders)

Shoe Form Mfg. – Wood

Steel Rule Die Mfg.

Tool Mfg., N.O.C.

Tool Sharpening, Industrial Tools

Welding Or Cutting Torch Tip Mfg.

Wood Carving - By Hand Or Machine

**445 HARDWARE MFG., N.O.C.**

Applies to a business principally engaged in the manufacture of hardware. The term encompasses a variety of products manufactured by different production techniques including but not necessarily limited to: machining (including screw machining), stamping, and foundry. Please see the Underwriting Guide entries below for a representative listing of hardware products and the in-shop specialist contractors (e.g., coating of parts, polishing and buffing and spray painting) assigned to this classification.

**OPERATIONS ALSO INCLUDED:**

1. The secondary machining of hardware castings by the foundry employer.
2. A business principally engaged in machining or assembling non-forged or non-powered hand or bench tools such as screwdrivers, pliers, hammers, chisels or wrenches.
3. A business principally engaged in the manufacture of any type of saw blade or applying carbide tips or diamond cutting segments onto saw blades.
4. A business principally engaged in manufacturing any type of industrial knife.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 433 to a business principally engaged in forging hand tools.
2. Assign Code 473 to a business principally engaged in making portable powered hand tools.



***UNDERWRITING GUIDE***

Acetylene Torch Mfg.  
Arms Mfg., Excluding Ammunition Mfg.  
Automatic Screw Machine Products Mfg.  
Automatic Sprinkler Mfg.  
Bolt Mfg.  
Bottle Cap Or Crown Mfg.  
Brush Manufacture - Using Tinplate Not Wood  
Builders Hardware Mfg.  
Bushing Mfg.  
Carburetor Mfg.  
Cartridge Mfg., No Handling Of Explosives  
Coating Of Parts - By Contractor  
Collapsible Curtain Rod Mfg. - Metal Tube Mfg.  
Electric Fixtures Mfg.  
Fastener Mfg., N.O.C.  
File, Tool (Non-Forged) Mfg.  
Flashlight Mfg., Or Assembling  
Franklin Stove Assembly  
Gas And Electric Fixtures Mfg.  
Gun, Handgun Mfg.  
Handgun Mfg.  
Hand Tool Mfg. - Non-Forged (Excluding Axes, Agricultural Tools, Sledgehammers Or Wheelbarrows)  
Hardware Mfg., N.O.C. Including Foundry  
Hydraulic Stabilizer Mfg., For Trains  
Industrial Knife Mfg. - All Types  
Investment Casting  
Lamp Or Portable Lantern Mfg.  
Lighting Fixtures Mfg.  
Meat Chopper Mfg.  
Nail Mfg., Not Wire  
Nut Or Bolt Mfg.  
Painting Or Powder Coating Metal Parts – Shop - By Specialist Contractor  
Pistol Mfg.  
Playground Equipment Mfg.  
Plumbers' Fittings Mfg.  
Plumbers' Supplies Mfg., N.O.C.  
Polishing And Buffing, Shop Only – Specialist Contractor  
Portable Lamp Or Lantern Mfg.  
Powder Coating Of Parts (Electrostatic Spray Application) - By Contractor  
Rifle Mfg.  
Sadiron Mfg.  
Saw Blade Mfg. - All Types  
Scale And Balance Mfg.  
Screw Machine Products  
Screw Mfg.  
Shotgun Mfg.  
Skate Mfg.  
Small Arms Mfg.  
Spike Mfg.  
Spray Painting - In Shop Only  
Sprinkler Mfg., Automatic  
Stabilizer Mfg., Hydraulic For Trains  
Tube Mfg. - Metal, Collapsible  
Valve And Pipe Fitting Mfg., Except Cast Plumbers' Brass Goods  
Valve Mfg.  
Welding Torch Mfg.

**446 MACHINED PART MFG., N.O.C.**

Applies to a business principally engaged in Machined Parts Mfg., N.O.C. Such term will be defined as applying to a business machining single-piece parts for others. A business principally engaged in Machined Parts Mfg., N.O.C. is typically a job shop. A job shop is defined for this classification as a business principally engaged in machining single-piece parts for unrelated businesses and that has either no proprietary product(s) or the machining of the business' proprietary product(s) is less than 50 percent of the business' overall machining.

**OPERATIONS NOT INCLUDED:**

1. An employer whose business operations are described by another classification in this Manual shall be assigned to that classification.
2. An employer principally engaged in machining single-piece parts specifically assigned to any other manufacturing classification shall be assigned to that specified manufacturing classification.
3. Assign the applicable manufacturing classification when the employer is principally engaged in assembling single- piece machined parts into end-products components. Assembly operations include but are not limited to: welding, fastening, inserting, pressing and the joining of springs, ball bearings, gears or other parts or components to any other part or component.
4. As specified in this Manual, assign the applicable casting, forging, stamping, forming or fabrication classification to an employer so principally engaged.

**UNDERWRITING GUIDE**

Additive Mfg./3D Printing  
Aircraft Propeller Mfg. – Metal  
Machined Parts Mfg., N.O.C.

**447 NONFERROUS METALS FOUNDRY**

Also includes secondary machining of nonferrous castings by the foundry employer. There is no payroll division with Code 461.

**UNDERWRITING GUIDE**

Aluminum Castings Mfg.  
Aluminum Ware Mfg., Cast  
Brass Castings Mfg.  
Bronze Castings Mfg.  
Bushing Or Bearing Mfg. - Nonferrous Metal – Cast  
Casting Mfg. - Nonferrous Metals  
Centrifugal Castings Mfg. - Nonferrous Metals  
Copper Castings Mfg.  
Foundry - Nonferrous, N.O.C.  
Hardware Mfg. - Nonferrous - By Foundry Method  
Investment Castings Mfg. - Nonferrous Metals  
Nonferrous Metals Foundry  
Plumbing Fixture Fittings And Trim (Brass Goods) Mfg. – Cast  
Spin Casting Foundry - Nonferrous Metals  
Type Foundry  
Zinc Castings Mfg.

**449 ELECTROPLATING****UNDERWRITING GUIDE**

Anodizing Metals  
Chromium Plating  
Detinning Electroplating  
Gold Plating  
Metal Anodizing

Plating Of Metal Articles  
Silver Plating  
Tin Plating

#### **451 AUTOMOBILE, TRUCK OR TRAILER BODY MFG.**

Also includes an employer principally engaged in fabricating an automobile, truck or trailer body and then attaching the fabricated body onto a customer supplied or purchased chassis.

This class is not available for payroll division with Code 463. Code 463 shall be assigned to an employer engaged in both the making of the automobile, truck, or trailer body and chassis and then assembling the complete motor vehicle.

##### **UNDERWRITING GUIDE**

Ambulance Body Mfg. - Including Attaching Manufactured Body To A Customer Supplied Or Purchased Chassis

Bus Body Mfg. - Including Attaching Manufactured Body To A Customer Supplied Or Purchased Chassis  
Chassis Mfg.

Fire Truck Body Mfg. - Including Attaching Manufactured Body To A Customer Supplied Or Purchased Chassis

Hearse Body Mfg.

Mobile Home Mfg. - Non Self-Propelled

Trailer Mfg.

Truck Body Mfg. - Including Attaching Manufactured Body To A Customer Supplied Or Purchased Chassis

Truck Cab Mfg. - Including Attaching Manufactured Body To A Customer Supplied Or Purchased Chassis  
Vehicle Chassis or Frame Mfg.

#### **454 SHEET METAL PRODUCTS FABRICATION, N.O.C., SHOP ONLY**

Sheet metal shall be thinner than #3 U.S. Standard Gauge (less than 1/4" thick).

Code 676 shall be assigned to both the shop and the erection or installation payroll developed by an insured engaged in both the shop fabrication of sheet metal products and the erection or installation thereof.

##### **UNDERWRITING GUIDE**

Agate Or Enamel Ware Mfg.

Aluminum Ware Mfg. - From Sheet Aluminum

Automobile Parts Mfg., Miscellaneous Stamped Parts

Automobile Radiator Mfg.

Automobile Wheel Mfg.

Barrel Or Drum Mfg. – Metal

Barrel Or Drum Reconditioning Or Repairing – Metal

Bin Mfg. - Sheet Metal

Brass Products Mfg., N.O.C. - From Sheet Stock

Building Mfg., Portable - Metal, No Erection

Can Mfg., Seamed

Casing Mfg. - Sheet Metal

Chimney Flashing Mfg., No Installation Work

Cooking Utensil Mfg. - Steel Or Aluminum

Copper Products Mfg. - From Sheet Stock

Coppersmithing - Shop Only

Duct Fabrication - No Installation Work

Enamel Ware Mfg.

Flue Mfg., Stove Or Furnace - By Specialist Contractor

Hood Mfg., Range

Hotel Kitchen Equipment Mfg.

Household Cooking Utensil Mfg.

Machine Guard Mfg. - Sheet Metal

Metal Can Mfg., Seamed  
 Metal Shipping Barrels, Drums, Kegs Or Pails - Used, Dealer  
 Metal Spinning's Mfg.  
 Metal Stampings Mfg.  
 Metal, Sheet Goods Mfg., N.O.C.  
 Perforated Metal Mfg.  
 Radiator Mfg., Auto  
 Restaurant Kitchen Equipment Mfg.  
 Sheet Metal Products Fabrication, N.O.C., Shop Only  
 Sign Mfg. - Metal, Shop Only - No Erection  
 Silo Building - Metal, Shop Only  
 Steel Barrel Or Drum Mfg.  
 Steel Drum Or Barrel Dealer, Secondhand  
 Window Or Window Sash Mfg. - Metal Or Vinyl  
 Ventilator Mfg. - Sheet Metal  
 Wheelbarrow Mfg. - Metal

**456 METAL FURNITURE OR FURNISHING GOODS MFG., N.O.C.**

Sheet metal shall be thinner than #3 U.S. Standard Gauge (less than 1/4" thick).

Also includes the manufacture of major household or commercial kitchen or laundry appliances.

Upholstering operations conducted by a separate crew of employees in a physically separate department shall be assigned to Code 327.

***UNDERWRITING GUIDE***

Air Conditioner Mfg. Home Window Unit  
 Air Conditioner Or Air Conditioner Equipment Mfg. - Home Window Unit Or Central Air, Commercial Or Industrial  
 Aircraft Subassemblies Mfg. - Metal, By Contractor (e.g., Cowlings, Wings, Tabs Or Ailerons)  
 Aluminum Awning Mfg.  
 Aluminum Venetian Blind Mfg.  
 Appliance Mfg., Major Household Or For Commercial Establishments, Kitchen Or Laundry  
 Awning Mfg. - Metal, No Erection  
 Bedstead Mfg. - Metal  
 Bookcase Mfg. - Metal  
 Brass Bed Mfg.  
 Cabinet Mfg. - Sheet Metal  
 Chair Mfg. - Metal  
 Clothes Dryer Mfg., Commercial Or Household  
 Coffin Mfg. - Metal  
 Door Mfg. - Metal  
 File Cabinet Mfg.  
 Fireproof Equipment Mfg. - Metal  
 Freezer Mfg., Commercial Or Household  
 Furniture Mfg. - Metal  
 Garment Rack Mfg. - Metal  
 Golf Club Mfg. - Metal  
 Ice Cream Cabinet Mfg.  
 Incubator Mfg. - Metal  
 Jalousie Or Jalousie Screen Mfg. - Metal Or Glass  
 Ladder Mfg. - Metal  
 Locker Mfg. - Metal  
 Metal Furniture Mfg.  
 Office Furniture Mfg. - Metal  
 Oven Mfg. - Metal Industrial Drying Ovens  
 Panel Or Partition Mfg. - Sheet Metal

Radiator Cabinet Or Shield Mfg. – Metal  
 Refrigerator Mfg., Commercial Or Household  
 Sheet Metal Aircraft Parts Mfg.  
 Shelving Mfg. – Metal  
 Showcase Mfg. – Metal  
 Ski Mfg. – Metal  
 Soda Fountain Mfg.  
 Stove Mfg. - Sheet Metal, Commercial Or Household  
 Tennis Racquet Mfg. – Metal  
 Trash Compactor Mfg.  
 Venetian Blind Mfg. – Aluminum  
 Ventilation Equipment Mfg.  
 Washing Machine Mfg., Commercial Or Household

**457 WIRE GOODS MFG.**

Includes the manufacture of wire springs by cold winding technologies. The making of springs from bar stock by hot wound methodologies must be assigned to Code 435.

***UNDERWRITING GUIDE***

Artificial Christmas Tree Mfg.  
 Bed Spring Mfg. – Wire  
 Brush Mfg. – Wire  
 Cable Mfg. - Not Insulated Electrical Cable  
 Coat Hanger Mfg. – Metal  
 Cold Wound Wire Spring Mfg.  
 Fence Mfg. – Wire  
 Lamp Shade Frame Mfg.  
 Nail Mfg. – Wire  
 Pocketbook Frame Mfg.  
 Rope Mfg. – Wire  
 Shopping Cart Mfg.  
 Snow Fence Mfg.,  
 Spring Mfg., Cold Wound  
 Welding Rod Mfg.  
 Wire Brush Mfg.  
 Wire Fence Mfg.  
 Wire Goods Mfg.  
 Wire Rope Or Cable Mfg.

**458 JEWELRY MFG.**

***UNDERWRITING GUIDE***

Clock Mfg.  
 Costume Jewelry Mfg.  
 Diamond Cutter, Polisher, Setter  
 Gold Leaf Mfg.  
 Jewel Setting And Mounting  
 Jewelry Mfg.  
 Jewelry Polishing  
 Lapidary  
 Musical Instrument Mfg. – Metal  
 Pendant Jewelry Mfg.  
 Precious Stone Cutting, Polishing Or Setting  
 Silverware And Plated Ware Mfg.  
 Watch Mfg.  
 Watch, Clock, And Parts Mfg.

**459 EYELET, NEEDLE, PIN, PEN, OR TACK MFG.**

***UNDERWRITING GUIDE***

Artificial Limb (Prosthesis) Mfg.  
 Ball Point Pen Mfg.  
 Button Mfg. – Metal  
 Electronic Terminal And Connector Mfg. – By Machining Or Stamping  
 Eyelet Mfg.  
 Implant Mfg. – Medical (e.g., hips, knees)  
 Mechanical Pencil Mfg.  
 Medical Implant Mfg. (e.g., hips, knees)  
 Miniature Valve And Fitting Mfg.  
 Needle, Pin, Hook Or Eye Mfg.  
 Pen Or Pen Point Mfg.  
 Pin Or Needle Mfg.  
 Razor Blade Mfg. – Safety  
 Rivet Mfg.  
 Swiss Screw Machine Shop  
 Tack Mfg.  
 Valve Mfg. – Miniature  
 Zipper Mfg.

**MACHINERY MFG.**

**461 MACHINE SHOP**

Also includes the manufacture of all types of internal combustion engines, all types of pumps, pneumatic drills or hammers or hydraulic devices (e.g., hydraulic jacks or lifts).

***OPERATIONS NOT INCLUDED:***

1. Assign the applicable wood products classification to a business principally engaged in such manufacturing.
2. Assign Code 415 to a business principally engaged in the manufacture of boilers and/or other fabricated plate products as defined in this Manual's Code 415 class description
3. Separately rate the installation, service or repair of pumps or other products whose manufacture is contemplated by Code 461 to Code 675 or to an alternate construction classification, if applicable.

***UNDERWRITING GUIDE***

Aircraft Engine Or Engine Part Mfg. Or Repair, Shop Only  
 Automobile Engine Or Engine Part Mfg.  
 Automobile Jack Mfg.  
 Automobile Parts Mfg. - Produced By Machining - N.O.C.  
 Automotive Machine Shops - No Work On Cars - e.g., Cylinder Reboring, Valve Grinding Or Turning Down  
 Brake Drums  
 Engine Or Engine Part Mfg., Internal Combustion  
 Fuel Pump Mfg., Automobile  
 Gear Mfg. Or Grinding  
 Hydraulic Device Mfg. - Jacks, Auto Lifts  
 Internal Combustion Engine Mfg.  
 Jackhammer Mfg.  
 Machine Shop, N.O.C.  
 Machined Automobile Parts Mfg., N.O.C.  
 Measuring Or Dispensing Pump Mfg.  
 Outboard Motor Or Motor Part Mfg.  
 Piston, Piston Pin Or Piston Ring Mfg.

Pneumatic Tool Mfg.  
 Printing Machinery Mfg.  
 Printing Trade Machinery And Equipment Mfg.  
 Projectile Or Shell Casing Mfg.: Secondary Machining - Separately Rate Loading Or Testing With Explosives  
 Pump Mfg.  
 Safe Mfg.  
 Shaft Mfg. - All Types  
 Stoker Mfg.  
 Supercharger Mfg.

**463 AUTOMOBILE MFG.**

Code 463 shall be assigned to an employer engaged in both the making of the automobile, truck, or trailer body and chassis and then assembling the complete motor vehicle.

This class is not available for payroll division with Code 451. Code 451 shall be assigned to an employer principally engaged in fabricating an automobile, truck, or trailer body and then attaching the fabricated body onto a customer supplied or purchased chassis.

**UNDERWRITING GUIDE**

Automobile Mfg.  
 Automobile Truck Mfg.  
 Bicycle Mfg.  
 Forklift Truck Mfg.  
 Industrial Truck Mfg.  
 Motorcycle Mfg.  
 Tractor Mfg.  
 Truck Mfg.

**464 MACHINERY MFG., N.O.C.**

Includes but is not necessarily limited to the manufacture of confection, food processing, paper making, printing, textile or woodworking machinery.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 415 to a business principally engaged in the manufacture of boilers and/or other fabricated plate products as defined in this Manual's Code 415 class description.
2. Separately rate the installation, service or repair of industrial machinery to Code 675.

**UNDERWRITING GUIDE**

Confectioners' Machinery Mfg.  
 Food Product Machinery Mfg.  
 Machinery Reconditioning (Excluding Conveyors) - Shop Operations Only  
 Machinery Mfg. - Industrial, N.O.C.  
 Packaging Machinery Mfg. – Including Automatic Filling  
 Type Machinery (Not Bottling)  
 Paper Industry Machinery Mfg.  
 Printing Trade Machinery Or Equipment Mfg.  
 Textile Machinery Mfg.  
 Typesetting Machinery Mfg.  
 Woodworking Machinery Mfg.

**465 CONVEYOR OR HOISTING SYSTEMS MFG., OR RECONDITIONING**

Elevator, escalator, conveyor or hoisting system erection, installation or repair is to be separately rated as Code 675.

**UNDERWRITING GUIDE**

Conveyor Mfg. - Or Reconditioning  
Elevator Or Elevator Door Mfg.  
Escalator Mfg.  
Hoisting Systems Mfg.  
Overhead Crane Mfg.

**467 BALL OR ROLLER BEARING MFG.**

Applicable to businesses principally engaged in the fabrication of either metal ball or roller bearings. Where a business is engaged in the fabrication of either metal ball or roller bearings and these are consumed by the business' production process, such operations shall be classified in accordance with the class appropriate to the business.

**UNDERWRITING GUIDE**

Ball Bearing Mfg.  
Roller Bearing Mfg.

**471 PRINTED CIRCUIT BOARD ASSEMBLY OR ELECTRICAL WIRE HARNESS MFG. – BY CONTRACTOR**

Applies to businesses principally engaged in assembling any of the products discussed below for others on a contract basis.

Includes the manufacture/assembly of printed circuit boards, the placement of components onto printed circuit boards (mounting/stuffing) or the installation of resultant boards into a chassis with the addition of wire leads.

**OPERATIONS ALSO INCLUDED:**

1. The assembly of electrical wire harnesses, automotive wire harnesses or connector cable assemblies.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 472 to electronic component manufacturing.
2. Assign Code 473 to electrical cord assembly.
3. The manufacture of wire or cable shall be separately classified as provided for in this Manual.

**UNDERWRITING GUIDE**

Automotive Wire Harness  
Assembly Cable Connector  
Assembly Electrical Wire Harness  
Assembly Printed Circuit Board Mfg. - By Specialist Contractor  
Printed Circuit Board Stuffing By Contractor  
Stuffing Printed Circuit Boards, Adding Wiring And Chassis By Contractor Per Customer Design

**472 ELECTRONIC COMPONENT MFG., N.O.C.**

Applies to the manufacture of electronic component parts used to receive, store, govern or direct the flow of current within an electrical circuit, such as resistors, capacitors, coils, transformers (less than 746 watts), filters or transducers.

**OPERATIONS ALSO INCLUDED:**

1. Semiconductor material refining
2. Integrated circuit manufacture
3. Quartz crystal culturing



4. Glass to metal seal manufacture

***OPERATIONS NOT INCLUDED:***

1. The manufacture of non-electronic parts (e.g., pushbuttons, springs, gaskets or plastic parts). The inclusion of such non-electronic parts in the electronic device shall not be construed as an electronic component as defined by this classification.

***UNDERWRITING GUIDE***

Ceramic Capacitor Mfg. - Less Than 1 H.P.

Coils – Less Than 1 H.P.

Diode Mfg.

Integrated Circuit Mfg.

Light Emitting Diode Mfg.

Liquid Crystal Display Mfg.

Oscillator Mfg.

Quartz Crystal Culturing

Resistor Mfg. - Less Than 1 H.P.

Semiconductor Refining - Silicon Wafers

Silicon Chip Mfg.

Transducer Mfg.

Transformer Mfg. - Less Than 1 H.P. Used In Electronic Devices

Transistor Mfg.

**473 ELECTRICAL APPARATUS MFG., N.O.C.**

Applies but is not limited to the manufacture or shop repair of electrical housewares, hand-held power tools, electrical fixtures or small electrical appliances.

***UNDERWRITING GUIDE***

Automobile Horn Mfg., Electric

Automotive Alternator Or Generator Mfg. Or Repair

Automotive Lighting, Ignition Or Starting Apparatus Mfg.

Ballast Mfg. - Fluorescent Lights

Battery Charging Equipment Mfg.

Battery Mfg., Dry

Blender Mfg. – Household

Blinker light Mfg.

Carpet Shampooer Mfg.

Centrifuge Mfg., Laboratory

Christmas Tree Light Cord Sets Mfg.

Dimmer Switch Mfg.

Electric Blanket Mfg.

Electric Cord Assembly, Cable Mfg. To Be Separately Rated

Electric Fan Mfg.

Electric Heating Element Mfg.

Electric Housewares And Fan Mfg.

Electric Switches Mfg. - Household And Crossbar

Electric Wire Assembly – Cord

Electrical Apparatus Mfg.

Electrical Equipment For Internal Combustion Engines Mfg.

Electro-Physical Therapy Equipment Mfg.

Fire Alarm Siren Mfg.

Floor Cleaning/Waxing Machine Mfg.

Fuse Mfg. – Electrical

Hair Dryer Mfg. - Hand-Held

Hand Tool Mfg. - Electric – Portable

Heating Pad Mfg.  
 Humidifier Mfg.  
 Mercury Switch Mfg.  
 Razor Mfg. Or Repair – Electric  
 Switch Mfg. – Household  
 Trains, Electric - Toy Or Model Mfg.  
 Vacuum Cleaner - Service Or Repair  
 Vacuum Cleaner Mfg.  
 X-Ray Equipment Mfg.

#### **474 ELECTRIC POWER OR ELECTRIC TRANSMISSION EQUIPMENT MFG.**

Contemplates the manufacture of equipment for the generation, storage or transmission of electrical energy. Includes the manufacture of power transformers (over 1 horsepower), switch-gear or switchboard apparatus, and generators.

##### ***UNDERWRITING GUIDE***

Bus-bar Mfg.  
 Circuit Breaker Mfg.  
 Electric Power Equipment Mfg. For Utilities  
 Generator Mfg., Electric  
 Switchgear Or Switchboard Apparatus Mfg.  
 Transformer Mfg. (1 H.P. Or More)

#### **475 BATTERY MFG., STORAGE**

##### ***UNDERWRITING GUIDE***

Automobile Battery Mfg.  
 Battery Mfg., Storage  
 Storage Battery Mfg.

#### **476 INDUSTRIAL CONTROL SYSTEMS MANUFACTURE/ASSEMBLY**

Industrial control systems measure and control the power distribution or process variables such as flow, level, liquid concentration, motion and rotation. Shop wiring is the principal task where controls, switches and instrumentation are wired into a cabinet (which may have been manufactured by the business or purchased), or a complete control station which can be computer-based, allowing the operator to read display and change the operating system.

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

1. Assign Code 488 to businesses principally engaged in the manufacture of meters, counters, thermometers or other electronic analytic/measuring instrumentation not otherwise classified.
2. Separately rate installation or repair provided at customer locations as provided for in this Manual.

##### ***UNDERWRITING GUIDE***

Environmental Control Systems Mfg./Assembly  
 Motor Controller Assembly  
 Power Controller Assembly  
 Process and Batch Control Systems Assembly  
 Process Control Systems Mfg./Assembly  
 Traffic Control Systems Assembly

#### **477 ELECTRIC MOTOR MFG. OR REPAIR**

Applies to firms principally engaged in the manufacture, shop repair or rewinding of electric motors, armatures or field coils.

***UNDERWRITING GUIDE***

Armature Mfg.

Electric Motor Mfg. Or Repair - Shop Only

**483 OFFICE MACHINE MFG.**

***OPERATIONS NOT INCLUDED:***

1. Assign Code 952 to a separate crew performing service and repair at customer locations.

***UNDERWRITING GUIDE***

Adding Machine Mfg.

Calculator Mfg.

Cash Register Mfg.

Cigar And Cigarette Lighter Mfg.

Computer Mfg.

Computer Peripheral Mfg.

Electronic Organ And Synthesizer Mfg.

Facsimile Equipment Mfg.

Laser Printer Cartridge Mfg. Or Remanufacture

Modem Mfg.

Office Machine Mfg.

Organ, Electronic - Mfg.

Sewing Machine - Service Or Repair

Sewing Machine Mfg.

Slot Machine Mfg.

Vending Machine Mfg.

Voting Machine Mfg.

**485 COMMUNICATIONS, SEARCH, DETECTION OR SIGNAL PROCESSING EQUIPMENT MFG.**

Includes but is not limited to the manufacture of:

- (1) Telephone equipment or apparatus
- (2) Radio or TV broadcasting or communications equipment
- (3) Search, detection, navigation, guidance, aeronautical or nautical systems

***UNDERWRITING GUIDE***

Aircraft Radio Or Transmitting Equipment Mfg.

Amplifier Mfg.

Antenna Mfg.

Depth Sounding Equipment Mfg.

Hearing Aid Mfg.

Infrared Homing Systems Mfg.

Intercommunications Equipment Mfg.

Microphone Mfg.

Microwave Communication Equipment Mfg.

Missile Guidance Equipment Mfg.

Multiplexer Mfg.

Navigational Instruments Mfg.

Radar Devices Mfg.

Radio Or Television Transmitting, Signaling Or Detection Equipment Or Apparatus Mfg.

Receivers - Radio Communication Mfg.

Recording Devices Mfg.

Sonar Equipment Mfg.

Speaker Mfg.

Stereo Equipment Mfg.

Tape Recorder Mfg.

Telemetry Equipment Mfg.  
Telephone Equipment Or Apparatus Mfg.  
Transponder Mfg.  
Video Cassette Recorder Mfg.

**486 INCANDESCENT LIGHT BULB OR ELECTRONIC TUBE MFG.**

***UNDERWRITING GUIDE***

Cathode Ray Picture Tube Mfg.  
Electric Light Bulb Mfg.  
Electron Tube Mfg.  
Incandescent Light Bulb Mfg.  
Medical Diagnostic Lamp Mfg.  
Megetron Device Mfg. (Specialty Electron)  
Neon Sign Mfg. - Shop Only, No Installation, Service Or Repair  
Photoflash Cube Mfg.  
Radio & Television Tube Mfg.  
Television Tube Mfg.  
Transmitting, Industrial And Special Purpose Electron Tube Mfg.  
Vacuum Tube Mfg.  
X-Ray Tube Mfg.

**487 SURGICAL OR OPTICAL INSTRUMENT MFG.**

Applies but is not limited to the manufacturing of surgical or dental instruments, optical instruments, optical lens grinding, fiber optics or other precision metal instruments such as drafting equipment, compasses, T-squares or triangles.

***UNDERWRITING GUIDE***

Audio Compact Disc Duplicating  
Binocular Mfg.  
Coating Optical Products - Vacuum Deposition Method  
Dental Drill Or Dental Tools Mfg.  
Drafting Equipment Mfg.  
Micrometer Mfg.  
Optical Instrument Or Lens Mfg.  
Surgical Instrument Mfg.  
Surveying Equipment Mfg.  
Telescope Mfg.

**488 ELECTRONIC MEASURING OR ANALYTICAL INSTRUMENT MFG.**

Includes the manufacture of electric test equipment, totalizing fluid meters or counters, electronic test or measuring instrumentation.

Also contemplated by this class is the manufacture of medical diagnostic equipment such as CAT scanners or MRIs.

***UNDERWRITING GUIDE***

Aircraft Instrument Mfg. (Not Radio Or Radar)  
Altimeter Mfg.  
Automatic Temperature Control Mfg.  
Blood & Gas Analyzer Mfg.  
CAT Scanner Mfg.  
Defibrillator Mfg.  
Electric Measuring Instrument Or Test Equipment Mfg.  
Electrocardiograph Equipment Mfg.  
Fetal Monitor Mfg.

Flow Controller Mfg.  
 Flowmeter Mfg.  
 Gas Detection Monitor Mfg.  
 Gas Meter Mfg.  
 Heart Scan Systems Mfg.  
 Magnetic Resonance Imaging (MRI) Mfg.  
 Medical Equipment Mfg., Electronic - Diagnostic Or Treatment  
 Pyrometer Mfg.  
 Respirator Equipment Mfg.  
 Semiconductor Test Equipment Mfg.  
 Speedometer Mfg.  
 Steam Pressure Gauge Mfg.  
 Tachometer Mfg.  
 Taximeter Mfg.  
 Thermocouple Mfg.  
 Thermometer Mfg.  
 Thermostat Mfg.  
 Ultrasound Imager Mfg.  
 Valve Actuator Mfg.  
 Vital Signs Monitoring Equipment Mfg.  
 Volt Meter Mfg.  
 Wafer (Semiconductor) Dicing Machine Mfg.  
 Wafer Cleaning Equipment  
 Water Meter Mfg.  
 Wet Wafer Processing Equipment

**489 DENTAL LABORATORY**

***UNDERWRITING GUIDE***

Artificial Teeth Mfg.  
 Dental Laboratory  
 Hearing Aid Ear Mold Mfg.

**491 EMPLOYMENT CONTRACTOR - TEMPORARY ROLLING, DRAWING OR EXTRUDING NONFERROUS METALS STAFF**

Applicable only to temporary staff provided to customers whose business classification is Code 403.

Please see the Employment Contractor - Temporary Staffing entry in the General Auditing & Classification Information section for further information on classifying temporary staff.

***UNDERWRITING GUIDE***

Employment Contractor - Temporary Rolling, Drawing Or Extruding Nonferrous Metals Staff  
 Rolling, Drawing Or Extruding Nonferrous Metals - Temporary Staff  
 Temporary Rolling, Drawing Or Extruding Nonferrous Metals Staff

**495 EMPLOYMENT CONTRACTOR - TEMPORARY AUTOMOBILE, TRUCK OR TRAILER BODY MFG. STAFF**

Applicable only to temporary staff provided to customers whose business classification is Code 451.

Please see the Employment Contractor - Temporary Staffing entry in the General Auditing & Classification Information section for further information on classifying temporary staff.

***UNDERWRITING GUIDE***

Automobile, Truck Or Trailer Body Mfg. - Temporary Staff  
 Employment Contractor - Temporary Automobile, Truck Or Trailer Body Mfg. Staff

Temporary Automobile, Truck Or Trailer Body Mfg. Staff

**497 EMPLOYMENT CONTRACTOR - TEMPORARY ELECTRONIC COMPONENT MFG., STAFF**

Applicable only to temporary staff provided to customers whose business classification is Code 472.

Please see the Employment Contractor - Temporary Staffing entry in the General Auditing & Classification Information section for further information on classifying temporary staff.

***UNDERWRITING GUIDE***

Electronic Component Mfg. - Temporary Staff

Employment Contractor - Temporary Electronic Component Mfg. Staff

Temporary Electronic Component Mfg. Staff

**499 EMPLOYMENT CONTRACTOR - TEMPORARY BATTERY MFG. STAFF**

Applicable only to temporary staff provided to customers whose business classification is Code 475.

Please see the Employment Contractor - Temporary Staffing entry in the General Auditing & Classification Information section for further information on classifying temporary staff.

***UNDERWRITING GUIDE***

Battery Mfg. - Temporary Staff

Employment Contractor - Temporary Battery Mfg. Staff

Temporary Battery Mfg. Staff

**STONE AND CLAY PRODUCTS MFG.**

**501 CEMENT MFG. – INCLUDING QUARRYING**

***UNDERWRITING GUIDE***

Calcium Carbide Mfg.

Cement Mfg., Including Quarrying

Cement Quarry Operated By Manufacturer

Lime Burning Or Processing - By Specialist Contractor

Plaster Mill

Quarry, Cement - Operated By Manufacturer

**502 PLASTER STATUARY OR ORNAMENT MFG.**

***UNDERWRITING GUIDE***

Acrylic Embedment's Mfg.

Map Mfg. Relief, Made Of Plaster

Plaster Form Mfg.

Plaster Statuary Mfg.

**506 POWDER METAL PRODUCTS MFG.**

***UNDERWRITING GUIDE***

Powder Metal Products Mfg.

**507 GRAPHITE PRODUCTS MFG.**

***UNDERWRITING GUIDE***

Carbon Products Mfg.

Graphite Products Mfg.

**509 ASBESTOS GOODS MFG. – FOR ESTABLISHMENTS UTILIZING ASBESTOS FIBERS IN THEIR MANUFACTURING PROCESSES THAT RESULT IN AN ASBESTOS PRODUCT**

***UNDERWRITING GUIDE***

Asbestos Cement Products Mfg.  
Asbestos Goods Mfg.  
Asbestos Paper Mfg.  
Asbestos Spinning Or Weaving  
Blanket Mfg., Insulating For Aircraft – Asbestos  
Brake Lining Mfg. – Asbestos  
Cloth Mfg. – Asbestos  
Fire Resistant Glove Mfg.  
Glove Mfg. - Fire Resistant  
Paper Mfg. – Asbestos  
Tape Mfg. – Asbestos  
Textile Mfg. – Asbestos  
Vinyl Asbestos Floor Tile Mfg.

**511 CONCRETE PRODUCTS MANUFACTURING**

***UNDERWRITING GUIDE***

Bathtub Mfg. - Concrete  
Cast Stone Mfg. – Concrete  
Cement Block Mfg.  
Cinder Block Mfg.  
Concrete Block Mfg.  
Concrete Burial Vault Mfg.  
Concrete Products Mfg.  
Drain Tile Mfg. - Concrete  
Pipe Mfg. – Concrete  
Plaster Block Mfg.  
Precast Concrete Products Mfg. – Shop  
Septic Tank Mfg. – Concrete  
Silo Building – Concrete, Shop Only  
Step Mfg. – Prefabricated Concrete

**512 BRICK MFG., N.O.C.**

Excluding quarrying or mining, also excluding clay or shale digging in open pits.

A supplementary dust disease loading shall be added by the Bureau to cover the potential hazard of those employers using material containing free silica.

Code 0175 at either the carrier or assigned risk rate is to apply to such exposure, but note that payroll developed by the exposure is also to be included in the Class 512 payroll at either the carrier or assigned risk rate. Premium developed under Code 0175 is not subject to experience or retrospective rating.

***UNDERWRITING GUIDE***

Brick Mfg.  
Pipe Mfg. - Terra-Cotta  
Refractory Products Mfg.  
Structural Clay Products Mfg.  
Terra- Cotta Mfg.  
Tile Mfg., Roofing, Structural Or Terra-Cotta

**513 POTTERY, N.O.C. – NO BRICK, NON-DECORATIVE TILE, SEWER PIPE OR GAS RETORTS MFG.**

A supplementary dust disease loading shall be added by the Bureau to cover the potential hazard of those employers using material containing free silica.

Code 0176 at the carrier or assigned risk rate is to apply to such exposure, but note that payroll developed by the exposure is also to be included in the Code 513 payroll at the carrier or assigned risk rate. Premium developed under Code 0176 is not subject to experience or retrospective rating.

***UNDERWRITING GUIDE***

Abrasive Shape Mfg.  
 Abrasive Wheel Mfg.  
 Ceramic Mfg.  
 China Decorating - By A China Manufacturer  
 China Tableware Mfg.  
 Earthenware Mfg.  
 Foundry Sand Cores Mfg. - By Contractor  
 Grinding Wheel Mfg.  
 Grindstone Mfg., No Quarrying  
 Mineral Wool Mfg. - Including Spinning And Weaving  
 Porcelain Electrical Product Mfg.  
 Porcelain Mfg.  
 Pottery Mfg., Glazed  
 Pottery Mfg., N.O.C. - No Brick, Tile, Sewer Pipe Or Gas Retorts  
 Rock Wool Mfg. - Including Spinning And Weaving  
 Sand Mold Mfg. – By Independent Contractor  
 Tile Mfg., Decorative  
 Vitreous China Plumbing Fixture Mfg.  
 Vitreous China Table And Kitchen Articles Mfg.  
 Vitreous Tile Mfg.

**GLASS MFG.****535 GLASS OR GLASSWARE MFG.**

The manufacture of glass products from purchased glass shall be assigned to Code 536.

***UNDERWRITING GUIDE***

Cut Glass Mfg.  
 Fibrous Glass Mfg.  
 Flat Glass Mfg.  
 Glass Container Mfg.  
 Glass Mfg., Stained  
 Glassware Mfg.  
 Plate Glass Mfg.  
 Polished Glass Mfg.  
 Pressed Or Blown Glass Mfg.  
 Rolled Glass Mfg.  
 Sheet Glass Or Sheet Window Glass Mfg.  
 Sodium Silicate Mfg.  
 Stained Glass Mfg.  
 Window Glass Mfg.  
 Wire Glass Mfg.

**536 GLASS PRODUCTS MFG. – FROM PURCHASED GLASS – NO GLASS MANUFACTURING**



***UNDERWRITING GUIDE***

Glass Merchant - Bending, Beveling, Grinding Or Silvering Plate Glass By Separate Shop Crew

Glass Ornament Mfg. - From Purchased Glass

Laboratory Glassware Mfg. - From Purchased Glass

Laminated Glass Products Mfg. - From Purchased Glass

Mirror Mfg. - From Purchased Glass

Stained Glass Products Including Window Mfg. - From Purchased Stained Glass

Tiffany Lamp Shade Mfg. - From Purchased Stained Glass

**544 EMPLOYMENT CONTRACTOR - TEMPORARY STAFF – MANUFACTURING OR LIGHT INDUSTRIAL OPERATIONS, N.O.C.**

Applies to all temporary employees provided to manufacturing businesses except for temporary manufacturing or light industrial staff subject to Codes 185, 187, 191, 275, 276, 297, 491, 495, 497, 499 or 587.

Please see the Employment Contractor - Temporary Staffing entry in the General Auditing & Classification Information section for further information on the manufacturing businesses assignable to Code 544 and on classifying temporary staff.

***UNDERWRITING GUIDE***

Employment Contractor - Temporary Staff - Manufacturing Or Light Industrial Operations

Light Industrial Or Manufacturing Business Operations - Temporary Staff

Manufacturing Or Light Industrial Operations - Temporary Staff

Temporary Staff - Manufacturing Or Light Industrial Operations

**551 CHEMICAL PROCESSING OR PRODUCTS MFG., N.O.C.**

For establishments engaged in manufacturing miscellaneous chemical preparations not otherwise classified.

***UNDERWRITING GUIDE***

Acid Mfg.

Agricultural Chemical Mfg.

Agricultural Pesticide Mfg.

Alkali Mfg.

Alum Mfg.

Aniline Dye Mfg.

Bicarbonate Of Soda Mfg.

Charcoal Mfg.

Chemical Processing Or Products Mfg., N.O.C.

Copper Recovery, Not Smelting

Cotton Seed Oil Mfg.

Creosote Mfg. - From Tar

Distillation, Wood

Dye Mfg.

E-Liquid/Vaping Liquid Mfg.

Fungicide Mfg.

Herbicide Mfg.

Insecticide Mfg.

Iron Recovery By Chemical Means

Magnesium Metal Mfg. - Electrolysis Of Fused Magnesium Chloride Process

Magnesium Metal Mfg. - Ferro-Silicon Process

Magnesium Metal Mfg., N.O.C.

Oil Mfg., Vegetable

Pest Strip Mfg.

Pesticide Mfg.

Pyroxylin Mfg., Not For Use In Explosive Mfg.

Salt Refining  
Silica Gel Mfg.  
Soda Bicarbonate Mfg.  
Sulfate Mfg.  
Sulfuric Acid Mfg.  
Tanning Extract Mfg.  
Tar Refining  
Vegetable Oil Mfg. All Types  
Vitriol Mfg.  
Wood Alcohol Mfg. – Natural  
Wood Distillation  
Zinc, Recovery Of - By Chemical Means

**553 GASES – MFG. OF CARBONIC OXIDE, ANHYDROUS AMMONIA, OXYGEN OR HYDROGEN.**

***UNDERWRITING GUIDE***

Acetylene Gas Mfg.  
Ammonia Mfg.  
Anhydrous Ammonia Mfg.  
Carbon Dioxide Mfg.  
Carbonic Acid Gas Mfg.  
Gas Mfg.  
Hydrogen Mfg.  
Ice Mfg., Dry Ice  
Industrial Gas Mfg.  
Oxygen or Hydrogen Mfg.

**555 DRUG OR MEDICINE MFG.**

***UNDERWRITING GUIDE***

Biological Product Mfg.  
Cough Drop Mfg.  
Drug Mfg.  
Medicine Mfg.  
Pharmaceutical Preparation Mfg.  
Serum Mfg.  
Transdermal Nitroglycerine Patch Mfg.

**563 PAINT OR COLORS MFG. – NO RED OR WHITE LEAD MFG.**

***UNDERWRITING GUIDE***

Adhesives Mfg.  
Color Mfg., No Red Or White Lead Mfg.  
Dope (Plastic Model Paint) Mfg.  
Dry Toner Mfg.  
Enamel Paint Mfg.  
Ink Mfg., Printing  
Inorganic Pigment Mfg.  
Lacquer Mfg.  
Metal Polish Mfg.  
Mineral Color Mfg.  
Mucilage Mfg.  
Paint Brush Cleaner Mfg.  
Paint Mfg., No Red Or White Lead Mfg.  
Paint Remover Mfg.  
Paint, Varnish, Lacquer Or Enamel Mfg.  
Pigment Color Mfg.

Polish Or Leather Dressing Mfg.  
 Primer, Paint, Mfg.  
 Printing Ink Mfg.  
 Putty, Caulking Compound, And Allied Product Mfg.  
 Roofing Compound Mfg., No Refining  
 Shellac Mfg.  
 Shoe Polish Mfg.  
 Stains - Varnish, Oil And Wax, Mfg.  
 Toner (Dry) Mfg.  
 Varnish Mfg.  
 Water Paint Mfg.  
 Whiting Mfg.  
 Wood Filler And Sealer Mfg.  
 Wood Stain Mfg.

**571 SOAP MFG.**

***UNDERWRITING GUIDE***

Beeswax Mfg.  
 Candle Mfg.  
 Cleaning, Polishing Or Sanitation Preparations Mfg.  
 Cosmetic, Perfume Or Other Toilet Preparations Mfg.  
 Crayon Mfg.  
 Degreasing Solvent Mfg.  
 Detergent Mfg.  
 Disinfectant (Household And Industrial) Mfg.  
 Dry Cleaning Preparation Mfg.  
 Furniture Polish And Wax Mfg.  
 Household Bleach, Dry Or Liquid Mfg.  
 Log Mfg. – Synthetic (wax and sawdust combination)  
 Perfume, Cosmetic Or Other Toilet Preparations Mfg.  
 Perfumery Extract Mfg.  
 Polishing, Cleaning Or Sanitation Preparations Mfg.  
 Saddle Soap Mfg.  
 Scouring Compound Mfg.  
 Sealing Wax Mfg.  
 Shampoo Mfg.  
 Soap Or Other Detergent Mfg.  
 Synthetic Log Mfg. (wax and sawdust combination)  
 Washing Compound Mfg.  
 Wax Or Wax Products Mfg.  
 Wax Remover Mfg.

**573 FERTILIZER MFG.**

**OPERATIONS NOT INCLUDED:**

Separately rate fertilizer application or lime spreading onto soil to Code 007.

**581 OIL REFINING, PETROLEUM**

***UNDERWRITING GUIDE***

Aromatic Chemical Mfg. In Petroleum Refinery  
 Benzene Mfg. In Petroleum Refinery  
 Blending Lubricants  
 Catalyst Mfg., Oil-Based  
 Gasoline Blending Plant  
 Grease Mixing Or Blending, Not Animal Or Vegetable  
 Kerosene Mfg.

Lubricant, Blending  
 Lubricating Oil And Grease Mfg., Excluding Animal And Vegetable Products  
 Naphtha Mfg. In Petroleum Refinery  
 Nylon Mfg.  
 Oil Blending - Not Animal Or Vegetable  
 Oil Refining, Petroleum  
 Oil Re-Refining, Used Motor Oil  
 Petroleum Refining  
 Plastic Material, Synthetic Resin, Or Nonvulcanizable Elastomer Mfg.  
 Rayon Mfg.  
 Sulfonated Oil And Assistant Mfg.  
 Synthetic Rubber Intermediates Mfg.  
 Synthetic Rubber Mfg.

#### **587 EMPLOYMENT CONTRACTOR - TEMPORARY PAINT OR COLORS MFG. STAFF**

Applicable only to temporary staff provided to customers whose business classification is Code 563.

Please see the Employment Contractor - Temporary Staffing entry in the General Auditing & Classification Information section for further information on classifying temporary staff.

#### **UNDERWRITING GUIDE**

Employment Contractor - Temporary Paint Or Colors Mfg. Staff  
 Paint Or Colors Mfg. - Temporary Staff  
 Temporary Paint Or Colors Mfg. Staff

### **EXCAVATION AND CONSTRUCTION**

#### **601 ROAD OR STREET CONSTRUCTION: PAVING OR REPAVING**

Applies to the laying of the road starting with the sub-base and includes all kinds of paving or repaving, surfacing or resurfacing or scraping, including airport runways or warming aprons. Also included are trimming and finishing of shoulders, installing curbing and erecting guard rails or fences.

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

1. Concrete drilling or sawing on highways or roads.
2. Flagmen provided by specialist contractors.
3. Painting lines on highway or roads.
4. Safety grooving of road surfaces by specialist contractor.
5. Portable/temporarily located asphalt plants operated by a paving contractor.

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

1. CLEARING OF LAND projects shall be classified as delineated in the General Auditing & Classification Information section.
2. Separately rate subsurface work which involves all work necessary to bring the road up to grade or rock excavation, filling or grading to Code 609.
3. Separately rate bridge and culvert building where clearance is more than 10 feet at any point or the entire distance between terminal abutments exceeds 20 feet to Code 654.
4. Separately rate tunneling projects to Code 615.
5. Assign the applicable quarrying classification to quarrying and stone crushing by the quarry operator.
6. Assign Code 855 to permanently located and separately staffed asphalt plants.

#### **UNDERWRITING GUIDE**

Airport Construction, Paving - Landing Strip Or Warming Apron

Airport Runway Construction - Paving Or Repaving  
 Asphalt Laying, On Constructed Highway By Contractor  
 Asphalt Laying, On Constructed Highway By Supplier  
 Asphalt Road Spraying  
 Concrete Drilling Or Sawing - On Highways Or Roads  
 Curbstone - Concrete Prefabricated - Installed By Road Contractor  
 Fence Erection, Highway Barriers By Paving Contractor  
 Flagmen - Provided By Specialist Contractor  
 Guardrail Or Metal Fence Erection - By Road Contractor  
 Highway Maintenance, Scraping, Paving Or Repaving By Contractor  
 Milling Of A Road's Surface – By An Independent Contractor Or The Paving Contractor  
 Painting Lines On Highways Or Roads  
 Paving Or Repaving, Road And Street  
 Repaving - Street Or Road  
 Road Construction - Paving Or Repaving  
 Street Or Road Construction Or Maintenance - Scraping, Paving Or Repaving  
 Surfacing Or Resurfacing Of Road Or Street  
 Warming Apron Paving, Airport

**603 SEWER CONSTRUCTION – ALL WORK TO COMPLETION, INCLUDING MASONRY WORK IN CONNECTION THEREWITH – NO TUNNELING**

***UNDERWRITING GUIDE***

Sewer Construction, All Work To Completion Except Tunneling, See Class 615  
 Storm Drain Construction

**605 RAILROAD CONSTRUCTION AND MAINTENANCE OF WAY BY CONTRACTORS – ALL OPERATIONS INCIDENTAL THERETO, EXCEPT BRIDGE BUILDING**

The entire payroll in construction of bridges or culverts exceeding a span of 12 ft. must be separately classified as provided in this Manual.

***UNDERWRITING GUIDE***

Railroad Construction, By Contractor  
 Railroad Maintenance Of Way, By Contractor

**607 DRILLING BY CONTRACTOR**

***OPERATIONS ALSO INCLUDED:***

1. Horizontal directional drilling for underground utility construction is a trenchless (non-excavating) method of installing underground pipes, conduits or cables.
2. Microtunneling is a trenchless method of installing pipes. A computerized navigation system operated above ground advances and steers the microtunneling machine (MTB), jacks the pipe, and excavates the soil to directly install pipes.

***UNDERWRITING GUIDE***

Boring Or Test Boring For Soil Samples By Specialist Contractor  
 Drilling, By Contractor  
 Elevator Shaft Drilling – By Contractor  
 Geothermal Well Drilling –By Contractor  
 Horizontal Or Directional Drilling – For Underground Utility Construction - By Contractor  
 Microtunneling  
 Water Well Drilling - By Contractor

**608 FLAT CEMENT WORK**

Applicable to a specialist contractor performing ground-supported concrete work in the construction of houses or one or two-story commercial buildings, including but not necessarily limited to concrete footings, foundation walls, cellar floors, curbs, sidewalks and driveways. Also applicable to constructing ground-supported concrete floors for one or two story commercial buildings and the blacktop paving or repaving of driveways, parking lots, sidewalks or yards. Further applicable to the breakup by use of picks or jackhammers and removal of old ground-supported concrete, digging with shovels, and the set-up and removal of forms by the ground-supported concrete contractor.

**OPERATIONS ALSO INCLUDED:**

1. Mausoleum or monument erection in cemeteries.
2. Diamond core drilling within buildings by a specialist contractor.
3. Painting lines in parking lots or tennis courts by a specialist contractor.
4. The coating of concrete floors (typically with an epoxy resin) by a specialist contractor.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 601 to the paving or repaving of streets, roads, airport runways or warming aprons.
2. Assign Code 601 to concrete curb or gutter work performed by a street or road paving contractor.
3. Assign Code 609 to excavation performed by means of mechanical equipment. See Code 609 for further information.
4. Assign Code 654 to ground-supported concrete work in the construction of commercial buildings three stories or more.
5. Assign Code 654 to the installation of precast walls or panels.
6. Assign Code 654 to the erection/dismantling of forms incident to the pouring of self-bearing floors or any other non-ground supported concrete work.
7. Assign Code 654 to Guniting/Shotcrete installation.
8. Assign Code 855 to concrete pumping services by a specialist contractor.
9. Assign Code 855 to a separately-staffed and permanently-located ready mix concrete or asphalt plant.

**UNDERWRITING GUIDE**

Airport Construction, Paving Of Automobile Parking Areas  
 Asphalt Laying, Driveway, Floor, Yard, Sidewalk  
 Cement Work, Flat, Not Self-Bearing Or Reinforced  
 Concrete Floor Construction, Not Self-Bearing  
 Concrete Work, Yard  
 Diamond Core Drilling Within Buildings – By Specialist Contractor  
 Driveway Construction - Blacktop Or Cement  
 Flat Cement Work Contractor  
 Mausoleums And Monuments In Cemeteries, Erection Only  
 Painting Lines On Parking Lots Or Tennis Courts  
 Paving, Driveway - Blacktop Or Cement

**609 EXCAVATION**

Applicable to payroll developed in general excavation, grading, trench digging, filling or backfilling. Also applicable to road construction subsurface work which involves all work necessary to bring the road up to grade including earth or rock excavation, filling or grading. Such work is performed with power shovels, trench diggers, bulldozers or graders. The business may be a specialist excavation contractor principally engaged in one or more of the listed tasks. The business may be a general contractor employing a separate staff performing one or more of the listed tasks or the business has kept separate payroll records for personnel who interchange between one or more of the tasks listed above and other construction tasks assigned to another construction classification.

***OPERATIONS ALSO INCLUDED:***

1. All methods of clearing or removing brush and/or tree stumps that is not incident to tree removal.
2. Excavation and/or grading for parking lots.
3. Blasting services by specialist/independent contractors under contract with unrelated businesses including incidental drilling.
4. Cross-country oil or gas pipeline construction.
5. Landfill operation by independent contractor.

***OPERATIONS NOT INCLUDED:***

1. Assign the applicable "all work to completion" construction classification when a business is performing work assignable to an "all work to completion" classification. Any excavation work performed by the business incidental to an "all work to completion" job or project shall be included in the "all work to completion" construction classification applicable to the job or project.
2. Separately rate the laying of a road's sub-base, its paving or repaving, surfacing or resurfacing or scraping to Code 601. This also includes airport runways or warming aprons.
3. Separately rate tunneling projects to Code 615.
4. Separately rate bridge and culvert building where clearance is more than 10 feet at any point or the entire distance between terminal abutments exceeds 20 feet to Code 654.
5. Assign the applicable quarrying classification to quarrying and stone crushing by quarry operator.

***UNDERWRITING GUIDE***

Airport Runway Or Warming Apron Construction- Subsurface Work  
 Blasting Contractor - Includes Incident Drilling By The Blasting Contractor  
 Building Underpinning  
 Caisson Work, Pneumatic  
 Canal Irrigation, Construction  
 Caves, Excavation Of New Areas For Exhibition Purposes  
 Cell Tower Erection – Excavation Or Grading Of The Site By Contractor  
 Cellar Excavation  
 Culvert Construction, Not Exceeding 10 Feet Span  
 Excavation, N.O.C.  
 Excavation – Street Or Road – Including Rock Excavation  
 Foundation Excavation  
 Gas Or Oil Pipeline Construction - Cross-Country  
 Grading  
 Grading Preparatory To Building Erection  
 Grave Digging - By Contractor  
 Humus Digging And Bagging  
 Irrigation System Construction  
 Landfill Operation  
 Levee Construction  
 Oil Or Gas Pipeline Construction - Cross-Country  
 Peat Digging  
 Pipeline Construction, Oil Or Gas - Cross-Country  
 Pipeline Reclamation, Oil Or Gas  
 Rock Excavation, Not Quarry  
 Septic Tank Installation, By Specialist Contractor  
 Street Or Road Rock Excavation  
 Sub-Surface Work – Road Or Street Construction

**611 PILE DRIVING, INCLUDING TIMBER WHARF BUILDING**

***OPERATIONS NOT INCLUDED:***

1. Assign Code 654 to payroll developed in pouring concrete into driven piles.

***UNDERWRITING GUIDE***

Bulkhead Construction - State Coverage Only

Jetty Construction - State Coverage Only

Pile Driving - State Coverage Only

Wharf Building, Timber - State Coverage Only

**615 TUNNELING OR SHAFT SINKING, ALL WORK TO COMPLETION**

***OPERATIONS NOT INCLUDED:***

1. Assign Microtunneling to Code 607. Microtunneling is a trenchless method of installing pipes. A computerized navigation system operated above ground advances and steers the microtunneling machine (MTB), jacks the pipe, and excavates the soil to directly install pipes.

***UNDERWRITING GUIDE***

Cofferdam Work - Under Pneumatic Pressure

Sewer Construction, Tunneling

Tunneling

**617 GAS, STEAM OR WATER MAIN CONSTRUCTION – ALL WORK TO COMPLETION**

***OPERATIONS NOT INCLUDED:***

1. Separately rate to Code 615 tunneling under pressure.
2. Separately rate horizontal/directional drilling for underground utility construction to Code 607.
3. Separately rate conduit construction to Code 625.

***UNDERWRITING GUIDE***

Gas Main Construction - Local Distribution Systems - All Work To Completion Except Tunneling

Gas, Steam Or Water Main Repair - By Contractor - All Work To Completion Except Tunneling

Main Construction - Gas, Steam Or Water - Local Distribution Systems - All Work To Completion Except Tunneling

Steam Main Construction - All Work To Completion Except Tunneling

Water Main Construction, All Work To Completion Except Tunneling

**625 CONDUIT CONSTRUCTION – FOR CABLES OR WIRES, ALL WORK TO COMPLETION.**

Also includes cable laying by specialist contractors employing automatic equipment, which in one operation opens the trench, lays the cable and backfills.

***OPERATIONS NOT INCLUDED:***

1. Separately rate horizontal/directional drilling for underground utility construction to Code 607.

***UNDERWRITING GUIDE***

Cable Installation In Conduits - By The Conduit Construction Contractor

Cable Laying With Automatic Equipment - By Specialist Contractor

Conduit Construction - For Cables Or Wires, All Work To Completion



## BUILDING CONTRUCTION

### 643 ASBESTOS CONTRACTOR – ALL WORK TO COMPLETION. EMPLOYEES ENGAGED IN ASBESTOS REMOVAL, REPLACEMENT, REPAIR, ENCLOSURE OR ENCAPSULATIONS

#### **UNDERWRITING GUIDE**

Asbestos - Encapsulation Or Removal (Including Pipe Insulation)  
 Insulation (Asbestos) Encapsulation Or Removal (Including Pipe Insulation)  
 Insulation Work, Pipe (Incl. Asbestos Encapsulation Or Removal)  
 Pipe Insulation - Asbestos Encapsulation Or Removal

### 645 WALLBOARD INSTALLATION – WITHIN BUILDINGS

Includes the entire operation of installing drywall/wallboard including taping, seaming, texturing, but not painting.

#### **UNDERWRITING GUIDE**

Drywall Installation - Including Taping And Seaming  
 Plasterboard Installation  
 Sheet Rock Installation - Within Buildings  
 Taping And Seaming Of Wallboard  
 Wallboard Installation

### 646 FURNITURE OR FIXTURES INSTALLATION – PORTABLE – IN OFFICES OR STORES

#### **UNDERWRITING GUIDE**

Blackboard Installation – Wood  
 Church Furnishings - Wood (Altars, Pews) Installation  
 Display Rack Or Stand Installation - Metal, Plastic Or Wood  
 Electrostatic Painting Of Metal Cabinets Or Furniture – At Customers' Locations – By Specialist Contractor  
 Exhibit Booth Erection  
 Fixture Installation: Partitions Or Counters  
 Furniture Or Fixture Installation - Portable – In Offices Or Stores  
 Kitchen Equipment Installation - (Commercial)  
 Metal Partition, Shelving, Locker, Office And Store Fixture Installation  
 Partition Installation  
 Shelving And Store Fixture Installation  
 Showcase Erection And Installation, No Mfg.  
 Soda Fountain Or Counter Installation - Plumbing Or Electrical Wiring To Be Separately Rated

### 647 INSULATION WORK, N.O.C.

Includes the installation or application of acoustical or thermal insulating material in buildings or within building walls.

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

1. A Weatherization Program insulates the client's home, which may be a detached house, twin, a row house or a mobile home. The clients are generally either elderly, on a fixed income or are low-income families. All of a weatherization program's tasks (e.g., fixing windows and/or doors, installing blown or insulation, putting in foam sealants, doing caulking or putting in weather stripping) are incidental to the efforts of preventing outside air from infiltrating the home and concurrently preventing warm or

air-conditioned air from escaping the home's insulation.

***OPERATIONS NOT INCLUDED:***

1. Assign Code 643 to payroll developed in asbestos encapsulation or removal including pipe insulation.
2. Assign Code 663 to pipe covering or insulation work except for asbestos.

**648 CARPENTRY – INSTALLATION of CABINET WORK, FINISHED WOODEN FLOORING OR INTERIOR TRIM**

***OPERATIONS ALSO INCLUDED:***

1. The installation of parquet flooring.
2. The installation of countertops of any material except stone countertops.

***OPERATIONS NOT INCLUDED:***

1. Assign Code 668 to the installation of all types of stone countertops.

***UNDERWRITING GUIDE***

Bathtub Liner Installation  
 Cabinet Installation, Commercial Or Residential  
 Carpentry - Installation Of Cabinet Work, Finished Wooden Flooring Or Interior Trim  
 Finished Hardwood Floor Installation  
 Floor Installation - Portable – Wood  
 Floor Laying, Finished Hardwood  
 Floor Sanding Or Scraping – Wood  
 Hardwood Floor Laying  
 Interior Trim Installation – Wood  
 Kitchen Cabinet Installation – Wood  
 Locks, Installation In New Buildings  
 Parquet Floor Laying  
 Paving, Wood Block, Interior  
 Stair Building (Wooden) Erection

**649 CEILING INSTALLATION – SUSPENDED ACOUSTICAL GRID TYPE**

***UNDERWRITING GUIDE***

Acoustical Ceiling Installation - Suspended Grid Type  
 Ceiling Installation - Acoustical - Suspended Grid Type

**651 CARPENTRY – COMMERCIAL STRUCTURES**

***UNDERWRITING GUIDE***

Aluminum Awning Erection – Commercial  
 Aluminum Storm Sash Installation – Commercial  
 Asbestos - Encapsulation Or Removal (Not Pipe Insulation)  
 Boarding Up Of Abandoned Buildings (Including Those Designed For Dwelling Occupancy)  
 Bridge Building – Wood  
 Carpentry, N.O.C. Excluding Concrete Form Building  
 Cooling Tower Erection, Prefabricated – Wood  
 Door Installation - Commercial – All Types Except Overhead Doors  
 Fence Erection All Types – Commercial or Residential  
 General Construction – Commercial

Grandstand Or Bleacher, Erection By Contractor - Portable – Wood  
 Greenhouse Erection  
 Interior Stripping/Gutting Of Buildings  
 Jalousie Or Jalousie Screen - Metal Or Glass, Erection Of – Commercial  
 Lead Paint Removal (From Any Non-Pipe Surface) - By Contractor  
 Metal Fence (e.g., Aluminum, Chain Link or Wrought Iron) Erection – Commercial or Residential  
 Metal Storm Sash Installation – Commercial  
 Prefabricated Wooden Building And Structural Member Erection  
 Siding Installation (Aluminum, Vinyl, Wood or Cement Board) - Commercial Structures  
 Silo Erection – Wood  
 Storm Window Or Storm Door, Installation – Wood Or Metal – Commercial  
 Tank Erection – Wooden  
 Vinyl Fence Erection - Commercial or Residential  
 Window Screen Or Screen Door Installation – Metal Or Wood – Commercial  
 Wood Fence Erection – Commercial or Residential

**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**

***OPERATIONS ALSO INCLUDED:***

1. Assign Code 652 to the entire payroll of employees interchanging among trades at a specific job site.

***OPERATIONS NOT INCLUDED:***

1. Separately classify trades where there is no interchange of personnel at specific job sites.

***UNDERWRITING GUIDE***

Aluminum Awning Erection – Residential  
 Aluminum Storm Sash Installation – Residential  
 Carpentry - Detached One Or Two Family Dwellings  
 Carpentry - Remodeling Of One Or Two Family Dwellings  
 Carpentry - Residential For Multiple Dwelling Occupancy - Three Stories Or Less  
 Door Installation – Residential – All Types Except Overhead Doors  
 Home Improvements and/or Remodeling  
 Jalousie Or Jalousie Screen - Metal Or Glass, Erection Of – Residential  
 Metal Storm Sash Installation – Residential  
 Modular Home Setup, Warranty Service, Remodeling Or Repair  
 Punch List Repairs - By Contractor To A New House  
 Siding Installation (Aluminum, Vinyl, Wood or Cement Board) – Residential  
 Storm Window Or Storm Door Installation – Wood Or Metal – Residential  
 Window Screen Or Screen Door Installation – Metal Or Wood – Residential

**653 MASONRY**

***OPERATIONS NOT INCLUDED:***

1. Assign Code 603 to payroll developed in masonry work in connection with sewers
2. Assign Code 665 to payroll developed in sandblasting by a painting contractor preparatory to painting.
3. Assign Code 971 to payroll developed in the power washing of exterior walls or decks at residential or commercial sites.

***UNDERWRITING GUIDE***

Boiler Brick Work, Installation Or Repair  
 Brick Pointing  
 Bricking Up Abandoned Buildings  
 Bricklaying  
 Building Caulking, Exterior  
 Building Cleaning, Exterior Walls  
 Cement Block Erection  
 Chimney Construction – Masonry  
 Fireplace Installation  
 Fireproof Tile Setting  
 Glass Block Installation - Structural Use  
 Hardscaping Installation  
 Marble Setting, Exterior Only  
 Masonry, N.O.C.  
 Pavers (Decorative Brick Or Stone) Installation  
 Plaster Block Erection  
 Retaining Wall Construction (Excluding Concrete)  
 Sandblasting The Outside Of Buildings – By Specialist Contractor  
 Silo Erection - Masonry Or Tile  
 Stone Setting – Structural  
 Stonework Erection By Contractor  
 Structural Glass Block Installation, Interior  
 Stucco Work, Exterior Walls  
 Swimming Pool Plastering– By Specialist Contractor  
 Swimming Pool Tile Installation – By Specialist Contractor  
 Tuck Pointing  
 Waterproofing Of Buildings  
 Window Caulking

## **654 CONCRETE CONSTRUCTION**

Applicable to commercial or residential concrete building construction such as self-bearing floors, foundations, piers, bridges, culverts or silos. Also applicable to making or erecting forms, placing reinforcing rods, taking down or stripping forms and finishing (smoothing out irregularities) the poured concrete. Code 654 applies to each of the aforementioned steps in the concrete construction process, whether all work is performed by one contractor or one or more of the job steps are outsourced to a specialty subcontractor(s).

### **OPERATIONS ALSO INCLUDED:**

1. Grouting (including drilling), which is the placement of cement, plastic compounds or concrete or the pumping of fly ash.
2. Guniting (Shotcrete Installation).
3. Pouring concrete into driven pilings.
4. Ground-supported concrete footings or foundation walls in the construction of commercial or residential buildings three stories or more.
5. Precast concrete panel or wall installation.
6. The wrecking or demolition of concrete or concrete-encased buildings or structures.

### **OPERATIONS NOT INCLUDED:**

1. Assign Code 608 to a specialty contractor performing ground supported concrete work in the construction of houses or small (one or two-story) commercial buildings.
2. Assign Code 609 to excavation performed by mechanical equipment. See Code 609 for further information.
3. Assign Code 855 to concrete pumping services by a specialist contractor.

4. Assign Code 855 to a separately staffed and permanently located ready mix concrete plant.

***UNDERWRITING GUIDE***

Cell Tower Erection – Building Of The Concrete Pad By Contractor  
Cement Finishing  
Concrete Construction  
Concrete Floor Construction, Self-Bearing  
Concrete Form Erection  
Concrete Parking Garage Construction  
Concrete Reinforcing Rod Setting  
Concrete Work, Dams  
Concrete Work, Floors, Etc., Above Ground Level  
False Work Erection For Concrete Construction  
Grouting - Including Drilling - Placing Of Cement, Plastic Compounds Or Concrete, Or Pumping Of Fly Ash  
Guniting (Shotcrete Installation)  
Panel Or Wall Installation - Precast Concrete  
Parking Garage Construction – Concrete  
Precast Concrete Panel Or Wall Installation  
Reinforcing Rod Setting - Including By Specialist Contractor  
Retaining Wall Construction – Concrete  
Shotcrete Installation (Guniting)  
Silo Erection – Concrete  
Wall Or Panel Installation - Precast Concrete

**655 IRON ERECTION*****UNDERWRITING GUIDE***

Bridge Building – Metal  
Bridge Painting  
Cell Tower Erection – Erection Of The Tower By Contractor  
Cell Tower Erection – Antenna(s) Installation, Service and/or Repair By Contractor  
Chimney Cleaning - Industrial Smokestacks  
Concrete, Pre-Stressed, Erection By Contractor  
Corrosion Proofing Of Chemical Tanks  
Fire Escape Installation By Contractor – Outside  
Gas Holder Erection  
Iron Erection  
Iron Or Steel Erection, Structural  
Metal Furring, By Contractor  
Oil Field Tank Painting  
Painting Of: Bridges, Oil Field Tanks, Steel Structures Or Tanks  
Smokestack Or Chimney Lining – Industrial  
Steel Erection, N.O.C.  
Steel Frame Structure Erection  
Steel Structures Painting  
Steel Tank Erector  
Steel Tower Erection For Cross-Country Electric Or Telephone Lines  
Swimming Pool Installation - Iron Or Steel  
Tank Erection – Steel  
Tank Painting  
Water Tank Painting  
Welding - Structural Steel  
Windmill Erection – Metal

**656 ELECTRIC OR TELEPHONE LINE CONSTRUCTION BY CONTRACTORS**

Includes the setting of poles, installation of pole hardware or transformers or the stringing of lines.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 005 to payroll developed in the clearing of right-of-way on new lines, maintenance of right-of-way on existing lines or tree trimming.
2. Assign Code 655 to payroll developed in the erection of steel towers for cross-country lines.
3. Separately rate the tasks performed by a contractor(s) in erecting a cell phone tower. Such tasks may include but are not necessarily limited to:
  - a. Assign Code 609 to the clearing, excavation and/or grading of the site.
  - b. Assign Code 654 to building the concrete foundation.
  - c. Assign Code 655 to the erection of the tower and/or to the installation and/or repair of the tower's antennas.
  - d. Assign Code 660 to running a lateral line connecting the cell tower site to the land-line telephone network and/or installing low voltage wiring to the computer(s) or the fiber optic cable carrying the telephone signal to and from the cell site's base station call switching equipment.
  - e. Assign Code 952 to the programming, service or repair of computerized telephone call switching equipment in the cell site's base station.

**UNDERWRITING GUIDE**

Electric Line Construction, By Contractor  
Floodlight Erection – Permanent  
Installation Of Telephone Or Electric Pole Hardware  
Installation Of Telephone Or Electric Transformers  
Power Line Construction  
Setting Of Telephone Poles  
Stringing Of Electric Or Telephone Lines  
Telephone Line Construction By Contractor

**657 RIGGING, N.O.C. – BY CONTRACTOR**

Applies to an employer providing rigging services to unrelated concerns on a contract basis. Rigging is a process used to secure materials that are to be moved by lifting equipment such as cranes, hoists, and block and tackle. A rigging contractor may be limited to securing the load, may both secure and lift the load, or may secure, lift and move the load to another location.

**OPERATIONS ALSO INCLUDED:**

1. The disassembly, reassembly and setting and securing in place (e.g., bolting) of the item being rigged when performed by the rigging contractor to facilitate the rigging job.
2. The over the road transportation of the item being rigged, typically via the use of heavy or wide load trucks, when performed by the rigging contractor.
3. The operation of a mobile crane or other hoisting/lifting equipment when performed by a rigging contractor in order to move and/or set in place the item being rigged.

**OPERATIONS NOT INCLUDED:**

1. Separately rate installation work as provided for in this Manual. Installation includes but is not necessarily limited to the running and connecting of new plumbing, electrical or mechanical lines and related work. The disassembly, reassembly, transportation and setting and securing in place (e.g., bolting) of the item being rigged when performed by the rigging contractor to facilitate the rigging work shall not be construed to be installation.
2. Code 657 shall not apply to an employer whose field of business is construction, installation, service or repair and performs rigging work to facilitate the employer's own construction, installation, service or repair work.
3. An employer in the business of renting cranes with operators shall be assigned to Code 802.

**UNDERWRITING GUIDE**

Rigging - Non Ship

Safe Moving

Tower Bell Installation

**658 IRON ERECTION OR INSTALLATION – ORNAMENTAL OR NON-STRUCTURAL ONLY****UNDERWRITING GUIDE**

Architectural Bronze, Iron, And Brass Metal Work, Erection Only

Balcony Erection

Banister, Railing, Or Guard Erection – Metal

Fire Escape Installation, Inside

Fireproof Shutter Erection

Flagpole – Erection

Guardrail Erection - By Specialist Contractor

Iron Erection, Ornamental Or Non-Structural Only

Ornamental Brass Erection

Ornamental Bronze Erection

Ornamental Iron Grill Erection

Ornamental Iron Railing Erection

Prison Cell Erection – Steel

Railing Erection – Metal

**659 ROOFING**

Applicable to specialist contractors performing any type of roofing, roofing repair or reroofing job utilizing any type of roofing material, including but not necessarily limited to hot tar, shingles, slate, tile or rubber on any type of roof, such as flat, sloped or built-up. Includes all personnel working on a roofing job (e.g., ground personnel passing materials to personnel on the roof and picking up debris and personnel on the roof).

**OPERATIONS ALSO INCLUDED:**

1. Roof decking and related carpentry work performed by a roofing contractor.
2. The installation of sheet metal products (e.g., fascia, gutters, downspouts) by a roofing contractor that is a part of a roofing job.
3. Specialist contractors performing the waterproofing of roofs or the insulation of roofs.

**OPERATIONS NOT INCLUDED:**

1. There is no payroll division between Codes 659 and 676 at the same location or job.
2. Assign Code 454 to a separately-staffed and located sheet metal fabrication shop.

**UNDERWRITING GUIDE**

Roofing Installation - All Kinds

**660 ALARM OR SOUND SYSTEM – INSTALLATION OR REPAIR****UNDERWRITING GUIDE**

Alarm Or Sound System Installation

Audio And Intercommunication System Installation - Within Buildings

Battery Back-Up Power Systems – Service Or Repair By Specialist Contractor



Burglar Alarm System Installation, By Contractor  
 Cable Television – System Hookup Or Service – By Specialist Contractor  
 Closed Circuit Television Systems - Installation Or Repair  
 Computer Wiring Installation Within Buildings - By Specialist Contractor  
 Environmental Control Systems Installation, Service Or Repair - By Specialist Contractor  
 Fire Alarm System Installation  
 Intercommunication System Installation, Within Buildings  
 Invisible Fence Installation  
 Public Address Systems Installation - Including Loudspeakers  
 Sound System Installation  
 Telephone Cable Laying With Automatic Equipment – Street to Building – By Specialist Contractor  
 Telephone Wiring Installation Within Buildings - By Specialist Contractor

## 661 ELECTRICAL WIRING

Includes electric fixtures or apparatus installation or the making of service connections.

### **OPERATIONS NOT INCLUDED:**

1. Assign Code 656 to payroll developed in overhead electric telephone line construction.

### **UNDERWRITING GUIDE**

Cable Installation Or Replacement In Existing Conduit - By Specialist Contractor  
 Electric Cable Laying With Automatic Equipment – Street To Building – By Specialist Contractor  
 Electric Fixture Installation - By Contractor  
 Electrical Contractor  
 Electrical Wiring In Buildings - By Contractor  
 Electronic Garage Door Opener Installation - By Contractor  
 Floodlight Erection, Temporary - By Contractor  
 Meters - Electric, Installing, Repairing And Testing, Including Shop - By Contractor  
 Service Connections, Electrical Contractor  
 Solar Electric (Photovoltaic) System Installation  
 Traffic Light Installation - By Contractor

## 662 APPLIANCE – ELECTRICAL – SERVICE OR REPAIR

Includes the service or repair of window-unit type air conditioners, domestic refrigerators and/or commercial or domestic appliances including but not necessarily limited to: stoves, dishwashers, washing machines or clothes dryers. Also includes incidental shop or parts department employees.

### **OPERATIONS NOT INCLUDED:**

1. Separately rate electrical wiring or plumbing as provided in this Manual.
2. Assign the applicable store class to separately-staffed store operations.
3. Assign Code 664 to payroll developed in the installation, service or repair of central air conditioning units or commercial refrigeration (including walk-in) units.
4. Assign Code 675 to payroll developed in the installation, service or repair of industrial equipment (e.g., conveyor ovens).

### **UNDERWRITING GUIDE**

Air Conditioning Window-Type Units - Service Or Repair  
 Appliances, Major Household Or Commercial, Electrical Or Gas - Service Or Repair



Dryers, Household Or Commercial, Electrical Or Gas - Service Or Repair  
 Electrical Or Gas Household Major Or Commercial Appliances - Service Or Repair  
 Gas Fireplace Service Or Repair  
 Household Major Or Commercial Appliances, Electrical Or Gas - Service Or Repair  
 Refrigerator, Household - Service Or Repair  
 Stoves, Household Or Commercial, Electric Or Gas - Service Or Repair  
 Washing Machines, Household Or Commercial, Electrical Or Gas - Service Or Repair  
 Water Cooler - Installation, Service Or Repair

**663 PLUMBING: GAS, STEAM, HOT WATER OR OTHER PIPEFITTING, INCLUDING HOUSE CONNECTIONS – SHOP PAYROLL, IF ANY, MUST BE INCLUDED**

Includes work within buildings.

***OPERATIONS NOT INCLUDED:***

1. Assign Code 607 to payroll developed in geothermal and/or water well drilling.
2. Assign Code 675 to pipefitting in connection with the installation of machinery or apparatus outside of buildings.

***UNDERWRITING GUIDE***

Automatic Sprinkler Installation  
 Automatic Stoker, Gas Or Oil Burner Installation  
 Beer Drawing Equipment, Cleaning And Installation  
 French Drain Installation  
 Furnace - Hot Water Or Steam - Installation, Service Or Repair  
 Furnace Cleaning - Hot Water Or Steam  
 Gas Pipefitting, Indoor  
 Heating Equipment - Installation, Service Or Repair - Hot Water Or Steam  
 Hot Water Tank - Installation, Service Or Repair  
 Insulation Work, Pipe (Incl. Asbestos Encapsulation Or Removal)  
 Lawn Sprinkler Installation  
 Lead Paint Removal (From A Pipe Surface) – By Contractor  
 Milking Equipment Installation  
 Oil Still Pipe Insulation  
 Pipe Covering Installation (Incl. Asbestos Encapsulation Or Removal)  
 Pipe Laying For House Or Service Connections, By Plumbing Contractor  
 Pipefitting - House Connections  
 Plumbing, N.O.C.  
 Pump Installation, Water  
 Sewer Cleaning, House Connections, Using Portable Equipment  
 Soda Dispensers - Installation And Repair  
 Solar Water Heater Installation - Including Storage Tanks And Solar Panels  
 Sprinkler Installation  
 Stoker Installation Or Repair  
 Sump Pump Installation  
 Water Meter Installation - By Contractor  
 Water Softener Installation And Service, Domestic  
 Water Well Cleaning

**664 HEATING, VENTILATING OR AIR CONDITIONING CONTRACTOR**

Applicable to contractors performing forced air heating, ventilating or air conditioning equipment installation required for air comfort control or engaged in the service or repair of such equipment. Further included is any incidental duct or shop work.

***OPERATIONS NOT INCLUDED:***

1. Assign Code 607 to payroll developed in geothermal or water well drilling.
2. Assign Code 662 to payroll developed in the service or repair of window-unit air conditioners.
3. Assign Code 663 to payroll developed in the installation, service or repair of either hot water or steam heating equipment.
4. Assign Code 677 to payroll developed in the installation, service or repair of high pressure hot water or steam heating equipment.

***UNDERWRITING GUIDE***

Air Conditioning (Central) Systems Installation, Repair Or Service  
 Central Air Conditioning Systems Installation, Service Or Repair  
 Cleaning, Oiling Or Adjusting Of Air Conditioning, Forced Air Heating Or Ventilating Systems  
 Duct Fabrication And Installation - Heating, Ventilating Or Air Conditioning  
 Ductless Heating And/Or Air Conditioning System – Installation, Service Or Repair  
 Furnace Cleaning - Hot Forced Air  
 Heating Systems - Hot Forced Air, Repair Or Service - Cleaning, Oiling Or Adjusting  
 Heating Systems Installation, Except Electric, Hot Water Or Steam  
 Radon Mitigation  
 Refrigeration Or Central Air Conditioning Units Installation Or Service  
 Ventilating System Installation  
 Ventilating Systems Repair Or Service - Cleaning, Oiling Or Adjusting  
 Warm Air Heating System Installation

**665 PAINTING AND DECORATING, INCLUDING SHOP**

***OPERATIONS NOT INCLUDED:***

1. Assign Code 655 to payroll developed in the painting of steel structures or bridges.

***UNDERWRITING GUIDE***

Calcimining, By Contractor  
 Painting, Including Shop and Preparatory Sandblasting  
 Shingle Staining, On Structures, Including Shop Work  
 Whitewashing, By Contractor

**666 PLATE AND WIRE GLASS INSTALLATION**

***OPERATIONS NOT INCLUDED:***

1. Assign Code 536 to payroll developed by a separate shop staff engaged in the manufacture of glass products including bending, beveling or silvering of purchased plate glass.

***UNDERWRITING GUIDE***

Glass Installer, Except Automobile  
 Glazier, Away From Shop  
 Glazing  
 Mirror Installation  
 Plate Glass Installation  
 Wire Glass Installation

**667 PAPER HANGING**

***UNDERWRITING GUIDE***

Glass or Window Tinting, Except For Auto Glass  
Paperhanging  
Solar Control Film Installation In Window  
Wallpaper Hanging  
Window or Glass Tinting, Except For Auto Glass

**668 TILE, STONE, MOSAIC OR TERRAZZO WORK – INTERIOR CONSTRUCTION ONLY INCLUDING MARBLE SETTING AND TILE WAINSCOTING, BUT EXCLUDING CEMENT FINISHING AND STRUCTURAL GLASS BLOCK INSTALLATION**

Structural glass block installation shall be assignable to Code 653.

***UNDERWRITING GUIDE***

Ceramic Tile Installation  
Floor Installation - Ceramic Tile  
Granite Countertop Installation  
Interior Marble Installation  
Interior Tile Mosaic Work  
Marble Setting, Interior Only  
Mosaic Tile Installation  
Stone Setting - Non-Structural  
Terrazzo Floor Laying  
Tile Floor Laying - Ceramic Or Mosaic  
Tile Wainscoting Installation

**669 PLASTERING, INCLUDING LATHING**

***UNDERWRITING GUIDE***

Lathing  
Plastering, N.O.C.  
Stucco Work, Building Interiors

**670 HOUSE FURNISHINGS INSTALLATION, N.O.C.**

Separately staffed store operations shall be assigned to the appropriate store class.

***UNDERWRITING GUIDE***

Carpet Installation, By Specialist Contractor  
Curtain Or Drapery Installation From Floor Or Ladder  
Drapery Or Curtain Installation From Floor Or Ladder  
Flag And Bunting Erection From Floor Or Ladder  
Floor Coverings - Installation Of Linoleum, Asphalt Or Rubber Tiling - Not Ceramic Tile Installation  
Floor Installation - Not Concrete, Ceramic Or Wood  
Floor Laying - Linoleum, Asphalt, Rubber Or Composition Tiling, Not Ceramic  
Furnishing Goods Installation  
House Furnishings Installation  
Linoleum Laying  
Rubber Tile Installation  
Slipcover Installation  
Tile Floor Laying, Not Ceramic Or Mosaic  
Upholstering - Away From Shop

Venetian Blind Installation, No Mfg.  
Vinyl Tile Installation  
Window Shade Installation

**673 ADVERTISING SIGN, MANUFACTURE, ERECTION OR REPAIR – NOT OUTDOOR ADVERTISING COMPANY**

***UNDERWRITING GUIDE***

Advertising Sign Mfg., Erection Or Repair, Not Outdoor Advertising Company  
Electrical Advertising Sign Mfg., Installation Or Repair  
Neon Sign Mfg., Installation Or Repair  
Scoreboard Mfg., Installation Or Repair – Electric  
Sign Erection, Removal Or Repair, Not Outdoor Advertising Company

**674 SWIMMING POOL CONSTRUCTION, ALL WORK TO COMPLETION**

***OPERATIONS NOT INCLUDED:***

1. Assign Code 655 to the construction of iron or steel reinforced swimming pools that are not ground-supported (e.g., the type commonly found on an upper floor or rooftop of a hotel or apartment building).
2. Assign Code 971 to swimming pool cleaning or maintenance work performed by the separate staff of a swimming pool construction contractor or by a specialist contractor.

***UNDERWRITING GUIDE***

Swimming Pool Installation - All Types Except Iron Or Steel - All Work To Completion  
Swimming Pool Liner Installation - Vinyl, By Swimming Pool Installation Contractor

**675 MACHINERY OR EQUIPMENT ERECTION OR REPAIR**

Applies to the erection or repair of factory machinery or to the installation, erection or repair of elevators, escalators, conveyors or hoisting systems.

***UNDERWRITING GUIDE***

Acetylene Gas Machine Installation  
Conveyor Or Conveyor Belt Installation  
Conveyor Oven Installation, Service Or Repair  
Crane Or Derrick Installation, Service Or Repair – Permanently-Sited  
Dismantling, Installation Or Service Or Repair Of Machinery Or Industrial Equipment, By Contractor  
Door Installation, Overhead - Wood Or Metal  
Electrical Apparatus, Machinery Or Motor Installation Or Field Repair  
Elevator Erection, Service Or Repair  
Escalator Installation, Service Or Repair  
Gasoline Station Equipment Installation (Including Excavation) Or Repair  
Hoist Installation, Service Or Repair Permanently-Sited  
Industrial Crane Installation, Service Or Repair – Permanently-Sited  
Installation Of Hod Hoists  
Installation Or Dismantling Of Machinery And Industrial Equipment, By Contractor  
Laundry Equipment Installation, Service Or Repair – Industrial  
Machine Belting Installation Or Repair  
Machinery Erection Service Or Repair  
Machinery Or Industrial Equipment Installation, Service Or Repair Or Dismantling, By Contractor  
Millwrighting  
Monorail System Installation (Except For Public Transportation)  
Oven (Conveyor) Installation, Service Or Repair

Overhead Door Installation  
 Pipefitting, Installation Of Apparatus Or Machinery Outside Of Buildings  
 Pump Installation, Service Stations  
 Pump, Air And Gas Compressor, And Pumping Equipment – Installation, Service Or Repair  
 Safe Installation  
 Scaffold Sale, Rental Or Erection, By Specialist Contractor  
 Scale Installation Or Adjustment, Platform Or Beam Type  
 Tank Installation, Gas Stations  
 Textile Machinery Installation, Service Or Repair

**676 SHEET METAL INSTALLATION, NO PAYROLL DIVISION WITH CODE 659 AT THE SAME LOCATION OR JOB SITE**

Code 676 shall be assigned to both the shop and the erection or installation payroll developed by an insured engaged in both the shop fabrication of sheet metal products and the erection or installation thereof.

***UNDERWRITING GUIDE***

Downspout Installation  
 Gutter Installation – Metal  
 Metal Ceiling Installation

**677 BOILER INSTALLATION OR REPAIR**

Includes all work to completion except brickwork, which must be assigned to Code 653.

***UNDERWRITING GUIDE***

Boiler Installation Or Repair  
 Construction Of Boiler Foundations  
 Grate Installation In Boilers, By Specialist Contractor  
 Pipe Connection, For Boilers  
 Steel Work In Connection With Boilers

**679 ADVERTISING COMPANY, OUTDOOR**

Applicable to outdoor advertising companies and includes but is not necessarily limited to: shop operations, the erection, painting, repair, maintenance or removal of signs, sign painting or lettering in or upon buildings or structures or bill posting.

***UNDERWRITING GUIDE***

Advertising Company – Outdoor  
 Bill Posting (Including By Specialist Contractor)  
 Billboard - Erection, Maintenance and/or Changing Of Advertising By Outdoor Advertising Co. Or Specialist Contractor  
 Sign Painting Or Lettering In Or Upon Buildings Or Structures

**681 CANVAS GOODS, AWNING OR TENT ERECTION, REMOVAL OR REPAIR**

***UNDERWRITING GUIDE***

Awning Erection Or Installation (Cloth)  
 Canvas Products Erection  
 Curtain Or Drapery Installation From Scaffolding  
 Drapery Or Curtain Installation From Scaffolding  
 Flag Or Bunting Erection From Scaffolding

Tent Installation

**682 EMPLOYMENT CONTRACTOR - TEMPORARY STAFF - CONSTRUCTION OR ERECTION OPERATIONS**

Applies to temporary employees provided to a construction or erection contractor except for temporary excavation, commercial structure carpentry or electrical wiring (within buildings) staff which are subject to Codes 691, 693 or 695, respectively.

Please see The Employment Contractor - Temporary Staffing entry in the General Auditing & Classification Information section for further information on the construction or erection business operations assignable to Code 682 and on classifying temporary staff.

**UNDERWRITING GUIDE**

Construction Or Erection Operations - Temporary Staff

Employment Contractor - Temporary Staffing - Construction Or Erection Operations

Temporary Staff - Construction Or Erection Operations

**691 EMPLOYMENT CONTRACTOR - TEMPORARY STAFF EXCAVATION STAFF**

Applicable only to temporary staff provided to customers whose business classification is Code 609.

Please see The Employment Contractor - Temporary Staffing entry in the General Auditing & Classification Information section for further information on classifying temporary staff.

**UNDERWRITING GUIDE**

Employment Contractor - Temporary Excavation Staff

Excavation - Temporary Staff

Temporary Excavation Staff

**693 EMPLOYMENT CONTRACTOR - TEMPORARY COMMERCIAL STRUCTURE CARPENTRY STAFF**

Applicable only to temporary staff provided to customers whose business classification is Code 651.

Please see The Employment Contractor - Temporary Staffing entry in the General Auditing & Classification Information section for further information on classifying temporary staff.

**UNDERWRITING GUIDE**

Carpentry, N.O.C. - Temporary Staff

Employment Contractor - Temporary Carpentry, N.O.C. Staff

Temporary Carpentry, N.O.C. Staff

**695 EMPLOYMENT CONTRACTOR - TEMPORARY ELECTRICAL WIRING (WITHIN BUILDINGS) STAFF**

Applicable only to temporary staff provided to customers whose business classification is Code 661.

Please see The Employment Contractor - Temporary Staffing entry in the General Auditing & Classification Information section for further information on classifying temporary staff.

**UNDERWRITING GUIDE**

Electrical Wiring (Within Buildings) - Temporary Staff

Employment Contractor - Temporary Electrical Wiring (Within Buildings) Staff

Temporary Electrical Wiring (Within Buildings) Staff

**SPECIAL STATE ACT EXPOSURES****709 TALLYMEN AND CHECKING CLERKS – ENGAGED IN CONNECTION WITH STEVEDORING WORK**

Coverage under State Act only.

**UNDERWRITING GUIDE**

Public Weighers And Samplers Of Steamship Agency - State Coverage Only

Tallymen - State Coverage Only

**716 MARINA**

Applicable to all waterfront operations, including but not necessarily limited to: the operation of boat docks, storage facilities, repair shops or marine railways, the sale or repair of boats or engines, the sale of parts or accessories, dockside snack bars and all dockside employees. The operation of separately-staffed inland boat showrooms or the operation of separately-staffed motels, restaurants, swimming pools, bowling lanes or other recreational facilities shall be separately classified as provided for in this Manual.

Separate staff engaged in boat building is assignable to Code 718.

Coverage under State Act only.

**UNDERWRITING GUIDE**

Boat Rental - State Coverage Only

Boat Storage Or Moorage - State Coverage Only

Marina - State Coverage Only

Yacht Basin - State Coverage Only

**718 BOAT BUILDING OR REPAIR**

Coverage under State Act only.

Includes businesses engaged in the building of recreational vessels and/or the repairing and the dismantling of a recreational vessel in connection with the repair of such vessel as defined in the United States Longshore and Harbor Workers' Compensation Act (LHW CA) as amended, who have been granted exemption from the LHW CA by the United States Secretary of Labor. A copy of the exemption certificate shall be made available to the DCRB as documentation.

**UNDERWRITING GUIDE**

Boat Building – Recreational - State Coverage Only

Boat Dismantling – Recreational - State Coverage Only

Boat Repairing – Recreational - State Coverage Only

**721 RAILROAD OPERATION, N.O.C., INCLUDING SHOP, ORDINARY MAINTENANCE AND REPAIR OF ROADBED**

The policies for risks with operations assignable to Code 721 must be endorsed excluding insurance of Federal Employers' Liability Act coverage. (Part Two)

**UNDERWRITING GUIDE**

Railroad, N.O.C. - Including Shop

#### **744 AIRCRAFT MANUFACTURE**

##### ***UNDERWRITING GUIDE***

Aircraft Mfg.

### **UTILITIES OPERATION**

#### **751 GAS UTILITY**

Payroll developed by meter readers having no regular duty of any other nature in the service of the employer shall be assigned to Code 951.

As provided for in this Manual separately classify: geophysical exploration, drilling for gas deposits, the operation of gas wells and the construction or operation of cross-country pipelines.

##### ***UNDERWRITING GUIDE***

Gas Utility

Manufactured Gas Utility

Mixed Gas Utility

Natural Gas Utility

#### **752 OIL OR GAS PIPELINE OPERATION**

Applies to the operation of cross-country pipelines for the transmission of oil or natural gas which may include the laying or relaying of gathering or distributing lines, the operating of pumping stations, line checking, meter reading, line maintenance or repair and prevailing right-of-way clearance.

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

1. Assign Code 581 to businesses engaged in oil refining.
2. Assign Code 609 to contractors building a cross-country pipeline.

##### ***UNDERWRITING GUIDE***

Gas Or Oil Pipeline Operation

Oil Or Gas Pipeline Operation

#### **753 WATERWORKS**

Payroll developed by meter readers having no regular duty of any other nature in the service of the employer shall be assigned to Code 951.

##### ***UNDERWRITING GUIDE***

Irrigation Plant, Selling And Pipe-Distributing Water

Liquid Waste Treatment

Plant Sewage Disposal Plant, Private

Steam Heating Company

Waste Treatment Plant – Liquid

Water Supply System, Private

Waterworks



**755 ELECTRIC UTILITIES OPERATION**

Payroll developed by meter readers having no regular duty of any other nature in the service of the employer shall be assigned to Code 951.

**UNDERWRITING GUIDE**

Cooperative Electric Utility

Electric Utility Operation

Private Electric Utility

R.E.A. Cooperative

**757 TELECOMMUNICATIONS COMPANY**

Applicable to FCC licensed businesses principally engaged in providing telephone services including but not necessarily limited to: wireline, long distance, cellular, radio paging or mobile radio services for customers for a fee.

**OPERATIONS ALSO INCLUDED:**

1. Includes the installation, maintenance, repair and operation of telephone lines and systems, remote transmission sites and central office switching equipment.

**OPERATIONS NOT INCLUDED:**

1. Independent contractors performing installation, maintenance or repair of telephone lines for telecommunications companies shall be separately classified as provided for in this Manual.
2. Separately rate the tasks performed by a contractor(s) in erecting a cell phone tower. Such tasks may include but are not necessarily limited to:
  - a. Assign Code 609 to the clearing, excavation and/or grading of the site.
  - b. Assign Code 654 to the building of the concrete foundation.
  - c. Assign Code 655 to the erection of the tower and/or to the installation and/or repair of the tower's antennas.
  - d. Assign Code 660 to running a lateral line connecting the cell tower site to the landline telephone network and/or installing low voltage wiring to the computer(s) or the fiber optic cable carrying the telephone signal to and from the cell site's base station call switching equipment.
  - e. Assign Code 952 to the programming, service or repair of computerized telephone call switching equipment in the cell site's base station.
3. Assign Code 759 to a business principally engaged in providing cable television and internet services.

**UNDERWRITING GUIDE**

Telecommunications Company

Telephone Company

**759 CABLE TELEVISION OPERATIONS**

Applicable to FCC licensed businesses principally engaged in providing cable television and/or internet services to subscribing customers.

**OPERATIONS ALSO INCLUDED:**

1. The erection or installation or system hook-up or service and/or repair or the operation of a cable television and internet system by the cable and Internet provider.

***OPERATIONS NOT INCLUDED:***

1. Assign Code 936 to separately staffed broadcasting studios and/or separate crews engaged in the presentation and/or filming of news and events.
2. Separately classify contractors engaged in the construction or erection work or the hook-up of service of customers for a cable television or Internet provider as follows:
  - a. Assign Code 625 to payroll developed in installing conduit underground and running cable through the conduit.
  - b. Assign Code 656 to payroll developed in the stringing of cable from pole-to-pole.
  - c. Assign Code 660 to payroll developed in hooking up or servicing a customer (including installing or replacing a lateral line from the pole to the customer's building and/or running cable in the customer's building).
3. Assign Code 757 to a business principally engaged in providing telephone services.

***UNDERWRITING GUIDE***

Cable T.V. - Installation - Hooking Up Of Customers To Systems

Cable T.V. - Installation Of New System, Except Towers

Cable T.V. - Service and/or Repair Work For The System And Individual Customer

Internet Service Provider

Television, Cable - Installation Of New Systems, Except Towers

**TRUCKING AND STORAGE**

**801 STABLE, LIVESTOCK COMMISSION MERCHANT OR STOCKYARD NOT ASSOCIATED WITH SLAUGHTERHOUSES**

***UNDERWRITING GUIDE***

Auctioneer, Livestock

Boarding Stable

Breeding Farm – Horse

Carriage Tours Or Taxis (Horse Driven)

Cattle Auctioneer

Cattle Dealer

Farrier (Horse Shoeing By Specialist Contractor)

Horse Breeding Farm Or Boarding/Training Stable

Horse Driven Carriage Tours Or Taxis

Horse Shoeing By Specialist Contractor

Jockey - Employed By A Horse Breeding Farm Or Boarding/Training Stable

Livestock Commission Merchant

Livestock Dealer

Racing Stable

Riding Academy

Sales Stable

Stockyard

Therapeutic Riding Center

**802 MOBILE CRANE RENTAL WITH OPERATORS**

Applicable to specialist contractors engaged in the rental and/or leasing of cranes with operators.

***OPERATIONS NOT INCLUDED:***

1. Assign Code 675 to the installation and/or service/repair of overhead cranes in an industrial setting.
2. Assign Code 657 to rigging contractors, including rigging contractors who operate mobile cranes or other lifting/hoisting equipment in order to move and/or set in place the item being rigged.
3. Assign Code 814 to the rental or leasing of mobile cranes without operators.

***UNDERWRITING GUIDE***

Crane Rental (Mobile) – With Operators by Specialist Contractor

Mobile Crane Leasing Or Rental – With Operators By Specialist Contractor

**803 TAXICAB COMPANY**

Applicable to a business engaged in operating a vehicle(s) that is available for immediate hire (on a call and demand basis) with the fare to be determined by zone or meter.

Lessees transporting passengers for hire in motor vehicles leased pursuant to written leases shall not receive compensation under the Delaware Workers' Compensation Law but shall be deemed to be employers.

*Effective July 7, 1982, New, Renewal, and Outstanding.*

***UNDERWRITING GUIDE***

Taxicab Company

**804 SCHOOL TRANSPORTATION – BY INDEPENDENT CONTRACTOR**

Applicable to an independent contractor engaged in the transportation of students to and from school. Such a business may also perform the transportation of students to and from sporting events or field trips.

***UNDERWRITING GUIDE***

Automobile Bus Operation, School Bus

Bus Operation, School

School Bus Operation, By Contractor

**805 MILK HAULING – BY CONTRACTOR**

Applies to contractors engaged in hauling unprocessed or processed milk, water or other liquid food products by tank truck.

***UNDERWRITING GUIDE***

Milk Hauling - By Contractor

Water Hauling - Tank Truck - By Contractor

**806 FURNITURE MOVING AND/OR STORAGE**

***OPERATIONS ALSO INCLUDED:***

1. The packaging or handling of households goods away from the employer's premises by the furniture moving and/or storage company or by an independent packing contractor.

***OPERATIONS NOT INCLUDED:***

1. Assign Code 811 to the transporting or delivery and the setting into place at the customers' locations

of furniture and/or major household appliances under contract for a manufacturer or store.

### **UNDERWRITING GUIDE**

Furniture Moving and/or Storage

Household Goods Packing At The Customer's Location By The Moving Company Or By Independent Contractor

Merchandise Warehouse - Furniture - Including Moving

Mover - Household Or Office Furniture - With Or Without Storage Facility

Packing Household Goods At The Customer's Location By The Moving Company Or By Independent Contractor

Piano Mover

Warehouse - Public, Furniture

## **807 AMBULANCE SERVICE – SALARIED EMPLOYEES**

Applicable to an independent contractor operating an ambulance service staffed by salaried employees. Each ambulance service is licensed by the Delaware State Fire Prevention Commission, who also certifies ambulance attendants. An ambulance service may engage in both emergency and non-emergency patient transfers. Non-emergency transfers are generally by appointment.

### **UNDERWRITING GUIDE**

Ambulance Service - Salaried Employees

## **808 PARCEL DELIVERY COMPANY – NO HANDLING OF BULK MERCHANDISE OR FREIGHT - ALL EMPLOYEES EXCEPT OFFICE**

Applicable to businesses principally engaged in the delivery of envelopes, parcels or packages limited to 150 pounds or less. Envelopes, parcels or packages refer to those items where the delivery tariff or charge is allocable to the individual envelope, parcel or package. Also includes messenger or courier services engaged in deliveries on foot, by bicycle or motor vehicle.

### **OPERATIONS NOT INCLUDED:**

1. Assign Code 811 to the hauling or transporting of materials or merchandise when the haulage or transport charge is based on truckload or partial truckload, the cumulative weight of the materials/merchandise being transported, the distance or mileage that the materials/merchandise is being transported, an hourly rate, or a flat contract price for the consignment.
2. Assign Code 811 to the transporting or delivery and setting into place at customers' locations of furniture and/or major household appliances under contract for a manufacturer or store.
3. Assign Code 802 to specialist contractors engaged in the rental and/or leasing of cranes with operators.
4. Assign Code 805 to the hauling of unprocessed or processed milk, water or other liquid food products by the tank truck.
5. Assign Code 812 to the hauling or delivery of mail involving letters, parcels, packages, sacks, pallets or rolling containers under contract to the United States Postal Service.

### **UNDERWRITING GUIDE**

Armored Motor Truck Delivery

Bicycle Messenger Service

Courier Service Company

Delivery Service – On Foot, By Bicycle Or Motor Vehicle

Messenger Service - On Foot, By Bicycle Or Motor Vehicle

Parcel Delivery Company

**809 FUEL DISTRIBUTION – RETAIL OR WHOLESALE**

For businesses principally engaged in the sale of processed coal, fuel oil, liquefied petroleum (LP), gas (bottled gas or in bulk), or any combination of these lines.

**OPERATIONS NOT INCLUDED:**

1. Separate crews installing and/or servicing fuel oil or gas heating units shall be separately classified as provided in this Manual.
2. Assign Code 811 to trucking businesses hauling fuel for unrelated businesses.
3. Assign Code 7313F to businesses operating coal or oil docks.

**UNDERWRITING GUIDE**

Anhydrous Ammonia Dealer  
 Bottled Gas Dealer  
 Butane Gas Dealer  
 Coal Merchant  
 Collection Of Used Motor Oil - By Specialist Contractor  
 Fuel Oil Distributor  
 Fuel Yard  
 Gas Distribution, Bottled Or Bulk  
 Gasoline Dealer, Wholesale  
 Kerosene Distribution  
 Liquefied Petroleum Gas Dealer And Distributor  
 Motor Oil (Used) - Collection By Specialist Contractor  
 Naphtha Distribution  
 Oil Distributing, Retail And Wholesale  
 Petroleum Broker  
 Petroleum Bulk Stations And Terminals – Including Blending And Mixing  
 Propane Gas Dealer  
 Used Motor Oil Collection - By Specialist Contractor

**811 TRUCKING, N.O.C.**

Applicable to hauling contractors principally engaged in hauling or transporting materials or merchandise for unrelated concerns when the haulage or transport charge is based on truckload or partial truckload, the cumulative weight of the materials/merchandise is being transported, the distance or mileage that the materials/merchandise is being transported, an hourly rate, or a flat contract price for the consignment.

**OPERATIONS ALSO INCLUDED:**

1. Dispatchers and/or clerks on loading platforms, drivers, chauffeurs and their helpers and employees repairing vehicles.
2. The transporting or delivery and setting into place at customers' locations or furniture and/or major household appliances under contract for a manufacturer or store.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 802 to specialist contractors engaged in the rental and/or leasing of cranes with operators.
2. Assign Code 805 to the hauling of unprocessed or processed milk, water or other liquid food products by tank truck.
3. Assign Code 808 to the delivery of envelopes, parcels or packages limited to 150 pounds or less where the delivery tariff or charge is allocable to the individual envelope, parcel or package.
4. Assign Code 812 to the hauling or delivery of mail involving letters, parcels, packages, sacks, pallets

or rolling containers under contract to the United States Postal Service.

5. Assign Code 995 to rubbish or garbage collection or debris box rental/service and dumpster rental/service.
6. Assign Code 657 to rigging contractors, including rigging contractors who perform the over the road transportation of the items being rigged.

***UNDERWRITING GUIDE***

Automobile Driveaway Or Truckaway Service

Automobile Hauler

Hauling Contractor

Trucking, N.O.C.

**812 MAIL HAULING OR DELIVERY SERVICE COMPANY**

Applies to risks engaged under contract to the United States Postal Service for the hauling or delivery of mail involving letters, parcels, packages, sacks, pallets or rolling containers.

Includes U.S. Postal Service contract mail delivery performed on a bulk or individual item basis.

***UNDERWRITING GUIDE***

Mail Delivery - Under Contract To United States Postal Service

**813 WAREHOUSING – OTHER THAN FURNITURE MOVING AND/OR STORAGE**

For establishments principally engaged in either the cold storage or the warehousing or storage of general merchandise for unrelated concerns.

***UNDERWRITING GUIDE***

Cold Storage

Merchandise Warehouse – Cold Or General Merchandise

Portable On Demand Storage – Rental – Delivery To And Pick Up From Customer Locations

Storage – Cold Or General Merchandise

Storage Warehouse, Public

Warehouse - Storage, Public

Warehousing - Other Than Furniture Moving And/or Storage

**814 DEALER IN MOBILE, SELF-PROPELLED FACTORY, FARM OR CONSTRUCTION EQUIPMENT**

***OPERATIONS ALSO INCLUDED:***

1. The dealer's parts department.

***OPERATIONS NOT INCLUDED:***

1. Assign Code 819 to payroll developed by employees engaged in the sale of mobile, self-propelled factory, farm or construction equipment and to the mobile, self-propelled factory, farm or construction equipment dealer's outside sales staff. See Code 819 for additional details.
2. Assign Code 855 to a business principally engaged in the rental or sale of construction equipment that is not mobile and self-propelled.

***UNDERWRITING GUIDE***

Construction Equipment - Rental, Sales Or Service (In Shop Or At Customer's Location)

Contractors Equipment - Rental, Sales Or Service (In Shop Or At Customer's Location)

Crane Repair, Mobile, By Specialist Contractor

Equipment Dealer - Mobile, Self-Propelled - Factory, Farm Or Construction  
 Farm Machinery Dealer  
 Forklift Service and/or Repair - By Specialist Contractor (Shop Or At Customer's Location)  
 Forklift Truck Dealer - Rental, Sales Or Service (In Shop Or At Customer's Location)  
 Golf Cart - Rental, Sale and/or Maintenance - By Specialist Contractor  
 Mobile Crane Repair, By Specialist Contractor  
 Mobile Equipment Dealer - Factory, Farm Or Construction  
 Tractor Dealer, Including Servicing And Repair

## **815 AUTOMOBILE SERVICE CENTER OR GARAGE – ALL EMPLOYEES INCLUDING OFFICE.**

Please see the “Automotive Dismantlers” entry in the General Auditing & Classification Information regarding how to classify a business whose operations include the dismantling of automobiles and/or other types of vehicles to recover useable/saleable used parts.

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

1. Assign Code 225 to tire recapping or retreading when performed by a separate crew of employees in a physically separate work area.
2. See the Code 934 Section 2 class description for how to classify a new and/or used auto parts store that also provides automobile repair services.
3. Please refer to the “Automotive Service/Gasoline Station” entry in the General Auditing & Classification Information for information on classifying such business enterprise.

### ***UNDERWRITING GUIDE***

Air Conditioning Systems, Automobile Or Truck Installation, Service Or Repair  
 Automobile Body Repairing  
 Automobile Paint Shop  
 Automobile Radiator Repair Shop  
 Automobile Repair Garage  
 Carriage Repairing  
 Customizing Vans  
 Fender Repairing, Automobile  
 Frame Straightening On Automobiles  
 Garage, Automobile Or Truck  
 Glass Installer, Automobile  
 Maintenance Of Buses, By Public Garage  
 Quick Oil Change And Lubrication Garage  
 Rubber Tire Dealer, Retail  
 Taximeter Installation Or Repair  
 Tire Dealer, Retail  
 Towing Company  
 Truck Repair Garage  
 Van Conversion Or Customizing  
 Wagon Repairing

## **816 AUTOMOBILE FILLING STATION – RETAIL**

Please see the Automobile Service/Gasoline Station and the Self-Service Gasoline Stations and Convenience Grocers entries in the General Auditing & Classification Information section for information on classifying such business enterprises.

### ***UNDERWRITING GUIDE***

Automobile Laundry  
 Car Wash

Gasoline Station, Retail - Exclusively Gasoline Sales  
Truck Washing Service – Permanently Sited

**817 BUS OPERATION**

***OPERATIONS NOT INCLUDED:***

1. Assign Code 828 to a business operating a paratransit service.
2. Assign Code 951 to separate staff engaged as tour guides.
3. Assign Code 803 to a business operating a vehicle(s) that is available for immediate hire (on call and demand basis) with the fare to be determined by zone or meter.
4. Assign Code 804 to an independent contractor engaged in the transportation of students to and from school.
5. Assign Code 807 to an ambulance service staffed by salaried employees.

***UNDERWRITING GUIDE***

Automobile Rental Company With Drivers (Limousine Service)  
Bus Operation, Scheduled Lines  
Charter Bus Service  
Escort Service For Oversize Loads On Highways  
Funeral Escort Service (Motorcycle)  
Limousine Services  
Maintenance Of Buses, By Bus-Operating Company  
Motorcycle Funeral Escort Service  
Oversize Loads On Highways - By Specialist Escort Contractor  
Shuttle Service – By Specialist Contractor

**818 AUTOMOBILE OR AUTOMOBILE TRUCK DEALER – ALL EMPLOYEES INCLUDING OFFICE**

Also includes but is not necessarily limited to: inland boat dealers, mobile home dealers, recreational vehicle dealers or specialist contractors performing mobile home set-up or warranty service.

***OPERATIONS NOT INCLUDED:***

1. Assign Code 652 to modular home setup or erection, warranty service, remodeling or repair.

***UNDERWRITING GUIDE***

Automobile Dealer - New and/or Used Cars  
Automobile Rental - Not a Limousine Service  
Automobile Salesperson  
Boat Dealer, With Services, Inland  
Mobile Home - Setup Or Warranty Service – By Specialist Contractor  
Mobile Home Dealer  
Motorcycle Dealer (Including Sale Of Accessory Merchandise Such As Clothing, Racing Gear, Etc.)  
Recreational Vehicle Dealer  
Trailer (All Types) Sales, Rental Or Leasing  
Truck Dealer - New and/or Used Trucks  
Truck Rental - Not a Hauling Contractor

**819 MOBILE, SELF-PROPELLED FACTORY, FARM OR CONSTRUCTION EQUIPMENT SALESPERSON.**

Applicable to the sales staff of a business classified to Code 814. The mobile, self-propelled equipment salesperson's duties include but are not necessarily limited to: showing the equipment to customers, explaining the various features, overseeing customer testing of the equipment, negotiating prices and coordinating financing with the dealer's finance department. Also applies to the Code 814 business' outside



sales staff.

**OPERATIONS ALSO INCLUDED:**

1. Automobile auctioneers, either independent or in conjunction with a business classified to Code 820. See Code 820 for additional details.
2. Automobile driving schools.

**UNDERWRITING GUIDE**

Auctioneer, Automobile  
Automobile Driver School

**820 AUTOMOBILE AUCTION - INCLUDING SNACK BAR OR RESTAURANT.**

Applicable to businesses principally engaged in the auctioning of automobiles to automobile wholesalers, used car dealers, automobile dealerships or the general public. Also includes the auctioning of trucks and motorcycles. Also includes the operation of a snack bar or restaurant when conducted in conjunction with the auction.

**OPERATIONS ALSO INCLUDED:**

Automobile auctioneers are assigned to Code 819.

**UNDERWRITING GUIDE**

Auction, Automobile (Including Snack Bar Or Restaurant, Automobile Auctioneers To Be Assigned To Code 819)  
Automobile Auction (Including Snack Bar Or Restaurant, Automobile Auctioneers To Be Assigned To Code 819)

**821 BEVERAGE DISTRIBUTOR, WHOLESALE**

Includes payroll developed by employees engaged as delivery salespersons, route salespersons and/or route supervisors engaged in the delivery of the insured's merchandise to customers.

**UNDERWRITING GUIDE**

Beer And Ale Dealer, In Keg Or Case Lots Wholesale  
Beverage Distributing, Carbonated, Including Beer – Wholesale  
Soft Drink Distributing – Wholesale

**825 AUTOMOBILE STORAGE GARAGE OR PARKING STATION OR LOT – NO AUTOMOBILE REPAIR**

For automobile storage garages/parking stations/parking lots whose business is the storing or parking of automobiles. Includes cashiers who receive payment from customers.

Parking attendants on the payroll of enterprises such as hotels, restaurants, stores or theaters – not drive-in theaters – which operate parking facilities for their customers shall be rated with the enterprise.

**UNDERWRITING GUIDE**

Airport Parking Facility (Including Valet Service To And From Airport) Operation By Contractor  
Automobile Storage Garage  
Parking Areas

**828 PARATRANSIT SERVICE**

Paratransit service is regulated by the Federal Transit Administration pursuant to the Americans with Disabilities Act as amended. Each public entity operating a fixed route surface transportation system is required to provide paratransit service to the physically handicapped or otherwise disabled individuals who cannot take public transportation. Such individuals may be transported to doctor's appointments, places of employment, stores, social venue or other destinations as needed. The public entity may outsource the provision of this service to an unrelated entity. A fare is charged for this service that may not exceed twice the fare charged for a trip in similar length, at a similar time of day as would be charged by the public entity's fixed route system.

### **UNDERWRITING GUIDE**

Handicapped – Transportation Services For

Paratransit Service

Transportation Services for the Elderly

Transportation Services for the Handicapped

## **MATERIAL DEALERS**

### **855 LUMBER AND/OR BUILDING MATERIAL DEALER**

Applicable to establishments principally engaged in selling lumber and/or building materials on a wholesale or retail basis. The lumber may include but is not necessarily limited to: rough and dressed lumber, molding, doors, sashes, frames and other millwork. The building materials may include but are not necessarily limited to: roofing, siding, shingles, wallboard, brick, cement, ready-mix concrete, sand or gravel. This class also includes payroll developed in the delivery of hardware, lumber and/or building materials by the lumber/building material dealer.

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

1. The operation of a sales counter where the insured's counter staff takes customer telephone, facsimile, Internet or walk-in orders for the lumber and/or building materials, accepts payment or charges the customer's "house" account, and transfers the orders to the insured's yard or warehouse staff. The counter staff may also sell merchandise from a counter display, display racks behind the counter and/or a display space in front of the counter.
2. The operation of a showroom where customers may view samples of the lumber and/or building materials sold and place orders for such.
3. The sale and mounting of door hardware onto a door by a door distributor.
4. The making of door frames by a door distributor.
5. A business principally engaged in the rental and/or sale of non-mobile and non-self-propelled construction equipment (e.g., temporary bridge sections, shoring equipment, and air compressors).

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

1. Separate manufacturing staff(s) in a physically separate work area(s) shall be separately classified as provided for in this Manual.
2. Separate staff performing erection or construction shall be separately classified as provided for in this Manual.
3. Assign Code 935 to the operations of a physically separate and separately-staffed retail store on the premises of a lumber and/or building material dealer that fulfills the multiple enterprise criteria discussed in Section 1, Rule IV, C., 3., a., 2. of this Manual.

### **UNDERWRITING GUIDE**

Asphalt Mixing Plant - Operated By Dealer  
 Building Material Dealer, New  
 Building Materials Dealer, Secondhand  
 Cemetery Monument Or Memorial, Cutting, Engraving and/or Polishing  
 Cinder Dealer  
 Commercial Lumber Yard  
 Concrete Dealer, Ready-Mixed  
 Concrete Mixing  
 Concrete Pumping Services - By Independent Contractor  
 Cut Stone Or Stone Products Mfg.  
 Door Or Window Distributor  
 Dry Ice Dealer  
 Engineered Hardwood Floor Dealer  
 Fence Dealer – All Types  
 Grain Elevator Operation  
 Hardwood Flooring Dealer  
 Heat Treating of Wood Packaging Material (Including Pallets) – By Specialist Contractor  
 Humus Or Topsoil Dealer - No Excavation  
 Ice Dealer - No Mfg.  
 Insulation Dealer  
 Kiln Drying of Lumber – No Sawmill Operations  
 Landscaping Supplies Dealer (e.g., Mulch, Topsoil Or Stone)  
 Log Dealer – No Logging or Sawmill Operations  
 Lumber Cutting, Incidental Cutting To Size By Lumber Yard  
 Lumber Dealer  
 Lumber Yard, Secondhand Material  
 Manure Dealer  
 Marble Cutting And Polishing  
 Metal Road Plate Rental  
 Millwork, Hand Assembling Or Glazing, Not Performed By A Millwork Plant  
 Monument Or Memorial (Cemetery) Cutting, Engraving and/or Polishing  
 Mortar Mfg., No Construction Work  
 Mulch Dealer  
 Non-Mobile & Non-Self-Propelled Construction Equipment – Rental Or Sale  
 Paving Mixtures Mfg.  
 Peat Moss Dealer  
 Plywood Dealer  
 Ready-Mixed Concrete Dealer  
 Rental Or Sale Of Non-Mobile & Non-Self-Propelled Construction Equipment  
 Sash, Door Or Finished Millwork Dealer  
 Sawdust Dealer  
 Secondhand Building Material Dealer  
 Soapstone Products Mfg.  
 Stone Cutting Or Polishing - Not By A Mine Or Quarry Operator  
 Topsoil Or Humus Dealer - No Excavation  
 Vanities Assembly – Marble  
 Window Or Door Distributor  
 Wood Dealer, Kindling And Firewood  
 Wood Preserving

**857 METAL SERVICE CENTER (FERROUS OR NONFERROUS METALS)**

Applicable to a business principally engaged in the sale and distribution of new ferrous or nonferrous metal merchandise generally obtained from new metal producers such as steel mills or smelters, including but not necessarily limited to: beams, sheet stock in coils, bars, rods, rounds, channel iron, angles or plates. Such business may handle a broad variety of new metal merchandise or specialize in handling a single type.

The new metal merchandise received by the business is unloaded and stored. The new metal merchandise may be shipped "as is" to the customer or it may be cut, slit, sheeted, bent or burned into the size or shape required by the customer and delivered by truck or rail. The processing equipment may include but is not necessarily limited to: sheeters, hacksaws, drills, benders or cutting torches.

Specialists principally engaged in the sale of reinforcing rods or bars to concrete contractors (including the cutting or forming of the rods or bars according to the contractors' specifications) are also assigned to Code 857, as are dealers principally engaged in selling wire rope, cable or metal conduit.

Further applicable by analogy to businesses engaged in the toll (fee) leveling or cutting of ferrous or nonferrous new metal to size for unrelated concerns. These enterprises do not own the new metal stock they level, sheet, cut, bend or burn, nor do they fabricate a product.

Where a dealer sells several types of merchandise, each of which may be subject to a different classification, such dealer shall be assigned on the basis of the principal category of merchandise sold. The term "principal" means more than 50 percent of the gross receipts.

**OPERATIONS NOT INCLUDED:**

Not applicable to businesses principally engaged in collecting or handling either ferrous or nonferrous scrap metal. Assign ferrous scrap dealers to Code 858. Assign nonferrous scrap dealers to Code 859.

**UNDERWRITING GUIDE**

Cable Or Wire Rope Dealer, Including Splicing  
Coil Stock Or Sheet Stock Dealer  
Iron Or Steel Merchant, New Materials Only  
Metal Service Center (Ferrous Or Nonferrous Metals)  
Reinforcing Rods or Bars Dealer  
Sheet Stock Or Coil Stock Distributor  
Steel Or Iron Merchant, New Materials Only  
Wire Rope Or Cable Dealer, Including Splicing

**858 FERROUS SCRAP METAL DEALER**

Applicable to businesses principally engaged in collecting and handling ferrous metals. Ferrous metals contain iron and include any type of steel or any steel alloy such as stainless steel.

The term "principally engaged" means more than 50 percent of the employer's gross receipts.

**OPERATIONS ALSO INCLUDED:**

1. Businesses principally engaged in collecting and handling ferrous scrap and also performing automobile dismantling to recover saleable used auto parts.

**UNDERWRITING GUIDE**

Iron Or Steel Scrap Dealer  
Scrap Metal Dealer - Ferrous Metals  
Steel And Steel Alloy Scrap Dealer (Including Stainless Steel)

**859 NONFERROUS SCRAP METAL DEALER**

Applicable to businesses principally engaged in collecting and handling nonferrous metals. Nonferrous metals contain no iron and include but are not limited to: aluminum, copper, brass, lead or zinc.

The term “principally engaged” means more than 50 percent of the employer’s gross receipts.

**OPERATIONS ALSO INCLUDED:**

1. Businesses principally engaged in collecting and handling nonferrous scrap and also performing automobile dismantling to recover saleable used auto parts.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 402 to businesses principally engaged in the melting of nonferrous scrap to produce ingots.

**UNDERWRITING GUIDE**

Aluminum Scrap Metal Dealers (Other Than Beverage Cans)

Brass Scrap Dealer

Copper Scrap Dealer

Lead Scrap Dealer

Scrap Metal Dealer - Nonferrous Metals

**860 JUNK DEALER**

For businesses collecting and handling a combination of ferrous and/or nonferrous scrap metal and other secondhand commodities (e.g., paper, glass ((including glass bottles)), rubber, rags or plastic ((including plastic bottles)) with no principal line of merchandise.

**OPERATIONS ALSO INCLUDED:**

1. Processing of scrap or secondhand commodities by the junk dealer may include but is not necessarily limited to: cutting of salvaged metal and bailing paper or rags.

**OPERATIONS NOT INCLUDED:**

1. WRECKING OR DEMOLITION PROJECTS shall be classified as delineated in the General Auditing & Classification Information section.
2. Assign Code 858 to a business principally engaged in collecting or handling ferrous scrap metal.
3. Assign Code 859 to a business principally engaged in collecting or handling nonferrous scrap metal.
4. Assign Code 862 to a business principally engaged in collecting or handling one or more of the following recyclable commodities: cloth clippings, rags, paper, glass, plastic, rubber stock or aluminum beverage cans.
5. Assign Code 862 to a specialist contractor principally engaged in shredding paper or destroying documents for unrelated concerns.

**UNDERWRITING GUIDE**

Junk Dealer

**862 RECYCLING CENTER**

Applicable to businesses principally engaged in collecting or handling recyclable commodities including but not necessarily limited to: cloth clippings, rags, paper, glass, plastic, rubber stock and/or aluminum beverage cans. Includes consolidation facilities, where the recyclable commodities are simply collected, sorted, baled and resold, and reprocessing facilities, where the recyclable commodities are processed prior

to resale. Processing may include but is not necessarily limited to: grinding plastic, pulverizing glass and crushing aluminum beverage cans.

**OPERATIONS ALSO INCLUDED:**

1. Businesses principally engaged in shredding paper or destroying documents for unrelated concerns. Such operations may be conducted at customer locations by the use of mobile equipment or at a centralized shredding facility.
2. Businesses principally engaged in disassembling, dismantling or shredding electronic devices including but not necessarily limited to: computers, computer peripherals (e.g., keyboards) and televisions.

**OPERATIONS NOT INCLUDED:**

1. Assign businesses collecting a combination of recyclable products and scrap metals with no principal line of merchandise to Code 860.
2. Assign dealers in cloth clippings, new goods only, to Code 924.

**UNDERWRITING GUIDE**

Beverage Can Recycling  
 Bottle Dealer, Used  
 Broken Glass Dealer  
 Can Recycling – Beverage  
 Cloth Clippings Dealer, Used  
 Container Recycling - Beverage - Bottle Or Can  
 Cullet Dealer - Broken Or Refuse Glass  
 Document Destruction Or Shredding Service  
 Laundry, Waste Cloth, Operated By Dealers In Used Materials  
 Paper Dealer, Used  
 Plastics Dealer – Scrap  
 Rubber Stock Dealer, Used  
 Tire Dealer – Used – For Recycling (May Include Shredding)  
 Used Tire Dealer– For Recycling (May Include Shredding)  
 Waste Paper Dealer

**865 POULTRY AND/OR FISH DEALER/PROCESSOR**

Applicable to employers principally engaged in one or more of the following operations:

The catching of live poultry as contractors on producers' premises and the hauling by poultry catchers of live poultry to dressing plants.

The dressing (to kill and prepare for market) of poultry, rabbits or other similar small game.

The making of either processed poultry or fish products. The term processed shall mean that definite changes result in the poultry or fish product due to the application of either chemical and/or heat (the use of smoke and/or cooking).

Wholesale sale/distribution of poultry or fish including the cutting or deboning of dressed poultry and/or the cutting or filleting of fish. The employer may also bread or stuff the product.

**OPERATIONS NOT INCLUDED:**

1. Wholesale poultry and/or fish dealers who perform no cutting or filleting, but who may repackage the poultry or fish shall be assigned to Code 924.

2. Poultry dealers who may cut whole poultry into parts on an emergency basis will be construed as non-cutting and assignable to Code 924.

***UNDERWRITING GUIDE***

Chicken Catching

Chicken Dressing (To Kill And Prepare For Market)

Fish Curing/Processing

Fish Dealer (Including Cutting Or Filleting) – Wholesale

Poultry Dealer (Including Cutting Or Deboning) – Wholesale

Poultry Or Small Game Dressing (To Kill And Prepare For Market)

Rabbits - Slaughtering, Dressing And Packing For The Trade

Small Game Dressing And Packing

Turkeys - Slaughtering, Dressing And Packing For The Trade

**867 EMPLOYMENT CONTRACTOR – TEMPORARY WAREHOUSING STAFF**

Applicable only to temporary staff provided to customers whose business classification is Code 813.

Please see the Employment Contractor - Temporary Staffing entry in the General Auditing & Classification Information section for further information on classifying temporary staff.

***UNDERWRITING GUIDE***

Employment Contractor - Temporary Warehousing Staff

Temporary Warehousing Staff

Warehousing - Temporary Staff

**871 EMPLOYMENT CONTRACTOR – TEMPORARY FURNITURE STORE – WHOLESALE STAFF**

Applicable only to temporary staff provided to customers whose business classification is Code 921.

Please see the Employment Contractor – Temporary staffing entry in the General Auditing & Classification Information section for further information on classifying temporary staff.

***UNDERWRITING GUIDE***

Furniture Store – Wholesale – Temporary Staff

Temporary Staff – Furniture Store Wholesale

Wholesale Furniture Store – Temporary Staff

**STORES**

**877 EMPLOYMENT CONTRACTOR – TEMPORARY DEPARTMENT STORE STAFF**

Applicable only to temporary staff (except clerical office) provided to customers whose business classification is Code 914.

Please see the Employment Contractor - Temporary Staffing entry in the General Auditing & Classification Information section for further information on classifying temporary staff

***UNDERWRITING GUIDE***

Department Store - Temporary Staff

Employment Contractor - Temporary Department Store Staff

Temporary Department Store Staff

**879 EMPLOYMENT CONTRACTOR – TEMPORARY PACKAGING – CONTRACT – NON-CRATING STAFF**

Applicable only to temporary staff provided to customers whose business classification is Code 923.

Please see the Employment Contractor - Temporary Staffing entry in the General Auditing & Classification Information section for further information on classifying temporary staff

**UNDERWRITING GUIDE**

Contract Packaging - Non-Crating - Temporary Staff

Employment Contractor - Temporary Packaging - Contract - Non-Crating – Staff

Packaging - Contract - Non-Crating - Temporary Staff

Temporary Packaging - Contract - Non-Crating Staff

**880 APARTMENT HOUSE OR CONDOMINIUM COMPLEX OPERATION**

Applies to an employer principally engaged in the operation or contract management of a building or buildings with multiple residential living units. Includes apartment houses, condominium complexes and cooperative buildings. A cooperative is a type of residential property where the resident owns shares in the corporation that owns the building and has the right to live in a specific unit but does not actually own the space.

**OPERATIONS ALSO INCLUDED:**

1. An association formed for residents of a building or buildings with multiple residential living units (e.g., a condominium association).

**OPERATIONS NOT INCLUDED:**

1. Assign Code 888 to an association responsible for the governance of a residential planned community consisting of single family dwellings. See Code 888 for further information.

**UNDERWRITING GUIDE**

Apartment House Or Condominium Complex Operation

Condominium Association

Condominiums - Including Resident Or On-Site Manager

Cooperative Building Operation - For Residential Occupancy

Porters For Condominiums

Residential House Rental

**881 EMPLOYMENT CONTRACTOR – TEMPORARY HARDWARE STORE – WHOLESALE STAFF**

Applicable only to temporary staff provided to customers whose business classification is Code 926.

Please see the Employment Contractor - Temporary Staffing entry in the General Auditing & Classification Information section for further information on classifying temporary staff

**UNDERWRITING GUIDE**

Employment Contractor - Temporary Hardware Store - Wholesale – Staff

Hardware Store - Wholesale - Temporary Staff

Temporary Hardware Store - Wholesale – Staff

**882 RESIDENTIAL INTERIOR CLEANING SERVICES - BY CONTRACTOR.**



Applicable to businesses principally engaged in providing interior cleaning services to residential customers. The cleaning services may include but are not necessarily limited to: dusting, mopping floors, vacuuming rugs or carpets, cleaning or sanitizing bathrooms or wiping or cleaning kitchen or bathroom fixtures.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 971 to payroll developed in the power washing of exterior walls or decks at residential or commercial sites.

**UNDERWRITING GUIDE**

Chimney Cleaning – Residential  
 Domestic Interior Cleaning Service Contractor  
 House Cleaning By Contractor – Interior  
 Maid Service Contractor – Interior  
 Residential Interior Cleaning Services - By Contractor

**883 EMPLOYMENT CONTRACTOR – TEMPORARY RETAIL STORE, N.O.C. STAFF**

Applicable only to temporary staff provided to customers whose business classification is Code 928.

Please see the Employment Contractor - Temporary Staffing entry in the General Auditing & Classification Information section for further information on classifying temporary staff

**UNDERWRITING GUIDE**

Employment Contractor - Temporary Retail Store, N.O.C. Staff  
 Retail Store, N.O.C. - Temporary Staff  
 Temporary Retail Store, N.O.C. Staff

**884 HEALTH OR EXERCISE CLUB - ALL EMPLOYEES INCLUDING OFFICE**

A facility providing exercise programs (e.g., aerobics classes) for their members and, in some cases, the general public. Attendants will evaluate the type of equipment best suited to individual member needs and will assist members in exercise instruction or weight loss. The available equipment and services may vary from club-to-club. A club's exercise equipment may include but is not necessarily limited to: free weights (e.g., dumbbells and barbells) and other equipment (e.g., a cardio theater) that includes various types of equipment related to cardiovascular training, such as rowing machines, stationary exercise bikes, elliptical trainers or treadmills.

Larger clubs may employ personal trainers who are accessible to members for training, exercise, nutrition and/or health advice and consultation. Personal trainers may devise a customized fitness plan to assist members achieve their goals. They may also demonstrate exercises and monitor the member's exercises.

**OPERATIONS ALSO INCLUDED:**

1. Health shops, snack bars, childcare facilities, member lounges and/or cafes operated by the health or exercise club.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 968 to indoor facilities principally engaged in amateur sports training (e.g., basketball, ice hockey, boxing, gymnastics, martial arts, tennis or swimming).

2. Assign Code 970 or Code 991 to professional or semiprofessional sports teams as delineated in this Manual.
3. Assign a day spa not affiliated with a health or exercise club to Code 977. A day spa is a business which provides a variety of services for the purpose of improving health, beauty and relaxation through personal care treatments such as massages and facials.

**UNDERWRITING GUIDE**

Aerobics Studio  
 Club, Exercise  
 Club, Health  
 Exercise Club  
 Fitness Club  
 Fitness Instructor – By Independent Contractor – No Permanent Facility  
 Health Club  
 Health Or Exercise Club  
 Pilates Studio  
 Tai Chi Instruction  
 Yoga Studio

**885 PLUMBING SUPPLIES DEALER OR PIPE MERCHANT – WHOLESALE**

Applies to dealers principally engaged in the wholesale selling of plumbing supplies, tubes or pipe. The term plumbing supplies as used in this classification includes but is not necessarily limited to: water heaters, water pumps, kitchen/bathroom fixtures (i.e., sinks, faucets, toilets, bath tubs, shower stalls), fittings or valves. Also included is the selling of tubes or pipe of all types and sizes. Businesses principally engaged in the wholesale sale of heating, ventilating and/or air conditioning equipment, supplies or parts are further contemplated by this classification.

**UNDERWRITING GUIDE**

Gas, Steam Or Hot Water Apparatus Supplies Dealer – Wholesale  
 Heating, Ventilating Or Air Conditioning Equipment Or Parts Dealer – Wholesale  
 Kitchen and/or Bath Fixture Dealer  
 Pipe Or Tube Merchant, Including Cutting, New Materials Only - All Types And Sizes  
 Plumbing Supplies Dealer – Wholesale  
 Refrigeration System Parts and/or Accessories Dealer – Wholesale

**886 ELECTRICAL SUPPLIES DEALER – WHOLESALE**

Applies to dealers principally engaged in the wholesale selling of electrical supplies. The term electrical supplies as used in this classification includes but is not necessarily limited to: electric wire, electrical (junction) boxes, fuses, switches, outlets, circuit breakers or lighting fixtures. This classification shall also include dealers in electronic components/accessories. Examples of electronic components/accessories include but are not limited to: inductors, resistors, circuit boards, transistors and relays.

**UNDERWRITING GUIDE**

Electrical Supply Dealer – Wholesale  
 Electronic Components and/or Accessories Dealer – Wholesale  
 Lighting Fixtures And Supplies Dealer

**887 MUSEUM – ALL EMPLOYEES INCLUDING OFFICE**

An establishment devoted to the procurement, preservation and display of objects of cultural interest. Includes all types of museums (e. g., art, archaeology, children's, history, natural history, or technology). Also includes all of a museum's operations, which may include but are not necessarily limited to: galleries, curatorial space, auditoriums, movie theaters, lecture halls, classrooms for art instruction, storerooms, conservation or restoration laboratories, gift shops or eating facilities.

**OPERATIONS ALSO INCLUDED:**

1. A separately staffed and located museum operated by a municipal government (e.g., borough, city or township).

**UNDERWRITING GUIDE**

Museum - All Types

**888 HOMEOWNERS ASSOCIATION**

Applies to an association responsible for the governance of a residential planned community consisting of single family dwellings (e.g., detached houses or townhomes). Pursuant to Section 81-302 of the Delaware Uniform Common Interest Ownership Act (DUCIOA) of the Delaware Code, an association is empowered to regulate the use, maintenance, repair and modification of the common elements of the community. Code 888 applies but is not necessarily limited to association staff performing lawn maintenance, maintenance and repair of common elements e.g., streets and roads, and the operation and maintenance of amenities for residents of the community e.g., swimming pools, tennis courts, health or fitness facilities, and community centers or clubhouses.

**OPERATIONS ALSO INCLUDED:**

1. Security of the planned community by the Homeowners Association staff.
2. The operation of a mobile home park.

**OPERATIONS NOT INCLUDED:**

1. Assign the applicable restaurant classification to payroll developed in a physically separated and separately staffed prepared food and/or beverage service.
2. Assign Code 944 to payroll developed in the operation of a separately staffed golf course.
3. Assign Code 753 to payroll developed in the operation of a separately staffed sewage disposal plant and/or water supply system.
4. Assign Code 801 to payroll developed in the operation of a separately staffed horse stable.
5. Assign Code 716 to payroll developed in the operation of a separately staffed marina (State Act coverage only).
6. Assign Code 880 to an employer principally engaged in the operation or contract management of a building or buildings with multiple living units such as an apartment house, condominium complex or cooperative building and to an association established for the residents of such building or buildings.

**UNDERWRITING GUIDE**

Gated Community Homeowners

Association Mobile Home

Park

Residential Planned Community

Unit Owners Association (For a Residential Planned Community)

**889 EMPLOYMENT CONTRACTOR – TEMPORARY CLERICAL STAFF**

Applicable to temporary staff whose job duties fulfill the definition of clerical found in Section 1, Rule IV, B., 2., a. of this Manual. The payroll of such temporary clerical staff shall be assigned to Code 889 regardless of the customer's business classification.

Please see the Employment Contractor - Temporary Staffing entry in the General Auditing & Classification

Information section for further information on classifying temporary staff.

#### **UNDERWRITING GUIDE**

Clerical Office Employees - Temporary Staff  
 Computer Programmer/Operator - Temporary Staff  
 Data Processing - Temporary Staff  
 Draftsman - Temporary Staff  
 Employment Contractor - Temporary Clerical Staff  
 Temporary Clerical Staff

### **890 LIBRARY - PUBLIC – ALL EMPLOYEES INCLUDING OFFICE**

Establishments in which books, magazines, manuscripts, musical scores, videos, compact audio discs or other literary or artistic materials are kept for use by the general public. Materials may be taken from the library for specified time periods or they may be restricted to use on the library's premises. Library patrons who wish to borrow library materials are generally library members and may pay an annual fee for that privilege. A library's services may also include but are not necessarily limited to: providing Internet access, sponsoring lectures, workshops or seminars, classes in adult literacy, storytelling or summer reading programs for children, providing photocopiers for public use (for a per page fee), providing meeting space for local organizations or bookmobiles.

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

1. A separately staffed and located public library operated by a municipal government (e.g., borough, city or township) or school district.

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

1. A library operated by a college or school for its students, faculty and staff will be assigned to the appropriate school classification.
2. A library operated by a company (e.g., hospital, law firm or newspaper) will be assigned to the classification consistent with the employer's business. A library operated by a museum for its staff will be assigned to Code 887.

#### **UNDERWRITING GUIDE**

Library – Public  
 Public Library

### **891 PRE-SCHOOL (CHILD CARE OR EARLY EDUCATION) SERVICES – ALL EMPLOYEES INCLUDING OFFICE**

Includes but is not necessarily limited to nursery schools, Head Start, kindergarten or child daycare services.

Child daycare services provide for care and custody of children for various periods of time during the day (no residential facilities), typically during normal business hours (i.e., from 6:30 a.m. to 6:00 p.m., Monday through Friday).

Also applicable to employers principally engaged in operating nursery schools or kindergartens. Nursery schools are generally directed towards children ages three to four years, can be academically oriented and are designed to provide children with basic educational and social skills prior to the time they begin elementary school.

Kindergartens are pre-elementary school classes and are typically provided to children five-years-old. Sessions are usually held for one-half the school day (i.e., children may be enrolled in "morning" or

"afternoon" classes) and will include a very basic academic curriculum.

Further contemplated by this classification are employers operating the Head Start Program. Head Start is a federally-funded child development program that provides early education, health, nutritional and psychological services to three- to four-year-old children of low-income families. Some Head Start Programs will also provide for social services to low-income families and for child daycare. This program endeavors to enhance economically disadvantaged children's educational status and social skills to a level sufficient for them to enter elementary school.

**OPERATIONS NOT INCLUDED:**

1. A child daycare center operated by an employer principally for the use of its own employees is not subject to Code 891 and shall be included in that employers applicable field of business classification.

**UNDERWRITING GUIDE**

Before and/or After School Program  
 Child Daycare Center  
 Day Nursery – Children  
 Daycare Center For Children  
 Head Start Program  
 Kindergarten, Not Operated In Conjunction With Grade School  
 Nanny Service –By Specialist Contractor  
 Pre-School - Early Education Services – By Independent Contractor

**895 EMPLOYMENT CONTRACTOR – TEMPORARY COLLEGE OR SCHOOL STAFF**

Applicable only to temporary staff provided to customers whose business classification is Code 965.

Please see the Employment Contractor - Temporary Staffing entry in the General Auditing & Classification Information section for further information on classifying temporary staff.

**UNDERWRITING GUIDE**

College Or School - Temporary Staff  
 Employment Contractor - Temporary College Or School Staff  
 Substitute Teachers - Temporary College Or School Staff  
 Temporary College Or School Staff

**896 CLUB, N.O.C – ALL EMPLOYEES EXCEPT OFFICE**

Clubs are organized civic, social or fraternal associations (e.g., The Elks, VFW posts, fraternities or sororities) who provide special services for members and members' guests only. The services and/or amenities provided by a club may vary depending upon the extent of each club's facilities and membership. The amenities provided may vary considerably from one club to another and may include but are not limited to: dining rooms, bars, lounges, reading/card rooms, bowling lanes or swimming pools. The club's focus and purpose may be based on a charter. Each club is responsible for electing officers to oversee and enforce the club charter. The charter may include but is not limited to rules and regulations for admitting members, maintaining membership and collecting dues. Periodic meetings are held at the club location to discuss upcoming events, fund raisers and/or club business.

**UNDERWRITING GUIDE**

Club, Business Or Social  
 Club, N.O.C.  
 Fraternal Organization (e.g., VFW Post, The Elks)  
 Fraternity/Sorority House

Sorority/Fraternity House

### 897 FAST-FOOD RESTAURANT – ALL EMPLOYEES EXCEPT OFFICE

Applicable to a retail business principally engaged in preparing food(s) and selling the prepared food(s) and generally nonalcoholic beverages to the public for immediate consumption, either on the business' premises or on a take-out basis. Fast-food restaurants have a limited menu and no wait service except on an occasional or accommodation basis. Customer orders are typically placed at a counter, (the menu being openly displayed above and/or behind the counter), via a drive-through service, by telephone or by Internet and are rapidly filled. Fast-food restaurants generally sell nonalcoholic beverages, but certain fast-food restaurants may also have incidental alcoholic beverage sales. Where there are "eat-in" facilities counter staff wipe down tables and may also clear tables after a customer's food has been consumed. Included within (but not necessarily limited to) this definition are retail businesses principally engaged in the preparation and sale of: hamburgers, tacos, pizza or chicken.

Also contemplated are retail businesses principally engaged as either buffet or cafeteria-style restaurants. Buffet or cafeteria-style restaurants offer a buffet-type meal. Customers may serve themselves or staff may serve food to customers in the buffet line. Staff may clear tables after customers have completed their meal. There is no wait service.

#### **UNDERWRITING GUIDE**

Buffet Or Cafeteria-Style Restaurant

Cafeteria Or Buffet-Style Restaurant

Coffee Shop

Fast-Food Restaurant

Luncheonette

Pizza Shop – Retail

Sandwich Or Other Food Preparation By Vending Machine Operators

Sandwich Shop

### 898 CATERER – ALL EMPLOYEES EXCEPT OFFICE

There are four types of catering businesses that provide food service: social, industrial or institutional, concession or mobile.

Social caterers are hired for a single event such as a wedding, party or business affair. The social caterer provides the client with a menu of food items, types of beverages, colors of linens, other available amenities and, if applicable, a listing of the types of entertainment. The client is then responsible for choosing food, beverages, color schemes and/or entertainment. Once all of the services to be provided have been determined, the social caterer may produce a contract based on the predetermined services. Alcoholic beverages may be provided at the event, but the sale of alcoholic beverages is not the principal source of revenue. This type of catering may be performed either on the caterer's premises or at the customer's premises.

Institutional or industrial caterers operate under contract to provide in-house food service for businesses, hospitals, nursing homes, schools or similar customers. These catering operations generally plan menus and perform the preparation and sale of food in a cafeteria-style environment.

Concession caterers are usually located at but are not limited to airports, sports stadiums, amusement parks, theaters or museums. The concession caterer operates under contract with the client facility to provide prepared food and beverages to the client's patrons. The concession caterer may also use "walking vendors" throughout the venue.

Mobile caterers provide food and beverages from a truck with cooking equipment, parked on the sidewalk at locations such as a construction site, factory or university with large commuting student body or travel a predetermined daily route.

**OPERATIONS ALSO INCLUDED:**

1. Also included within the scope of this class are caterers providing food service to unrelated airlines or railroads.
2. "Meals on Wheels" operations (organizations who provide a service to deliver hot meals to those who cannot prepare the food themselves) are further assigned to Code 898.

**UNDERWRITING GUIDE**

Cafeteria - Operated By Independent Or Specialist Contractor

Caterer - All Types

Food and/or Beverage Concession - By Specialist Contractor

Industrial Caterer

Institutional Caterer

Meals On Wheels

Mobile Catering

Personal Chef Service – By Specialist Contractor

Social Caterer

Soup Kitchen

**899 BAR, TAVERN, COCKTAIL LOUNGE OR NIGHTCLUB – ALL EMPLOYEES EXCEPT OFFICE**

A bar, tavern, cocktail lounge or nightclub is an establishment principally engaged in the sale of alcoholic beverages by the drink that is open to the general public. These establishments may offer some type of entertainment such as a dance floor, disc jockey, live music or one or more televisions showing sporting events. Such businesses may or may not also prepare food and sell the prepared food to customers for immediate consumption. Where food is not prepared, the establishment may sell packaged snacks. In either scenario, food preparation or service is not a majority of the employer's operations.

**OPERATIONS ALSO INCLUDED:**

1. Brewpubs, microbreweries, and other businesses principally engaged in serving alcohol by the drink and also brewing beer on the premises which is primarily sold to their customers for on-site consumption.

**UNDERWRITING GUIDE**

Bar

Cocktail Lounge

Nightclub

Tavern

**903 LABOR UNION – ALL EMPLOYEES INCLUDING OFFICE**

Applicable to all employees (e.g., business agents, organizers, clerical, janitorial or instructors in an apprenticeship program) of a labor union. Includes but is not necessarily limited to union locals, union district councils, and statewide or national labor union organizations.

**UNDERWRITING GUIDE**

Labor Union

Trade School Operated By A Labor Union

**904 INVESTIGATIVE AGENCY - ALL TYPES – ALL EMPLOYEES EXCEPT OFFICE**

An investigative agency is principally engaged in gathering information for clients (e.g., insurance



companies or other businesses, attorneys or private persons) for one of a number of reasons (e.g., fraud or another crime, matrimonial or child custody disputes). To accomplish this overall goal an investigator's duties may include but are not necessarily limited to the tasks discussed below. The investigator may review public records (e.g., at a court house), interview the "subject's" neighbors, coworkers or acquaintances and/or conduct surveillance of the investigation's "subject." When surveillance is conducted, the investigator may take still photographs or video the "subject's" movements (e.g., to document insurance fraud). The investigator will prepare a written report of the findings and concurrently submit the photographs or videotape as warranted.

***OPERATIONS NOT INCLUDED:***

1. Assign Code 660 to a separate crew of employees of an investigative agency that installs or repairs alarms.
2. Assign Code 954 to a separate security guard staff of an investigative agency.

***UNDERWRITING GUIDE***

Detective Agency

Investigative Agency - All Types

**905 ARCHITECTURAL CONSULTING FIRM – ALL EMPLOYEES INCLUDING OFFICE**

A business that employs one or more state licensed architect(s) and is principally engaged in the professional practice of architecture (i.e., designing buildings and/or their interior and/or landscaping).

***OPERATIONS ALSO INCLUDED:***

1. Interior design firms. Such businesses engage in the practice of planning and supervising the design and execution of building interiors and their furnishings.

***OPERATIONS NOT INCLUDED:***

1. Architects or interior designers employed by concerns whose field-of-business is actual construction, manufacturing, mining or installation operations shall be assigned in accordance with the class or classes appropriate to the business of the employer, unless the operations subject to Code 905 fulfill the multiple enterprise conditions described in Section 1, Rule VI, 3.a.

***UNDERWRITING GUIDE***

Architectural Firm, Supervising or Consulting

Interior Design Firm, Supervising or Consulting

Landscape Architectural Firm, No Construction Work

**907 FRUIT OR VEGETABLE DEALER – WHOLESALE**

Applies to dealers engaged principally in the wholesale distribution of fresh fruits or vegetables. The dealer may specialize in a single fruit or vegetable or handle two or more different fruits or vegetables. Such dealers may also wash the fresh fruits or vegetables and perform incidental repackaging of the merchandise into retail size bunches, boxes, bags or similar containers.

Also applies to fruit or vegetable packers who may contract with unrelated farming businesses to grow one or more fruits or vegetables or who may purchase unrelated farming businesses' fruit or vegetable crops on a bulk basis. The fruit or vegetable packer will receive the crops that the packer's staff will first wash, and then the fresh fruits or vegetables will be sorted, graded and/or chilled for shipment to customers.



In addition these dealers may also sell groceries, dairy products and/or frozen foods.

**OPERATIONS NOT INCLUDED:**

1. Assign the applicable agricultural class to a business principally engaged in raising of one or more different fruits or vegetables whose operations may include the washing, sizing and/or packing thereof prior to shipment to customers.
2. Assign Code 113 to a business principally engaged in canning fruit or vegetables, pickling cucumbers, tomatoes, peppers or other vegetables, or preserving fruit or vegetables by another food preservation technique.

**UNDERWRITING GUIDE**

Banana Dealer – Wholesale

Fruit Dealer – Wholesale

Fruit Packing – Not Cannery

Garlic Dealer – Wholesale

Mushroom Dealer – Wholesale

Potato Dealer - Wholesale

Produce Dealer – Wholesale

Tomato Dealer (Fresh) – Wholesale

Vegetable Dealer – Wholesale

Vegetable Packing - Not Cannery

**910 MEAT DEALER – WHOLESALE**

Applicable to businesses principally engaged in the wholesale sale/distribution of fresh and processed meats and whose operations include the cutting of fresh meats into portion-controlled fresh meat products, such as steaks, roasts, or chops. Deboning will also be performed if the fresh meat is received in carcasses or partial carcasses. Such business may also distribute poultry and/or fish merchandise in addition to the meat merchandise and the operations may include the filleting of the fish and the cutting of poultry carcasses into parts. The business may further distribute grocery merchandise and/or fresh fruit and vegetables.

**OPERATIONS ALSO INCLUDED:**

Businesses principally engaged in making natural sausage casings, but who perform no killing of animals.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 119 to businesses principally engaged in taking beef and/or veal and cutting or grinding this fresh meat into hamburger, hamburger patties and/or veal patties and/or sandwich steaks.
2. Assign Code 111 when a wholesale meat dealer also slaughters animals and dresses their carcasses.
3. Assign Code 924 to wholesale meat dealers who do no cutting (or deboning) of fresh meats.

**UNDERWRITING GUIDE**

Meat Dealer - Wholesale - Including Cutting Or Deboning Of Fresh Meat

Sausage Casings Dealer - Natural - Including Cleaning

**911 GROCERY – WHOLESALE**

Applies to dealers engaged principally in the wholesale distribution of groceries or frozen foods which are received and sold in cartons, cases or boxes. Such dealers may also sell at wholesale dairy products, soft drinks, household cleaning supplies, paper products, fresh fruits or vegetables.

Code 911 also includes but is not necessarily limited to wholesale dealers engaged principally in the distribution of cider, coffee, dairy products, flour, fruit juices, herbs, spices or tea.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 821 to a wholesale dealer principally engaged in selling beer in bottles, cans, kegs or barrels and/or soft drinks in bottles or cans.
2. Assign Code 907 to a wholesale dealer in fruits or vegetables or to a fruit or vegetable packer unrelated to a cannery.
3. Assign Code 924 to a wholesale dealer principally engaged in candling or distributing eggs.
4. See the "Bakery Products Distribution" entry in the General Auditing & Classification Information for the classification applicable to a business so principally engaged.

**UNDERWRITING GUIDE**

Butter and/or Butter Substitutes Dealer – Wholesale  
 Cheese Dealer – Wholesale  
 Chinese Food Dealer - Packaged Or Frozen – Wholesale  
 Cider Dealer – Wholesale  
 Coffee Dealer (No Grinding Or Roasting) – Wholesale  
 Dairy Products Dealer – Wholesale  
 Delicatessen Meat Distributor – No Delicatessen Or Lunch Meat Manufacturing – Wholesale  
 Flour Dealer – Wholesale  
 Frozen Food Dealer – Wholesale  
 Fruit Juice Dealer – Wholesale  
 Grocery – Wholesale  
 Health Food Dealer – Wholesale  
 Herb Dealer – Wholesale  
 Ice Cream Dealer – Wholesale  
 Lunch Meat Distributor – No Lunch Or Delicatessen  
 Meat Manufacturing – Wholesale  
 Milk Or Milk Products Dealer – Wholesale  
 Spice Dealer – Wholesale  
 Tea Dealer - No Blending Or Mixing – Wholesale  
 Tomato Products Dealer – Wholesale

**914 DEPARTMENT STORE – ALL EMPLOYEES INCLUDING OFFICE**

For businesses having 20 or more full-time employees or their equivalent and the merchandise handled must include wearing apparel, linens, house furnishings (other than furniture) and two or more of the following: cosmetics, furniture, giftware, hardware, jewelry, luggage, stationery/greeting cards, sporting goods and toys. The total annual sales of wearing apparel, linens, and house furnishings must exceed 50 percent of the total annual sales.

The criteria cited above will be applied to each location of a business.

**OPERATIONS ALSO INCLUDED:**

1. Personnel performing the installation of house furnishings at customers' locations.

**UNDERWRITING GUIDE**

Department Store

**915 MEAT, FISH AND/OR POULTRY STORE – RETAIL, ALL EMPLOYEES EXCEPT OFFICE**

Applicable to businesses principally engaged in the retail sale of fresh and cured meats, fish and/or poultry. Such businesses may also sell general grocery merchandise including but not necessarily limited to: bakery and/or dairy products or canned goods. Code 915 also includes the slaughtering of animals and the dressing of carcasses into fresh meat cuts, as well as the making of sausage, scrapple, frankfurters, ham or bacon provided more than 50 percent of the total sales of the fresh meat and/or cured meat products produced are sold over the counter to the general public for personal or household consumption either on the premises or through satellite outlets.

Such business may perform custom killing. This involves the slaughter of an animal (a steer, pig or sheep) for a private individual (frequently a farmer) and the cutting or processing of the resulting meat per customer specification. All of the fresh or processed meat is the customer's property and may be held for the customer by the business in a frozen food locker or returned immediately to the customer. This may also include the dressing of deer carcasses during hunting season for individual hunters.

This classification shall include incident sales to restaurants, institutional buyers or retail stores. When more than 50 percent of the sales are to non-retail customers, such businesses shall not be subject to Code 915 and shall be classified as indicated below.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 111 when the business' operations include the killing of animals and more than 50% of the sales are to wholesale customers.
2. Assign Code 106 when the business' operations do not involve the killing of animals but do include the curing and preserving of meat into processed meat products and more than 50% of the sales are to wholesale customers.
3. Assign Code 910 when the business' operations simply involve cutting, or grinding fresh meats received in boxes, (deboning will also be performed if the fresh meat is received in carcasses or partial carcasses), and more than 50% of the sales are to wholesale customers.
4. Assign Code 917 when the business' operations involve the retail sale of fresh or cured meat, fish or poultry as well as other items (e.g., groceries or vegetables), and the business' records show that less than 50 percent of the business' sales are from fresh or cured meats, fish or poultry.

**UNDERWRITING GUIDE**

Butcher Shop – Retail  
 Fish, Meat Or Poultry Store – Retail  
 Meat, Fish Or Poultry Store – Retail  
 Poultry, Fish Or Meat Store – Retail  
 Seafood Market – Retail

**916 CLOTHING OR DRY GOODS STORE – WHOLESALE OR RETAIL**

**OPERATIONS NOT INCLUDED:**

1. Assign Code 928 to businesses principally engaged as either a Clothing Store (Used) – Retail or a Thrift Store (Used Clothing, Furniture, Household Items) – Retail.

**UNDERWRITING GUIDE**

Bridal Shop  
 Children's & Infants' Clothing Store  
 Clothing Store - Retail Or Wholesale  
 Custom Dressmaking  
 Custom Tailoring  
 Dry Goods Store - Retail Or Wholesale  
 Fabric Shop  
 Formal Wear Rental Or Sales

Furrier Repairing Or Remodeling Fur Garments  
 Hat Store - Cloth, Felt, Fur Or Straw  
 Linens Shop  
 Maternity Apparel Shop  
 Men's Clothing & Furnishings Store  
 Millinery Store  
 Shirt Making- Custom  
 Shoe Store - Wholesale Or Retail  
 Tailor Shop - No Dry Cleaning  
 Textile Piece Goods Dealer  
 Towel Or Toilet Supply Dealer - Not Connected With Laundry  
 Women's Clothing & Accessories Store  
 Yarn Shop

## 917 GROCERY STORE – RETAIL

Applicable to businesses principally engaged as supermarkets or convenience retail grocers as separately defined below.

A supermarket is principally engaged in the retail sale of groceries, fresh fruits, vegetables, dairy products, bakery products, frozen foods and in addition thereto will have a meat department that sells fresh or cured meat, fish and/or poultry. A typical supermarket will also sell other merchandise including but not necessarily limited to: soft drinks, soap and other household cleaning items, paper products and/or cigarettes. A supermarket that is a "super center" may also sell non-grocery merchandise including but not necessarily limited to: cosmetics, toiletries, stationery products, books, greeting cards, women's hosiery, non-prescription drugs or kitchen supplies (e.g., pots, pans or pot holders).

A convenience grocer is principally engaged in the retail sale of groceries, fresh fruits, vegetables, dairy products, bakery products, frozen foods, coffee, tea, spices or delicatessen foods such as cold cuts, salads, pickles, smoked fish or other "appetizers." A convenience grocer or a delicatessen store may also sell coffee by the cup, make sandwiches or sell sandwiches prepared by an unrelated business, prepare salads and/or cook meat such as roast beef, ham, barbecue chicken or spare ribs. A convenience grocer may also sell other merchandise including but not necessarily limited to: soft drinks, household cleaning items, paper products, cigarettes or non-prescription drugs.

Please see the Self-Service Gasoline Stations and Convenience Grocers entry in the General Auditing & Classification Information section for information on classifying such business enterprise.

### **OPERATIONS ALSO INCLUDED:**

1. Pharmacy operations conducted by the supermarket at the same or a contiguous location.
2. Bakery operations conducted by the supermarket.

### **OPERATIONS NOT INCLUDED:**

1. Assign Code 915 to businesses principally engaged in the retail sale of fresh or cured meats, poultry or fish.
2. The business of a concessionaire or independent contractor operating on the premises of a supermarket will be classified on the merits of their operations.

### **UNDERWRITING GUIDE**

Cheese Shop – Retail  
 Convenience Grocery  
 Delicatessen Store  
 Fruit Gift Basket Store – Retail  
 Grocery Store – Retail  
 Grocery, Tea, Coffee Dealer – Retail

Health Food Store – Retail  
Produce Store – Retail  
Spice Store – Retail  
Supermarket

### **918 BAKERY SHOP – RETAIL, INCLUDING ON-SITE PREPARATION, ALL EMPLOYEES EXCEPT OFFICE**

Applicable to businesses principally engaged in producing bakery products or businesses who buy finished bakery products from unrelated producers and the principal sales are over-the-counter for personal or household consumption, either on premises or through satellite outlets.

#### **UNDERWRITING GUIDE**

Bagel Shop, Production and/or Selling On Premises – Retail  
Bakery Shop, Baking and/or Selling On Premises – Retail  
Cookie Shop, Baking and/or Selling On Premises – Retail  
Donut Shop, Baking and/or Selling On Premises – Retail  
Pretzel Shop – Heating, Baking and/or Selling On The Premises  
Retail Bakery - No Baking On Premises  
Retail Bakery - Selling Purchased Bakery Products

### **919 FLORIST STORE – RETAIL OR WHOLESALE**

Applies to a business principally engaged in the sale of flowers, and/or plants used for indoor decorative purposes or florist store supplies. Also includes service away from the store premises, such as floral decoration of homes, churches or other buildings for weddings, banquets or parties.

Also includes plantscaping, which is the maintenance of living (typically potted) plants inside a customer's premises. The living, potted plants may be used to decorate the interiors of malls, offices or other businesses, as well as residences. Plantscaping duties include watering, fertilizing, trimming and/or spraying of the interior living, potted plants.

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

1. Assign Code 0011 to a business principally engaged in raising, growing or cultivating flowers and/or plants used for indoor decorative purposes. Stores operated at the same or contiguous location may be separately classified to Code 919 provided the stores are physically separate and separately staffed.
2. Assign Code 012 to a business principally engaged as a landscaping contractor or performing lawn care maintenance or other similar services.
3. Assign Code 0013 to a business principally engaged in raising trees (including Christmas trees), shrubs, bushes, hedges and/or bedding plants used for outdoor planting.
4. Assign Code 917 to a business principally engaged in the making and delivering cut fruit or vegetable arrangements.
5. A garden supply business principally engaged in the sale of fertilizer, sod, grass seed, flower pots, birdbaths and statuary with incidental sales of potted plants, trees, shrubs, bulbs or bedding plants shall be assigned to the applicable N.O.C. store classification, depending on whether the sales are principally to retail customers (Code 928) or to wholesale customers (924). For further information please see "Wholesale/Retail Mail Order House Or Internet Sales – Definitions" in the General Auditing & Classification Information section of this Manual.
6. Assign Code 924 to a business principally engaged in the arranging, assembling and/or the wholesale selling of artificial or dried flowers.

#### **UNDERWRITING GUIDE**

Florist Store - Fresh Cut Flowers - Retail Or Wholesale  
Florist Store Supplies Dealer – Wholesale  
Flower Dealer Or Store - Fresh Cut Flowers (No Flower Or Plant Raising) - Retail and/or Wholesale  
Plantscaper – Interior

Store, Florist - Fresh Cut Flowers - Retail Or Wholesale

## **920 JEWELRY STORE – WHOLESALE OR RETAIL**

### ***UNDERWRITING GUIDE***

Coin and/or Postage Stamp Dealer - Retail Or Wholesale

Hearing Aid - Sale And Service

Jeweler, Findings And Materials Dealer

Jewelry Store - Wholesale Or Retail

Optical Store, Including Lens Grinding And Optometrists

Postage Stamp and/or Coin Dealer - Retail Or Wholesale

Stamp (Postage) and/or Coin Dealer - Retail Or Wholesale

## **921 FURNITURE STORE – WHOLESALE**

Applies to wholesale dealers principally engaged in selling or renting furniture including furniture for the home or office to retailers, businesses, wholesalers or other commercial entities. Also included are dealers principally engaged in the sale of furniture via catalogue, Internet and/or mail order. The word “furniture” as used in this classification includes but is not necessarily limited to: sofas, chairs, tables, beds, bedding, chests, breakfronts, bookcases, pianos, organs, all types of floor coverings, major household appliances and office furniture. In addition, a wholesale dealer may sell or rent other merchandise, such as lighting fixtures, lamps, stereo equipment, televisions, video and/or audio equipment, small household appliances, mirrors, pictures and kitchen cabinets.

Separately staffed installation, service or repair operations shall be separately classified, including but not necessarily limited to the examples listed below:

1. The installation of wall-to-wall carpeting, non-ceramic tile or window coverings shall be assigned to Code 670.
2. The installation, service or repair of major household appliances shall be assigned to Code 662.
3. The service or repair of televisions or other electronic entertainment and communication devices shall be assigned to Code 966.

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

1. Assign Code 922 to the retail sale of furniture and related products.
2. Assign Code 855 to an employer principally engaged in the sale of hardwood flooring and/or engineered hardwood flooring

### ***UNDERWRITING GUIDE***

Carpet Dealer – Wholesale

Floor Coverings (e.g., Carpet, Rugs, Rubber or Vinyl Tile, and Linoleum) Dealer – Wholesale

Mattress Dealer

Office Furniture Dealer

Piano Or Organ Store – Wholesale

Store - Furniture – 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, stoves and washing machines.

In addition, furniture stores may sell or rent other merchandise such as lighting fixtures, lamps, stereo

equipment, televisions, video and/or audio equipment, small household appliances, mirrors, pictures and kitchen cabinets.

Further included are delivery and setting merchandise in place, hanging pictures or mirrors and/or polishing and repairing of furniture on the store's premises or at the customer's location.

All salespersons, including but not limited to floor salespersons, interior designers and decorators, are contemplated by the scope of Code 922 and are not separately classified.

***OPERATIONS ALSO INCLUDED:***

1. Businesses principally engaged in party supply rental – Retail or Wholesale.
2. Businesses principally engaged in pool table sales – Retail.

***OPERATIONS NOT INCLUDED:***

Separately staffed installation, service or repair operations shall be separately classified including but not necessarily limited to the examples listed below:

1. The installation of wall-to-wall carpeting, non-ceramic tile or window coverings shall be assigned to Code 670.
2. The installation, service or repair of major household appliances shall be assigned to Code 662.
3. The service or repair of televisions or other electronic entertainment and communication devices shall be assigned to Code 966.
4. Assign Code 921 to the wholesale distribution of furniture and related products.
5. Assign Code 855 to an employer principally engaged in the sale of hardwood flooring and/or engineered hardwood flooring.

***UNDERWRITING GUIDE***

Antique Furniture Dealer – Retail  
 Bedding Store – Retail  
 Carpet Store – Retail  
 Electrical Household Appliances, Major – Retail  
 Floor Coverings (e.g., Carpet, Rugs, Rubber or Vinyl Tile, and Linoleum) Dealer – Retail  
 Furniture Installation, Portable, By Dealer  
 Furniture Rental - Chairs, Coat Racks, Dishes, Etc. – Retail  
 Furniture Store – Retail  
 Home Freezer Dealer – Retail  
 Household Appliances Dealer, Major – Retail  
 Household Furniture Dealer – Retail  
 Household Laundry Equipment Dealer – Retail  
 Household Refrigerator Dealer – Retail  
 Inflatable Amusement – Rental  
 Mattress Store – Retail  
 Musical Instruments Rental - Pianos And Organs – Retail  
 Party Supplies Rentals - Retail or Wholesale  
 Piano Or Organ Store – Retail  
 Pool Table Dealer – Retail  
 Refrigerator, Stove Or Washing Machine Store – Retail  
 Store, Furniture – Retail  
 Taxidermist  
 Video Game Arcade – Mobile

**923 PACKAGING – CONTRACT – NON-CRATING**



Applicable to businesses principally engaged in packaging or repackaging merchandise owned by unrelated customers as a contract service. Such includes but is not necessarily limited to cosmetics, toiletries, pharmaceuticals, soaps, cleaning agents or hardware.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 305 to a specialist crating contractor or to payroll developed by separate staff in a physically separate department of a packaging contractor crating any type of merchandise for shipment.
2. Assign Code 813 to payroll developed by a contractor engaged in either crating or packaging of any type at customer locations.
3. Assign Code 4777 to payroll developed by a contractor packaging or repackaging explosives.

**UNDERWRITING GUIDE**

Aerosol Can Filling, By Contractor

Contract Packaging - Non-Crating

Packaging, Contract - Non-Crating

**924 WHOLESALE STORE, N.O.C.**

Applies to dealers principally engaged in the wholesale distribution of merchandise not specifically assigned to another wholesale store classification. Please see the Underwriting Guide entries below for a representative listing of the types of wholesale dealers contemplated by this classification. Please see the Wholesale/Retail Mail Order House Or Internet Sales Definitions entry in the General Auditing & Classification Information section for the definition of wholesale sales.

**OPERATIONS ALSO INCLUDED:**

1. Publishers of any type of publication performing the pre-press work, outsourcing the actual printing of the publication and then receiving and distributing the publication.

**UNDERWRITING GUIDE**

Alcoholic Beverage Blending Or Bottling, Non-Carbonated

Balloon Dealer - Wholesale

Bar Or Restaurant Supply Dealer (Other Than Beverages, Groceries Or Meat)

Barber Or Beauty Parlor Supply House - Wholesale

Barrel Dealer - No Mfg.

Book Dealer - Wholesale

Boot And Shoe, Cut Stock And Findings Dealer

Bottle Dealer, New

Bottled Spring Water Distribution - By Dealer

Candy Dealer (Including Repackaging) - Wholesale

Cigarette Dealer - Wholesale

Cloth Clippings Dealer, New

Clothing Dealer, Used - Wholesale

Computer Dealer - Wholesale

Cotton Merchant

Dental Equipment Or Supply Dealer

Drugstore - Wholesale

Egg Dealer - Grading, Candling, Packing - Wholesale

Feed Dealer - Wholesale

Fertilizer (Except Humus Or Manure) Dealer

Firearms Sale - Wholesale

Fish Dealer - Wholesale - No Processing Whatsoever

Flower Assembling - Artificial Or Dried



Flower Dealer - Artificial Or Dried - Wholesale  
 Garden Supplies Dealer  
 Grain Dealer  
 Hatchery - No Poultry Raising  
 Hay Dealer  
 Hide Dealer - Including Salting - Curing  
 Kitchenware (e.g., Utensils, Cutlery and Dinnerware) Dealer - Wholesale  
 Liquor/Wine Dealer  
 Meat Dealer - Wholesale - No Processing Whatsoever  
 News Agent Or Magazine Distributor - Wholesale  
 Nuts (Edible) Dealer  
 Office Machine Dealer - Wholesale  
 Office Supply Dealer - Wholesale  
 Orthopedic, Prosthetic And Surgical Appliances And Supply Dealer - Wholesale  
 Paper Or Paper Products Dealer  
 Pharmaceutical Or Surgical Goods Dealer, N.O.C.  
 Photographic Equipment And Supplies Dealer - Wholesale  
 Potato Chip Dealer  
 Poultry Dealer - Wholesale - No Processing Whatsoever  
 Publisher - Outsources Printing, Performs Product Distribution  
 Restaurant Or Bar Supply Dealer (Other Than Beverages, Groceries Or Meat)  
 Seed Merchant  
 Snack Food Dealer - Wholesale  
 Solvents Dealer  
 Sporting Goods Dealer - Wholesale  
 Spring Water Bottling and/or Distribution  
 Stationery Dealer - Wholesale  
 Store, Wholesale, N.O.C.  
 Tavern Supply Dealer (Other Than Beverages, Groceries Or Meat)  
 Telephone Dealer - Wholesale  
 Tobacco Auction Sales Warehouses  
 Tobacco Product Dealer - Wholesale  
 Used Clothing Dealer - Wholesale  
 Vending Machine Dealer - Wholesale  
 Wallpaper Dealer - Wholesale  
 Water Bottling and/or Bottled Water Distribution - By A Dealer  
 Wholesale Store, N.O.C.  
 Wine/Liquor Dealer  
 Wool Merchant

## 925 HARDWARE STORE – RETAIL

Applies to retail stores principally engaged in selling hardware. The term hardware as used in this classification includes but is not necessarily limited to: nails, screws, bolts, washers, gaskets, brackets, locks, hinges, electrical outlet boxes, switches, fuses, plugs, sockets, hand or portable electric tools, plumbing fixtures, paint, small household electrical appliances, radios, stereo equipment, televisions, video and/or audio equipment, garden tools and equipment such as lawn mowers and snow blowers.

### **OPERATIONS ALSO INCLUDED:**

1. Bicycle Stores – including rental and incidental repair work.
2. Locksmiths – including installation, repair or replacement of locks in existing buildings.
3. Lawn mower sales or service (including riding type).

### **OPERATIONS NOT INCLUDED:**

1. Except as provided for above separately staffed service or repair operations shall be separately classified including but not necessarily limited to the examples below:
  - a. Assign Code 662 to the service or repair of major household appliances
  - b. Assign Code 966 to the service or repair of televisions, video and/or audio equipment.
2. Assign Code 855 to a business principally engaged in the retail sale of lumber and/or building materials.
3. Assign Code 926 to a business principally engaged in the wholesale sale/distribution of hardware.

**UNDERWRITING GUIDE**

Audio/Video Equipment Store – Retail

Bath and/or Kitchen Fixture Store

Bicycle - Sale Or Rental, Including Repair

Bicycle Assembly At Retail Store Locations – By Specialist Contractor

Cabinet Store – Retail

Ceramic Tile Store – Retail

Electrical Appliance Store, Small – Retail

Electrical Supply Store – Retail

Electronic Components And Accessories Store – Retail

Exercise Equipment - Service Or Repair - In Shop Or At Customers' Locations - By Specialist Contractor

Fitness Equipment - Service Or Repair - In Shop Or At Customers' Locations - By Specialist Contractor

Garden Equipment Store

Hardware Store – Retail

Hot Tub Or Spa Dealer – Retail

Household Appliance Store, Small – Retail

Household Vacuum Cleaner Store, Small – Retail Lawn Mower Sale Or Service (Including Riding Type)

Lawn Mower Sale Or Service (Including Riding Type) Lighting Fixture And Supplies Store

Lighting Fixture And Supplies Store

Locksmith - Including Shop - A Specialist Contractor

Paint Store - Retail

Plumbers' Supplies Store – Retail

Radio Or Television Parts And Accessories Store – Retail

Radio, Television Or Audio Equipment Store – Retail

Sewing Machine Store – Retail

Stereophonic Or High Fidelity Equipment Store – Retail

Swimming Pool Supply Store

Television, Video and/or Audio Equipment Store – Retail

Tile Store – Ceramic – Retail

Vacuum Cleaner Store (Household) – Retail

Video/Audio Equipment Store – Retail

**926 HARDWARE STORE – WHOLESALE**

Applies to dealers principally engaged in the wholesale selling of hardware. The term hardware as used in this classification includes but is not necessarily limited to: nails, screws, bolts, washers, gaskets, brackets, locks, hinges, hand or portable electric tools, machine tools, small household electrical appliances, stereo equipment, radios, televisions, video and/or audio equipment, mill supplies or garden tools or garden equipment such as lawn mowers or snow blowers.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 855 to a retail and/or wholesale business principally engaged in the retail and/or wholesale sale of building materials (e.g., roofing including shingles, siding, wallboard, bricks and/or lumber).
2. Assign Code 857 to a business principally engaged in the wholesale sale of cable wire or rope.
3. Assign Code 855 to a business principally engaged in the wholesale sale of plumbing supplies or pipes.

4. Assign Code 886 to a business principally engaged in the wholesale sale of electrical supplies (e.g., electric wire, fuses and/or circuit breakers).

***UNDERWRITING GUIDE***

Agricultural Implement Dealer - Other Than Farm Machinery  
 Aircraft Parts and/or Accessories Dealer  
 Appliance Parts Dealer  
 Audio/Video Equipment Dealer – Wholesale  
 Cabinet Dealer – Wholesale  
 Ceramic Tile Dealer – Wholesale  
 Cutlery Dealer  
 Electrical Appliance Dealer - Small Appliances – Wholesale  
 Electrical Machinery Or Equipment Dealer – Wholesale  
 Fire Extinguisher - Sales and/or Service - Wholesale  
 Glass Dealer - No Mfg., Glass Bending, Beveling, Grinding, Silvering Or Installation  
 Hardware Store – Wholesale  
 Hot Tub Or Spa Dealer – Wholesale  
 Household Appliances Dealer, Small – Wholesale  
 Household Vacuum Cleaner Dealer – Wholesale  
 Janitorial Supply Dealer – Wholesale  
 Oil and/or Gas Well Equipment Dealer Or Rental  
 Paint Dealer – Wholesale  
 Radio, Television, Stereophonic Or High Fidelity Equipment, Parts Or Accessories Dealer – Wholesale  
 Sewing Machine Dealer – Wholesale  
 Ship Chandler  
 Stereophonic Or High Fidelity Equipment Dealer – Wholesale  
  
 Television, Radio, Stereophonic Or High Fidelity Equipment Dealer – Wholesale  
 Tile Dealer – Ceramic – Wholesale  
 Vacuum Cleaner Dealer – Wholesale  
 Video/Audio Equipment Dealer – Wholesale  
 Welding Equipment Or Supply Dealer

**927 PHARMACY – ALL EMPLOYEES INCLUDING OFFICE**

***UNDERWRITING GUIDE***

Mail Order Pharmacy  
 Pharmacy - Retail Or Internet Or Mail Order

**928 RETAIL STORE, N.O.C.**

***UNDERWRITING GUIDE***

Antique Store, Other Than Furniture – Retail  
 Army/Navy Store – Retail  
 Arts And Crafts Store – Retail  
 Art Gallery  
 Barber Or Beauty Parlor Supply House – That Operates In A Retail Manner  
 Bookstore  
 Camera Or Photographic Supply Store – Retail  
 Candy Store  
 Clothing Store (Used) – Retail  
 Computer Store – Retail  
 Cosmetics Store  
 Dog Groomer - No Kennel Facilities  
 Dry Cleaning - Self-Service Only  
 Film Exchange

Garden Center – Retail  
 Garden Supplies Store – Retail  
 Golf Course - Pro Shop - Operated By Specialist Contractor  
 Goodwill Stores  
 Greeting Card Shop Gun Shop - Retail Handbag (Women's) Store  
 Gun Shop – Retail  
 Habitat For Humanity ReStores  
 Handbag (Women's) Store  
 Hobby Shop – Retail  
 Ice Cream, Store Or Street Vending – Retail  
 Kitchenware (e.g., Utensils, Cutlery and Dinnerware) Store – Retail  
 Laundry - Coin-Operated - Self-Service  
 Laundry Collector Without Laundry (Excluding Contract Hauler)  
 Liquor Or Wine Store – Retail  
 Luggage Store – Retail  
 Mailing And Shipping Store – By Independent Contractor  
 Medical Marijuana Dispensary  
 Medical Supply Store – Retail  
 Motion Pictures, Development Of Films, No Other Operations  
 Musical Instrument Rental - Except Pianos And Organs  
 News Agent Or Magazine Distributor – Retail  
 Office Machine Store – Retail  
 Office Supply Store – Retail  
 Orthopedic, Prosthetic, And Surgical Appliances And Supply Store – Retail  
 Package Liquor Store  
 Pawn Shop  
 Personal Computer Store – Retail  
 Pet Grooming - By Specialist Contractor  
 Pet Shop – Retail  
 Record Dealer, Vinyl- Retail  
 Photographer  
 Photographic Equipment And Supplies Store – Retail  
 Photographic Studio, Not Producing Motion Pictures, And Outside Work  
 Pro Shop - Golf Course - Operated By Specialist Contractor  
 Receiving Station - Dry Cleaner - No Dry Cleaning At Same Or Contiguous Location  
 Receiving Station - Laundry - No Laundering At Same Or Contiguous Location  
 Retail Store, N.O.C.  
 Sporting Goods Store – Retail  
 Stationery Store – Retail  
 Store, Retail, N.O.C.  
 Telephone (Including Cell or Mobile) Store – Retail  
 Thrift Store (Used Clothing, Furniture, Household Items) – Retail  
 Tobacco Products Store – Retail  
 Trophy Store (Including Assembly And Nameplate Inscribing)  
 Used Clothing Store – Retail  
 Video Tape Or DVD Store - Rental Or Sale  
 Vitamin Store – Retail  
 Wallpaper Store – Retail  
 Water Ice Store  
 Wine Store - Retail - Operated By A Winery  
 Women's Handbag Store

**929 EMPLOYMENT CONTRACTOR – TEMPORARY STAFF – MERCANTILE OPERATIONS**

Applies to temporary employees provided to retail or wholesale store businesses except for businesses assignable to wholesale fruit, grocery or wholesale store, N.O.C.

Please see the Employment Contractor - Temporary Staffing entry in the General Auditing & Classification Information section for further information on which store businesses are assignable to Code 929 and on classifying temporary staff.

**UNDERWRITING GUIDE**

Employment Contractor - Temporary Staff - Retail Or Wholesale Store Businesses

Store Businesses - Retail Or Wholesale - Temporary Staff

Temporary Staff - Retail Or Wholesale Store Businesses

**932 COPYING OR DUPLICATING SERVICE – ALL EMPLOYEES INCLUDING OFFICE**

Applicable to printing businesses principally engaged in providing customer copy reproduction by means of small offset presses (with no more than two color towers), also known as duplicators, on paper sheet sizes 17 x 22 inches or less or electrostatic copiers on paper sheets of any size. Such businesses also typically provide post press bindery service that finishes the printed product.

Finishing may include but is not necessarily limited to: collating, cutting to size including die cutting, scoring and perforating, rounding corners, tab cutting, folding, drilling or punching holes, stapling, sewing, wire stitching, gluing – perfect binding, laminating, foil stamping or embossing.

**OPERATIONS NOT INCLUDED:**

1. A printing business principally engaged in the reproduction of customer copy by other means shall be assigned to the appropriate printing class as provided for in this Manual.
2. Code 932 and another printing class shall not be assigned to any printing business unless that business fulfills the multiple enterprise criteria specified in Rule IV, Paragraph C. 3. a. 2.

**UNDERWRITING GUIDE**

Blueprint Reproduction (Using Photocopying Method) - By Contractor

Document Scanning – By Specialist Contractor

Duplication Services

Laser Printing By Contractor

Microfilming

Offset Duplicating

Photocopy Shop

Printing - By Laser Method - By Contractor

Quick Printer

Scanning of Documents – By Specialist Contractor

**933 VENDING OR COIN-OPERATED MACHINE – INSTALLATION, SERVICE OR REPAIR, ALL EMPLOYEES EXCEPT OFFICE****OPERATIONS NOT INCLUDED:**

1. Assign Code 897 to sandwich or other food preparation when conducted by separate staff in a physically separate work area.

**UNDERWRITING GUIDE**

Automatic Teller Machine (ATM) - Installation, Service Or Repair

Candy and/or Snack Trays – Sold On the Honor System

Coffee Service Company

Coin-Operated Amusement Or Vending Machine - Installation, Service Or Repair

Coin-Operated Telephone - Installation, Service Or Repair By A Specialist Business Or Contractor

Jukebox Operation, Service Or Repair

Parking Meter Installation, Service Or Repair  
 Pinball Games - Service Or Repair By Vending Machine Operator  
 Scale Installation Or Adjustment, Coin-Operated Type, By Vending Machine Operator  
 Snack and/or Candy Trays – Sold On the Honor System  
 Telephone - Coin-Operated - Installation, Service Or Repair By A Specialist Business Or Contractor  
 Vending Machine Installation  
 Vending Or Coin-Operated Amusement Machine - Installation, Service Or Repair  
 Video Games - Service Or Repair By Vending Machine Operator

### **934 AUTOMOBILE PARTS AND ACCESSORY STORE – RETAIL AND/OR WHOLESALE**

An auto parts store that also provides automobile repair services shall have payroll divided with Code 815 provided the following conditions are fulfilled: the new and/or used auto parts sales and the automobile repair services are conducted in physically separate work areas by separate employee crews and the majority of the new and/or used parts/ accessories sold must be sold to others and are neither installed nor used by the insured for repair services. If both operations are conducted and these conditions are not met, then payroll developed in both the new and/or used auto parts and accessories sales and the auto repair services shall be assigned to Code 815 or Code 934, whichever classification applies to the business activity in which the employer is principally engaged.

Please refer to the “Automobile Dismantlers” entry in the General Auditing & Classification Information for direction in classifying any business whose operations include the dismantling of automobiles or other types of vehicles to recover useable/saleable used parts.

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

1. Assign Code 461 to the machining of brake drums and other auto parts conducted in a physically separate work area and staffed by a separate employee crew.

#### **UNDERWRITING GUIDE**

Auto Parts Dealer – Wholesale  
 Automobile Accessory Store  
 Automobile Body Accessories Dealer  
 Automobile Paint Dealer  
 Automobile Parts Store  
 Motor Vehicle Parts And Accessory Dealer  
 Tire Dealer – Wholesale

### **935 LUMBER AND/OR BUILDING MATERIAL DEALER – STORE EMPLOYEES – FOR USE IN CONJUNCTION WITH CODE 855 ONLY**

Applicable to the operation of a retail store on the premises of a lumber and/or building material dealer in which hardware, paint and other similar merchandise is sold. This classification may only be authorized as an additional classification for an employer classified to Code 855 if the employer fulfills the multiple enterprise criteria discussed in Rule IV, C., 3., a., 2. of this Manual. The retail store must be operated in a physically separate work area from the lumber and/or building material dealer's warehouse or yard with no interchange of labor between the store and the warehouse or yard. The term “retail” shall be construed to mean the selling of displayed merchandise in store- type premises where floor and/or counter salespersons assist customers or on a self-service basis to the general public for personal or household consumption or use. This classification shall also apply when the store sales are made to wholesale customers (e.g., commercial or professional users) but conducted primarily in a retail manner. For purposes of assignment to this classification, the term “retail manner” shall be construed to mean that the insured will have a floor area where merchandise is stocked in display aisles, customers may walk up and down the display aisles, inspect the merchandise being offered for sale, place their selections into either a shopping basket or shopping cart and will make payment for their selections at a customer checkout lane. The retail store may also contain a second counter area where customers may place orders for the lumber and/or building materials.

**OPERATIONS NOT INCLUDED:**

This classification is not available for the operation of a sales counter of a lumber and/or building material dealer where the insured's staff takes customer orders for the lumber and/or building materials, accepts payment, transfers the orders to the insured's yard or warehouse staff and may also sell merchandise from a counter display, display racks behind the counter and/or a display space in front of counter but where the insured does not operate a separate retail store as defined above.

**UNDERWRITING GUIDE**

Lumber And Building Material Dealer - Store Employees - For Use In Conjunction With Class 855 Only

**936 BROADCASTING STATION – RADIO OR TELEVISION, ALL EMPLOYEES INCLUDING OFFICE****OPERATIONS ALSO INCLUDED:**

1. The pre-production, production and post-production phases of a motion picture, television, music video or advertisement (commercial) production company when performed by the motion picture, television, music video or advertisement (commercial) production company's staff. Activities contemplated in the different production phases include but are not necessarily limited to: directors, assistant directors, producers, performers, musicians, set builders, wardrobe designers, sound technicians, gaffers (lighting technicians), grips (grips conduct rigging operations around the set, move camera dollies, and ensure the set is safe), hair or makeup persons, camera operators, cinematographers, film developers or editors.
2. Motion picture production companies making animated films including but not necessarily limited to: voice talent, motion capture actors, camera and equipment operators, computer animators, the director, and producers.

**OPERATIONS NOT INCLUDED:**

1. When the motion picture, television, music video or advertisement production company outsources any of the activities incident to motion picture, television, music video or advertisement production to an unrelated business (specialty contractor), that unrelated business shall be assigned to that Manual classification contemplating the unrelated contractor's specialized operations.

**UNDERWRITING GUIDE**

Advertisements – Filming Or Video Production Or Audio Recording Of Radio Or Television Commercials  
 Broadcasting Station - Radio Or Television  
 Industrial Film Production Company  
 Motion Picture Production Company  
 Music Video Production Company  
 Radio Broadcasting Station  
 Radio Commercial Recording  
 Sound Recording Studio  
 Television Broadcasting Station  
 Television Or Radio Advertisements – Filming Or Video Production Or Audio Recording  
 Training Film Production Company  
 Videographer

**937 EMPLOYMENT CONTRACTOR – TEMPORARY STAFF – HEAVY SERVICE**

Applies to temporary employees provided to unrelated businesses including but not necessarily limited to tree pruning, logging, surface mining or mineral recovery, transportation (of persons or any type of commodity), lumber and building material or metal service centers, scrap metal yards, commodity recycling,



rubbish and/or garbage collection or warehousing (all types except where the customer's business classification is Code 813 which is subject to Code 867).

Please see the Employment Contractor - Temporary Staffing entry in the General Auditing & Classification Information section for further information on which customer business classifications are assignable to Code 937 and on classifying temporary staff.

#### **UNDERWRITING GUIDE**

Employment Contractor - Temporary Staff - Heavy Service

Temporary Staff - Heavy Service

### **939 CARNIVAL, CIRCUS OR AMUSEMENT DEVICE OPERATOR – TRAVELING**

#### **UNDERWRITING GUIDE**

Amusement Device Operator – Traveling

Carnival – Traveling

Circus – Traveling

Fair – Traveling

Kiddie Rides - All Operations - Traveling

Traveling Amusement Device Operator

Traveling Carnival

Traveling Circus

### **940 RESIDENTIAL CARE FACILITY FOR INDIVIDUALS WITH INTELLECTUAL DISABILITIES – ALL EMPLOYEES EXCEPT OFFICE AND THE SEPARATE STAFF OF A CERTIFIED WORK CENTER.**

Includes operations licensed as Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/IID) regardless of client count or location. Also included are schools and daycare activities operated by the facility.

ICF/IIDs are licensed by the state to provide on a regular basis, health related care and services to the intellectually disabled, who do not require the degree of care or treatment which a hospital or skilled nursing facility is designed to provide. These facilities, regardless of client number, provide unique and specialized residential, medical and habilitation services to its clients.

The larger ICF/IIDs (9 or more clients) usually provide educational, workshop/vocational and physical therapy programs at one campus with many residents living in cottages having no more than 8 residents each. Supervision may be provided by staff in three 8-hour shifts. Smaller ICF/IIDs (8 or fewer clients) also assigned to this classification provide community-based programs which are designed to facilitate the client's movement to a less restrictive environment than the larger facilities. These community-based ICF/IIDs employ a relatively high staff to client ratio and 24-hour supervision with at least one staff member monitoring overnight activity. Smaller ICF/IIDs may serve clients from higher functioning to profoundly intellectually disabled.

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

1. Assign Code 964 to separately-staffed certified work centers.
2. Assign Code 941 to separately-staffed group homes for five or fewer residents licensed as Neighborhood Homes located off campus.

#### **UNDERWRITING GUIDE**

Group Home - Intermediate Care Facility For Individuals With Intellectual Disabilities - Regardless Of Client Count

Intermediate Care Facility For Individuals With Intellectual Disabilities - Regardless Of Client Count



**941 SOCIAL REHABILITATION FACILITY – FOR ADULTS OR CHILDREN – ALL EMPLOYEES INCLUDING OFFICE**

Applicable to non-medical residential care facilities providing a transitional non-institutional environment in a group setting which emphasizes through guidance and counseling the social rehabilitation and the eventual reintegration of the resident into the community or reuniting the resident with family. The residents of such facilities will normally be either adults or children diagnosed with intellectual disabilities and/or developmental disabilities, adults or children diagnosed with mental illness, adults or children with traumatic brain injuries, children who have been neglected or abused, children with behavioral disorders or court adjudicated children who have been removed from their homes. Clients in these facilities may access daily community based programs appropriate to their condition.

**OPERATIONS ALSO INCLUDED:**

1. Additional programs, e.g., daycare, respite care and prevocational training programs, provided by group home operators primarily for their residential clients shall be included within the scope of Code 941.
2. Community Living Arrangements are non-licensed apartment or townhome settings offering residential services for persons with intellectual and/or developmental disabilities similar to those provided by Neighborhood Homes
3. Group Homes For Persons With Mental Illness are licensed residences providing mental health treatment, rehabilitation and housing for between 3 and 10 adults with primary diagnosis of psychiatric disabilities
4. Neighborhood Homes for Persons with Developmental Disabilities are licensed facilities defined as a standalone house within the community that serves up to 5 individuals with developmental disabilities in a single-family home setting.
5. Residential Child Care Facilities and Day Treatment Program are licensed residential child care facilities regardless of client count
6. Rest (Family) Care Homes which are licensed homes that provide beds and personal care services for 2 or 3 residents who cannot live independently and who need or could benefit from a family living situation. The home provides shelter, housekeeping services, food/meals and personal care for residents.

**OPERATIONS NOT INCLUDED:**

1. Training programs that pay the trainees for services rendered shall be separately classified as provided in this Manual.
2. Assign Code 940 to facilities licensed as Intermediate Care Facilities (ICF/MR)
3. Assign Code 964 to the separate staff of a work center/sheltered workshop.
4. Assign Code 976 for adult day center or prevocational training programs operated by a residential services provider which are primarily attended by non-residents and which fulfills the multiple enterprise criteria delineated in Rule IV, Section 1 of this Manual.
5. Assign Code 979 to facilities licensed as Rest (Residential) Homes
6. Assign Code 986 to drug and alcohol halfway houses, adult shelters for the homeless, victims of domestic abuse, maternity homes or pre-parole halfway houses.

**UNDERWRITING GUIDE**

Child Residential Facilities

Community Living Arrangement (CLA) for the Intellectually and/or Developmentally Disabled

Group Homes For Persons With Mental Illness

Neighborhood Homes For Persons With Intellectual and/or Developmental Disabilities

Rest (Family) Care Homes

**942 HOME HEALTH CARE SERVICES, ALL EMPLOYEES EXCEPT OFFICE**

Applicable to commercial agencies providing home health care services to clients. Home health care is clinical medical care provided by skilled medical professionals and includes but is not necessarily limited to: nursing care, home infusion therapy, and physical, speech and/or occupational therapy.

**OPERATIONS ALSO INCLUDED:**

1. Outside salespersons employed by a home health care provider.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 943 to separate staff providing home care services. See Code 943 for additional information.
2. Assign Code 928 to separate staff selling or renting durable medical equipment or supplies such as hospital beds, wheelchairs, commodes and walkers.

**UNDERWRITING GUIDE**

Community Nursing Services  
Home Health Care Services  
Hospice Care Performed In Client's Residence  
Nurse - Private Duty  
Nurses - Visiting Patients In Private Homes  
Private Duty Nurse  
Public Health Nurse  
Visiting Nurse

**943 HOME HEALTH CARE – NONPROFESSIONAL STAFF, ALL EMPLOYEES EXCEPT OFFICE**

Applicable to commercial agencies providing home care services to clients. Home care is unskilled non-clinical care provided by home health aides, attendant care aides, companions, live-ins and/or home support personnel. Services provided involve assistance with activities of daily living, including but not necessarily limited to: eating and drinking, walking, transferring (i.e. getting in and out of bed or a chair), personal hygiene, dressing, and using the bathroom.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 942 to separate staff providing home health care services. See Code 942 for additional information.
2. Assign Code 942 to the outside sales staff of a home care provider, whether or not the home care provider also provides home health care services.
3. Assign Code 928 to separate staff selling or renting durable medical equipment or supplies such as hospital beds, wheelchairs, commodes, and walkers.

**UNDERWRITING GUIDE**

Chore Worker - Home Care Services  
Home Health Aide  
Home Care Services - Nonprofessional Staff  
Homemaker Service  
Hospice Care Performed In Client's Residence  
Respite Care Services – In Home

**944 CLUB – COUNTRY, GOLF OR YACHTING – ALL EMPLOYEES EXCEPT OFFICE**

Includes restaurant or tavern employees and all operations performed by club employees including but not necessarily limited to: those conducted by desk and room clerks, housekeepers, instructors, pro shop sales clerks, club attendants and golf starters.

Assign the appropriate marina classification to separately staffed marina or yacht basin operations.

**UNDERWRITING GUIDE**

Club - Country, Golf Or Yachting

Country Club

Golf Course - Pro Shop - Operated By Golf Course

Golf Course - Public Or Private

Yacht Club

**CLERICAL AND PROFESSIONAL EMPLOYMENTS****945 HOTEL RESTAURANT EMPLOYEES, ALL EMPLOYEES EXCEPT OFFICE. FOR USE IN CONJUNCTION WITH CODE 973 ONLY**

For tips and for musicians and entertainers, see Rule V, Section 1.

Please see the Hotel Or Motel Operations entry in the General Auditing & Classification Information section for further information on the scope of this class.

**946 EMPLOYMENT CONTRACTOR – TEMPORARY MEDICAL STAFFING**

Applicable to employers providing professional and/or nonprofessional medical staff to unrelated health care facilities or to physicians/dentists' practices on a temporary basis. Such employees include but are not necessarily limited to: registered nurses or licensed practical nurses, pharmacists, aides, orderlies, attendants, medical technicians or doctors.

Payroll developed by separate staff(s) performing home health care services shall be separately classified as provided in this Manual.

Payroll developed by temporary janitorial, laundry, kitchen or other non-medical staff (except clerical) provided to health care facilities shall be assigned to Code 947.

Please see the Employment Contractor - Temporary Staffing entry in the General Auditing & Classification Information section for further information on classifying temporary staff.

**UNDERWRITING GUIDE**

Employment Contractor - Temporary Medical Staffing

Medical Service - Temporary Help

Nurse - RN And LPN Including Aides – Temporary Help

Temporary Medical Staffing

**947 EMPLOYMENT CONTRACTOR – TEMPORARY STAFF – MAINTENANCE OR SERVICE**

Applies to temporary employees provided to businesses such as flower growing, landscaping or lawn care, laundry or dry cleaning, utilities (except meter readers), cable television, hotels, restaurants, automobile service or repair (including auto dealers), security, theaters, amusements (either indoor or outdoor) or building maintenance.

Also applies to non-medical temporary staff provided to health care facilities (except clerical), and to airport/airline temporary ground personnel.

**UNDERWRITING GUIDE**

Employment Contractor - Temporary Staff - Maintenance Or Service

Temporary Staff - Maintenance Or Service

#### **948 MAILING or ADDRESSING COMPANY – ALL EMPLOYEES INCLUDING OFFICE**

Applicable to businesses principally engaged in mailing advertising material such as letters, circulars and/or small product samples or other items (e.g., bills) for unrelated concerns. The mailing company may compile mailing lists or receive lists of names from customers. Materials to be mailed may be received bound on pallets ready for mailing. Billing information is received from customers. The mailing company may generate the letter or bill by computer (laser or impact printed). The mailing company may design and print advertising materials. Printing operations shall be included with the mailing company class provided that more than 50 percent of the items printed are used as materials in the mailing business.

Most mailing companies have a production department where employees operate machines to burst, fold, insert, label and affix a stamp to each envelope. The last item listed is optional as much of this mail is metered. Mail is presorted to the addressee's five- or nine-digit zip code, placed in postal sacks and taken to the Post Office. Very small firms may employ persons to manually stuff envelopes, hand label and stamp material to be mailed.

Larger mailing companies may have sales and promotion employees soliciting accounts, designing and producing advertising campaigns in addition to the mailing operation.

Code 948 also contemplates presort bureaus which sort first-class mail for unrelated concerns. The mail may be sorted manually or by automatic sorting machines to the five- or nine-digit zip code. The sorted mail is placed in postal trays or sacks and taken to the post office.

Clerical is included within the phraseology of this classification. Code 948 does not provide for payroll division with either Code 951 or Code 953.

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

1. Assign the appropriate store classification to employers who may mail catalogs and later receive (by phone, mail or the Internet) and fulfill customer orders from inventoried merchandise.
2. Businesses printing and performing mailing or addressing shall be subject to the appropriate printing classification when less than 50 percent of the print production is used in the mailing or addressing operation.
3. Code 948 and a printing class shall not be assigned to an employer unless that employer fulfills the multiple enterprise criteria delineated in Rule IV, Section 1 of this Manual.

#### **UNDERWRITING GUIDE**

Advertising - Mailing Or Addressing Of Advertising Literature

Direct Mail Company

Mail Sorting Service – By Specialist Contractor

Mailing Or Addressing Company Including Incident Printing

Presort Bureau – Mail Sorting – By Specialist Contractor

#### **949 EMPLOYMENT CONTRACTOR – TEMPORARY MARKETING**

Applicable to temporary marketing help such as sales or demonstration personnel including conventions, shows or exhibits.

Also includes temporary help engaged as appraisers, inspectors, meter readers or personnel notifying utility customers of service cutoffs.

Please see the Employment Contractor - Temporary Staffing entry in the General Auditing & Classification

Information section for further information on classifying temporary staff.

### **UNDERWRITING GUIDE**

Employment Contractor - Temporary Marketing Staff

Marketing Staff - Temporary Staff

Temporary Marketing Staff

## **951 SALESPERSON – OUTSIDE**

Applicable to employees either exclusively engaged in sales or collection work away from the employer's premises or who regularly and frequently are engaged in sales or collection work away from their employer's premises and devote the balance of their time to clerical office duties.

Salespersons, collectors or messengers shall be separately classified except in connection with any classification designated either "all employees including office" or "all employees except office".

### **OPERATIONS NOT INCLUDED:**

1. Assign employees engaged as delivery salespersons, route salespersons and/or route supervisors delivering merchandise or products, who may also collect payments or solicit sales, to the employer's applicable field-of- business classification.
2. Assign floor and/or counter salespersons to the employer's field-of-business classification at the location.
3. Assign door-to-door salespersons to the employer's applicable business classification.
4. Assign Code 953 to employees who sell or solicit exclusively by telephone except in connection with any classification designated "all employees including office".
5. Assign Code 808 to messengers employed by a messenger or courier service company.
6. Assign Code 951 to messengers employed by other establishments whose field-of-business is not that of a messenger or courier service company.
7. Assign mobile, self-propelled factory, farm or construction equipment salespersons and automobile auctioneers to Code 819. See Code 819 for additional details.

### **UNDERWRITING GUIDE**

Adjuster, Insurance - By Independent Contractor

Advertising - Distributing Circulars Or Samples - Not In Stores

Advertising Display Card Service - Installation Or Removal Of, In Or On Vehicles

Advertising Display Service - For Stores

Advisory Rating Organization – Field Representative

Auctioneer, Not Livestock or Automobile, No Permanent Location

Auditor, Insurance - Traveling – Independent Contractor

Boiler Inspection

Boy Or Girl Scout Council - Executive Secretary

Collectors Of Money - By Specialist Contractor

Electric Meter Reader

Elevator Inspection

Executive Secretary, Boy Or Girl Scout Council

Gas Meter Reader

Handbill Distribution

Highway Operation - Toll Collector

Inspection Of Mercantile, Mfg. Or Risks For Insurance Or Valuation Purposes - By Independent Contractor

Insurance Adjuster - By Independent Contractor

Insurance Traveling Auditor – Independent Contractor

Inventory Service - By Specialist Contractor

Marine Appraiser Or Surveyor

Messengers

Newspaper Reporter Or Photographer  
 Real Estate Agency - Outside Salespersons  
 Salesperson – Outside  
 Timber Cruiser (Exclusive Duties)  
 Traveling Insurance Auditor – Independent Contractor  
 Trimming Windows - By Independent Contractor  
 Water Meter Reader  
 Window Trimming, By Contractor

## 952 OFFICE MACHINE SERVICE OR REPAIR – SHOP OR FIELD

### **OPERATIONS NOT INCLUDED:**

1. Separately classify separate staff performing manufacturing work in a physically separated work area to the applicable manufacturing classification.
2. Assign Code 811 to a specialist contractor performing the delivery and/or set-up of office machines or equipment.

### **UNDERWRITING GUIDE**

Adding Machine Repair - Shop Or Field  
 Answering Machine (Telephone) Repair  
 Cell Phone Repair  
 Cell Tower Erection – Programming and/or Service of Computerized Call Switching Equipment By Contractor  
 Computer Or Computer System Hardware - Service Or Repair - Shop Or Field  
 Data Processing Systems - Service Or Repair - Shop Or Field  
 Dictating Machine Repair - Shop Or Field  
 Instrument - Professional Or Scientific - Service Or Repair - Shop Or Field  
 Meat Slicers Or Grinders - Counter Type – Service Or Repair  
 Mobile Phone Repair  
 Office Machine Repair - Shop Or Field  
 Organ Tuning - Away From Shop  
 Photocopy Machines - Service Or Repair - Shop Or Field  
 Piano Tuning  
 Scale Adjustment, Service Or Repair, Counter Type  
 Soap Dispenser Installation and/or Servicing – Rest Rooms - By Specialist Contractor  
 Tablet Computer Repair  
 Telephone (Private Branch Exchange) Apparatus Programming, Service Or Repair by Contractor  
 Telephone Service Or Repair By Specialist Crew Of A Contractor Or Other Than By Telecommunications Company  
 Time Clocks, Recording Employee Time - Installation And Repair  
 Typewriter Repair - Shop Or Field  
 Voting Machine - Service Or Repair  
 Word Processor - Service Or Repair - Shop Or Field  
 X-Ray Equipment Installation, Repair Or Service

## 953 CLERICAL OFFICE EMPLOYEES

Applicable to employees exclusively engaged in keeping the books or records of the business or conducting correspondence or who are engaged wholly in office work where such books or records are kept or such correspondence is conducted.

Clerical office employees work exclusively in a separate building or on separate floors or in departments on such floors which are separated from all other workplaces of the employer by floor-to-ceiling partitions, except for retail stores where a partition at least five feet high is required and within which no work is performed other than clerical office duties.

Office employees shall be separately classified except in connection with any classification designated "all employees including office".

**OPERATIONS NOT INCLUDED:**

1. Assign to the employer's applicable field-of-business classification the following "clerks": counter, front desk, lobby, mall kiosk, and stock or tally clerk.
2. Assign librarians to the employer's applicable field-of-business classification.
3. Assign cashiers or any employee whose regular and frequent duty is accepting payment for merchandise or services rendered, whether working in a booth, behind a counter or on a sales floor, to the employer's applicable field-of-business classification.
4. Assign the entire payroll of any clerical office employee who has any other regular duty to the applicable classification in accordance with the class to which the business is assigned.

**UNDERWRITING GUIDE**

Advisory Rating Organization - Clerical Office  
 Boy Or Girl Scout Council - Clerical - Except At Camp Locations  
 Clerical Office Employees  
 Computer Programmer  
 Mailing Lists - Compiling/Selling - Risk's Only Operation  
 Race Track, Pari-Mutuel Clerks  
 Real Estate Agency - Clerical Workers In Office  
 Telecommuter  
 Telephone Operator

**954 SECURITY AGENCY**

A security agency may also be known as a guard and patrol service. Such businesses are principally engaged in providing unrelated private sector or government customers with armed or unarmed private security personnel (also known as security officers) to guard the customer's premises and surrounding property against unlawful or undesirable activities (e.g., fire, theft, vandalism). To accomplish these overall goals a guard/security officer's duties may include but are not necessarily limited to the tasks discussed below. A guard may control access to the customer's building or another off-road site (e.g., construction), direct traffic onto or off of the customer's premises and answer telephones. A guard's duties may be stationary (when the guard is assigned to a fixed location) or mobile (in a car covering a specified area). A guard may conduct a walking tour of the assigned location and/or monitor closed-circuit television cameras. A security guard (e.g., in a retail store) may wear ordinary clothing, but typically a security guard will wear a uniform with a badge that clearly identifies the person as a security guard and designates the guard's employer. A security guard may maintain a logbook or write a report on their work shift activities and observations. Private security guards generally do not have police powers, but store guards will act to stop shoplifters (turning suspects over to the local police) and armed guards may act to stop robberies (e.g., in a bank) or, if acting as bodyguards, to protect the client(s) before the police can arrive.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 660 to a separate crew of employees of a security agency that installs or repairs alarms.
2. Assign Code 904 to separate staff engaged in performing any type of investigations for unrelated customers.
3. Assign Code 601 to flagging service contractors.
4. Assign the employer's governing class to security guards employed by a business to protect that business' premises and property.

**UNDERWRITING GUIDE**

Automobile Repossessing, By Specialist Contractor



Guard Or Patrol Service – By Contractor  
 Parking Enforcement Officer (Meter Maid) - Employed By A Parking Authority  
 Security Agency

**955 ENGINEERING CONSULTING FIRM, MECHANICAL, CIVIL, ELECTRICAL OR MINING ENGINEERING CONSULTING FIRMS - ALL EMPLOYEES INCLUDING OFFICE.**

***OPERATIONS ALSO INCLUDED:***

1. Obtaining subsurface soil and/or rock samples by drilling or alternate technologies when such is integral to the employer's Code 955 operations/services.

***OPERATIONS NOT INCLUDED:***

1. Assign Code 951 and/or Code 953 to businesses principally engaged in providing computer and/or software consulting services.
2. Engineers employed by concerns whose field-of-business is actual construction, manufacturing, mining or installation operations shall be assigned in accordance with the class or classes appropriate to the business of the employer, unless the operations subject to Code 955 fulfill the multiple enterprise conditions described in Section 1, Rule IV, C. 3. a.
3. Assign Code 905 to businesses principally engaged in architectural and/or interior design consulting.
4. Separately rate to Code 607 drilling that is independent of (not integral to) the employer's operations/services assignable to Code 955. Examples of such work include but are not limited to drilling in preparation for caisson construction and the drilling of water wells.

***UNDERWRITING GUIDE***

Air Conditioning: Non-Portable, Air Flow Testing And Balancing - By Specialist Contractor  
 Analytical Chemical Firm  
 Art Conservation, Preservation Or Restoration – By Specialist Contractor  
 Assaying - By Specialist Contractor  
 Book Conservation - By Specialist Contractor  
 Civil Consulting Engineering Firm  
 Consulting Engineering Firm  
 Dermatological Lab - Testing Cosmetics – By Specialist Contractor  
 Document Conservation - Paper - By Specialist Contractor  
 Electrical Consulting Engineering Firm  
 Engineering Consulting Firm - All Types Of Engineering  
 Geophysical Exploration  
 Land Surveying - By Specialist Contractor  
 Mechanical Consulting Engineering Firm  
 Mining Consulting Engineering Firm  
 Museum Display Creation – By Independent Contractor  
 Non-Destructive Testing - All Kinds - By Specialist Contractor  
 Paper Document Conservation - By Specialist Contractor  
 Research And Development (Including Prototypes) - By Specialist Contractor  
 Testing - Non-Destructive - All Kinds - By Specialist Contractor

**956 LAW FIRM, ALL EMPLOYEES INCLUDING OFFICE**

This classification is for law firms.

***OPERATIONS NOT INCLUDED:***

1. Attorneys employed by other establishments whose field-of-business includes but is not necessarily limited to manufacturing or construction shall be assigned to the classification consistent with the employer's business.



**UNDERWRITING GUIDE**

Attorney - Independent Contractor  
Law Firm

**957 PHYSICIAN OR DENTIST, ALL EMPLOYEES INCLUDING OFFICE**

This classification is for the physician's or dentist's office. Includes licensed practitioners engaged in the practice of general or specialized dentistry, medicine, surgery or therapy (physical or mental).

**OPERATIONS ALSO INCLUDED:**

1. House calls by physicians.

**OPERATIONS NOT INCLUDED:**

1. Assign the applicable health care facility classification where overnight inpatient care is provided.
2. Assign Code 959 to practitioners of veterinary medicine.
3. Physicians or dentists employed by a health care facility shall be assigned in accordance with the health care facility class appropriate to the business at the location.
4. Assign Code 946 to physicians or dentists employed by a temporary medical staffing contractor and who are provided on a temporary basis to unrelated health care facilities.
5. Separate staff performing home health care services shall be separately classified to either Code 942 or to Code 943 as provided in this Manual.

**UNDERWRITING GUIDE**

Birth Center - Not Operated By A Hospital  
Blood Bank  
Chiropract Office  
Clinic – Outpatient Services Only  
Clinical Laboratory – Independent  
Dental Assistant – Employed By A Dentist Office  
Dentist Office  
Hair Transplantation  
Mental Health Center - Outpatient Services Only  
Optometrist Office  
Osteopath Office  
Physical Therapy - By Specialist Contractor  
Physician Office  
Psychiatrist Office  
Psychologist (M.A. or Ph.D.) Office  
Speech Therapy - By Specialist Contractor  
X-Ray Service - Non-Hospital

**958 REHABILITATION HOSPITAL, ALL EMPLOYEES INCLUDING OFFICE**

Health care facilities that are licensed as rehabilitation hospitals or psychiatric hospitals by the State of Delaware and who do not meet the criteria for assignment to the hospital classification and are not licensed as a nursing home shall be assigned to this classification. This classification applies to a category of rehabilitative facilities that falls between a full-service hospital and a nursing home.

Types of Facilities to be included in this classification are:

- Rehabilitation hospitals
- Psychiatric hospitals
- Alcohol and/or drug residential facilities licensed as Medical or Social Setting Detoxification

**UNDERWRITING GUIDE**

Alcohol and/or Drug Residential Facility Licensed As An Inpatient Non-Hospital Facility  
 Detoxification (Alcohol and/or Drug) Residential Facility Licensed As An Inpatient Non-Hospital Facility  
 Drug and/or Alcohol Residential Facility Licensed As An Inpatient Non-Hospital Facility  
 Hospital, Psychiatric  
 Hospital, Rehabilitation  
 Inpatient Non-Hospital Detoxification Or Drug Free Licensed Facility  
 Psychiatric Hospital  
 Rehabilitation Hospital

**959 VETERINARIAN, INCLUDING EMPLOYERS RAISING AND CARING FOR NON-FARM DOMESTIC ANIMALS****UNDERWRITING GUIDE**

Animal Raising - Non-Farm Domestic Animals  
 Artificial Insemination Of Animals  
 Bee Raising  
 Breeding Of Animals, Non-Farm Domestic  
 Dog Kennel  
 Dog Obedience Classes  
 Dog Walking and/or Pet Sitting Service(s) – By Contractor  
 Hospital, Veterinary  
 Laboratory Animal Breeding Or Raising (Rats, Mice, Guinea Pigs, Rabbits, Etc.)  
 Livestock Tattooing, By Contractor  
 Pet Sitting and/or Dog Walking Service(s) – By Contractor  
 Poultry Vaccination, Debeaking And Sexing, By Contractor  
 Society For Prevention Of Cruelty To Animals  
 Tattooing, Livestock, By Contractor  
 Veterinarian  
 Veterinary Hospital  
 Worm Raising

**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 CARE SERVICES**

Applies to businesses operating health care facilities that are licensed by the State of Delaware as nursing homes that have 50 percent or more of their beds licensed as Intermediate Care or Higher. These firms offer varying degrees of care to patients who may be incapacitated in differing degrees including bedridden patients. Intermediate Care is less than skilled nursing care but more than Rest (Residential) or Assisted Living. The services are given in accordance with physician's orders, updated at least every sixty (60) days.

Skilled Nursing Care means high intensity comprehensive planned care including rehabilitative or restorative therapy, complex medical or drug therapy, diet supervision, trained observation and/or nursing care available on a twenty-four hour basis.

These businesses may or may not be multiple tier facilities meaning there is a mix of licensed beds and unlicensed quarters such as apartments or cottages. A class assignment to either Code 960 or to Code 974 is dependent upon the counting procedure delineated below. Rest (Residential) Home, Assisted Living, intermediate care or skilled nursing beds shall be counted per bed. Apartments or cottages shall be counted per number of units with each unit being the equivalent of a bed. Those with 50 percent or more beds licensed as intermediate care or higher are assignable to Code 960. Those with less than 50 percent so licensed are assignable to Code 974.

There shall be no payroll division between Code 960 and Codes 974 and 979 at a single location.

**OPERATIONS NOT INCLUDED:**

Payroll developed by separate staff(s) performing home health care services shall be separately classified as provided for in this Manual.

### **UNDERWRITING GUIDE**

Convalescent Home - With 50 Pct. Or More Beds Licensed As Intermediate Care Or Higher

Life Care Community - With 50 Pct. Or More Beds Licensed As Intermediate Care Or Higher

Hospice Facility

Long Term Care Facility - With 50 Pct. Or More Beds Licensed As Intermediate Care Or Higher

Nursing Home - With 50 Pct. Or More Beds Licensed As Intermediate Care Or Higher

Retirement Community - With 50 Pct. Or More Beds Licensed As Intermediate Care Or Higher

## **961 HOSPITAL – ALL EMPLOYEES INCLUDING OFFICE**

Only those medical institutions providing general hospital facilities shall be assigned to Code 961. The following minimum criteria shall be used as a guide for determining those risks assigned to this classification:

1. An organized staff of doctors subject to a duly authorized set of by-laws adopted by the hospital.
2. Registered nurse supervision and such other nursing services to provide patient care 24 hours a day.
3. (a) Surgical facilities and/or  
(b) Operating or delivery room
4. Relatively complete diagnostic and treatment facilities for medical patients on the premises, and
5. Diagnostic X-ray and clinical laboratory services regularly and immediately available.

In general, hospitals licensed by the State of Delaware, under the following types, meet these criteria and shall be assigned to Code 961 - "Hospitals."

### Type of Facility

General hospitals which admit maternity patients

General hospitals which do not admit maternity patients

Code 961 includes clerical office personnel engaged in the business administration of the hospital or related functions regardless of whether the office personnel are located at or contiguous to the hospital or at a location separate from the hospital.

### **OPERATIONS NOT INCLUDED:**

1. Employees performing home health care services shall be separately classified as provided in this Manual.
2. Assign Code 946 to employers providing temporary medical staff to unrelated hospitals. Medical staff is defined as including but not necessarily limited to: registered nurses or licensed practical nurses, pharmacists, nurses' aides, certified nurses' aides, orderlies, attendants, medical technicians or doctors.
3. Assign Code 947 to employers providing non-medical temporary staff (except clerical) to hospitals (e.g., temporary janitorial, laundry or kitchen).

### **UNDERWRITING GUIDE**

Hospital, All Employees

**962 ACCOUNTING OR FINANCIAL AUDITING FIRM – ALL EMPLOYEES INCLUDING CLERICAL OFFICE**

This classification is for accounting or financial auditing firms.

Accounting firm – a business performing the systematic recording, reporting and analysis of an unrelated business' financial transactions typically broken down in the business' financial year.

Financial auditing firm – a business that reviews or examines unrelated businesses' financial records to be certain the unrelated businesses' financial records are correct or free of error.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 951 to an independent insurance traveling auditor.
2. Assign Code 951 or Code 953 as these classes may apply to personnel employed by businesses principally engaged in providing computer and/or software consulting services.
3. Assign Code 953 to independent auditors of non-financial information or records (e.g., drug trials, patient care records of a health care facility).
4. Assign Code 984 to an insurance traveling premium auditor employed by an insurance company.
5. Assign a classification consistent with the employer's field-of-business when accountants or financial auditors are employed by a business whose field-of-business may include but is not necessarily limited to manufacturing or construction.

**UNDERWRITING GUIDE**

Accounting Firm

Auditing Firm – Financial (Not An Independent Insurance Traveling Auditing Firm)

Financial Auditing Firm (Not An Independent Insurance Traveling Auditing Firm)

Public Accounting Firm

Tax Preparation Service

**963 CHURCH – ALL EMPLOYEES INCLUDING OFFICE**

Applicable to the place of worship by a local congregation of any religious faith.

Churches and missions in the charge of one minister or pastor shall be taken as a single risk.

The policy must be written in the name of all such churches, missions or parishes citing the location of each.

**OPERATIONS ALSO INCLUDED:**

1. Religious education provided by the church.

**OPERATIONS NOT INCLUDED:**

1. Payroll division must be provided for schools or hospitals at separate locations.
2. Assign Code 891 for a separately-staffed day nursery school, kindergarten, child daycare center and/or a before and/or after school program operated on the church premises.
3. Assign Code 965 for a separately-staffed elementary and/or secondary school operated on the church premises from Monday through Friday.
4. Assign Code 999 to separate cemetery staff.

**UNDERWRITING GUIDE**

Church

Synagogue

**964 WORK CENTER – ALL EMPLOYEES INCLUDING OFFICE**

Applicable to establishments certified as a work center (exempted from the Federal Minimum Wage Law) by the United States Department of Labor, Employment Standards Administration, Wage and Hour Division.

**UNDERWRITING GUIDE**

Work Center

**965 COLLEGE OR SCHOOL, N.O.C. – ALL EMPLOYEES INCLUDING OFFICE**

Applicable to academic, trade or vocational institutions of learning (e.g., colleges or universities, private schools, public or parochial school districts, cyber schools and charter schools) that provide a formal educational curriculum in a classroom setting or online. Trade or vocational schools may also provide shop or field experience as a part of the curriculum. Colleges or universities, private schools, public or parochial school districts, cyber schools and charter schools are subject to licensing by the Delaware Department of Education. Colleges or universities may also be subject to accreditation by multi-state bodies, such as the Middle States Association of Colleges and Schools.

**OPERATIONS ALSO INCLUDED:**

1. Independent contractors providing academic tutoring services to grade school, high school or college level students, either on a one-to-one basis or in a classroom setting to multiple students.
2. The operation of a day nursery school, kindergarten, or child daycare center by an elementary school or a school district.
3. The operation of a gym and/or an athletic field where students participate in physical education classes, intramurals, or sports' teams practice or games.
4. The operation of a library on school premises for use by the school's students.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 968 to employers principally engaged in providing sports instruction or training, including but not necessarily limited to: gymnastics, swimming or martial arts
2. Assign Code 890 to separately located and staffed public libraries.
3. Assign Code 891 to employers principally engaged in operating nursery schools, kindergartens, child day care centers, Head Start Programs or before and/or after school programs.
4. Assign Code 969 to employers principally engaged in providing outdoor sports or other activities instruction including but not necessarily limited to: swimming, tennis, or obstacle course training facilities.
5. Assign Code 7424 to flight personnel of an aircraft flying school.

**UNDERWRITING GUIDE**

Academic Tutoring Service By Independent Provider

Aircraft Trade School, Except Flying School

Charter School

College Or School, N.O.C.

Computer Training School

Cyber School

Dance Studio

Early Intervention For Infants And Toddlers – No Residential Affiliation

English As A Second Language Courses By Specialist Contractor

Foreign Language Courses By Specialist Contractor

Music Lessons By Specialist Contractor

School District - Public, Private Or Parochial

School, Aircraft, All Employees Except Flight Crew School, Trade Or Vocational  
Trade School  
Tutoring Service (In Academic Subjects) By Independent Contractor  
University  
Vocational Educational Institution

## **966 TELEVISION, VIDEO, AUDIO OR RADIO EQUIPMENT SERVICE OR REPAIR – SHOP OR OUTSIDE**

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

1. Specialist contractors performing the installation of vehicular equipment including but not necessarily limited to: alarm systems, radios, security systems, navigation systems, video systems, remote starters and ignition interlock systems.
2. Specialist contractors performing the installation, service and repair of marine equipment including but not necessarily limited to: radar systems, radios and depth finders.

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

1. Assign the appropriate store class to separately staffed store operations.
2. Assign Code 662 to businesses principally engaged in the service and repair of household and commercial appliances.
3. Assign Code 952 to businesses principally engaged in the service and repair of office machines or equipment.

### ***UNDERWRITING GUIDE***

Audio/Video Equipment Repair  
Automobile Radio Or Telephone Installation  
Car Phone Installation  
Citizen Band (CB) Radio Installation Or Repair  
Compact Disc Player Repair  
Telephone Or Radio Installation – Automobile  
Television, Video and/or Audio Equipment Installation, Service Or Repair, Including Installation Of Antenna  
Video Cassette Recorder And Video Camera Repair  
Video/Audio Equipment Repair

## **967 THEATERS – ALL EMPLOYEES INCLUDING OFFICE**

### ***UNDERWRITING GUIDE***

Dance Band - Independent Contractor  
Dance Company  
Disc Jockey Service - Non Broadcasting  
Drive-In Theater  
Entertainer  
Motion Picture Theater  
Musician, Independent Contractor  
Orchestra  
Theater (Including Drive-In)  
Theatrical Productions  
Traveling Orchestra

## **968 AMATEUR SPORTS, RECREATIONAL OR AMUSEMENT FACILITY, INDOOR**

Applicable to businesses operating an amateur sport, recreational or amusement facility. Such include but are not necessarily limited to bowling alleys or video game arcades. Patrons may pay a fee to enter the facility and/or pay to use amusement devices on an individual basis.

Also applicable to businesses operating an indoor facility where patrons can practice or receive training or instruction in a specific sport, including but not necessarily limited to: swimming, tennis, gymnastics, racquetball, ice or roller skating or karate or other martial arts training. Such facilities typically employ trainers or instructors who will oversee classes with multiple participants or who will provide individual training.

**OPERATIONS ALSO INCLUDED:**

1. Counter staff and employees engaged in dispensing change and/or game tokens.
2. Pro shop operations, unless multiple enterprise criteria are fulfilled, as delineated in Section 1, Rule IV, c., 3. a of this Manual.
3. Food or beverage service operations, unless multiple enterprise criteria are fulfilled, as delineated in Section 1, Rule IV, c., 3. a of this Manual.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 884 to health or exercise clubs.
2. Assign Code 970 or Code 991 to contact or noncontact professional or semiprofessional sports teams, respectively.

**UNDERWRITING GUIDE**

Amateur Sports Training Facility (e.g., Basketball, Ice Hockey, Boxing) Not Professional Or Semiprofessional Sports

Amusements, Indoor - See Entry By Topical Name

Billiard Hall

Bowling Alley

Cheerleading Instruction - By Independent Contractor

Club, Swim – Indoor

Club, Tennis – Indoor

Gun Range – Private Or Public – Indoor

Gymnastics Training

Haunted House

Ice Skating Rink – Indoor

Karate Or Other Martial Arts Institute

Martial Arts (Including Karate) Institute

Pool Room

Racquetball Club

Recreational Facility Or Amusement Devices, Indoor - See Entry By Topical Name

Roller Skating Rink – Indoor

Shooting Range – Private Or Public - Indoor

Skating Rink - Ice Or Roller – Indoor

Sports (e.g., Basketball, Ice Hockey Or Boxing) Amateur Training Facility - Not Professional Or Semiprofessional Sports

Swim Club – Indoor

Tennis Club – Indoor

Video Game Arcade

**969 AMUSEMENT, OUTDOOR: FAIRS, EXHIBITIONS, AMUSEMENT PARKS OR ANY OUTDOOR AMUSEMENT THAT IS PERMANENTLY SITED**

**OPERATIONS ALSO INCLUDED:**

1. Ticket sellers or collectors and box office employees.
2. Employees engaged in the sale of food or beverages or gift/souvenirs from vending carts or by carrying the merchandise on their person.



***OPERATIONS NOT INCLUDED:***

1. Assign the applicable restaurant classification to payroll developed in a separately located and staffed prepared food and/or beverage service.
2. Assign Code 928 to payroll developed in a physically separate and staffed gifts/souvenirs sales operation.
3. Assign Code 981 to payroll developed in separately located and staffed casino gambling operations. See the Code 981 class description for the scope of that classification.
4. Separately classify to Code 970 or to Code 991 professional and semi-professional sports teams as defined in that class' description.
5. Assign Code 939 to any traveling (not permanently sited) amusement.
6. Assign Code 953 to race track pari-mutuel employees.

***UNDERWRITING GUIDE***

Amusement Park  
 Amusements, Outdoor - See Entry By Topical Name  
 Arboretum - Open To Public Exhibition  
 Archery Range – Outdoor  
 Athletic Parks Operation  
 Ball Or Dart Throwing At Targets  
 Baseball Batting Range  
 Botanical Gardens – Open to Public Exhibition  
 Cave, Exhibition  
 Club, Swim – Outdoor  
 Club, Tennis – Outdoor  
 Exhibition – Outdoor  
 Exhibition Garden  
 Fair - Permanently Sited  
 Fishing Pond, Public  
 Garden - Open To Public Exhibition  
 Golf Course – Miniature  
 Golf Driving Range  
 Gun Range – Private Or Public – Outdoor  
 Horse Show  
 Jockey - Employed By A Race Track  
 Kiddie Rides - All Operations - Permanently Sited  
 Miniature Golf Course  
 Paintball Game Playing Facilities – Outdoor  
 Park, N.O.C.  
 Pitch And Putt Golf Course  
 Race Track Operation  
 Recreational Facility Or Amusement Devices, Outdoor - See Entry By Topical Name  
 Rowing Club  
 Shooting Range – Private Or Public - Outdoor  
 Skating Rink – Outdoor  
 Skeet, Sporting Clays, Or Trapshooting Clubs Or Public Ranges  
 Stadium Operation – Outdoor - By Contractor Or Owner  
 Swim Club – Outdoor  
 Swimming Pool, Public Or Private – Outdoor  
 Tennis Club – Outdoor  
 Tennis Court, Public – Outdoor  
 Zoo

**970 ATHLETIC TEAM - CONTACT SPORTS - PROFESSIONAL OR SEMIPROFESSIONAL.**



Includes all players on the employer's salary list whether regularly played or not, coaches, managers, trainers, equipment managers or sports officials.

Contact sports include but are not necessarily limited to: football, hockey, and lacrosse or roller derby.

The entire remuneration of each player, coach, manager or sports official should be included in computing premium, subject to a maximum of \$60,000 per policy year. When a player, coach, manager or sports official works for two or more teams in the same sport during the policy year, the maximum shall be pro-rated.

The remuneration of an individual player, coach, manager or sports official is subject to a minimum of \$500 per policy year, including board and lodging.

**OPERATIONS ALSO INCLUDED:**

1. Game staff (bench or dugout) providing water or equipment to players.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 951 to separate scouting staff.
2. Assign Code 953 to separate clerical office staff.
3. Assign Code 969 to non-bench or non-dugout game staff including but not necessarily limited to: cheerleaders, dancers, mascots, persons mingling with the fans to rally support and/or distribute t-shirts and persons videotaping fan reactions or the game when the sport is played in an outdoor stadium.
4. Assign Code 971 to non-bench or non-dugout game staff including but not necessarily limited to: cheerleaders, dancers, mascots, persons mingling with fans to rally support and/or distribute free t-shirts and persons videotaping fan reaction or the game when the sport is played in an indoor arena.
5. Assign Code 969 to separate staff operating/maintaining the outdoor stadium.
6. Assign Code 971 to separate staff operating/maintaining the indoor arena.

**UNDERWRITING GUIDE**

Athletic Team: Contact Sports - Professional Or Semiprofessional

Contact Sports Athletic Team, Professional Or Semiprofessional

Football Player, Coach, Manager Or Sports Official – Professional or Semiprofessional

Hockey Player, Coach, Manager Or Sports Official – Professional or Semiprofessional

Lacrosse Player, Coach, Manager Or Sports Official – Professional or Semiprofessional

Professional Or Semiprofessional Athletic Team – Contact Sports

Roller Derby Player, Coach, Manager Or Sports Official – Professional Or Semiprofessional

Semiprofessional Or Professional Athletic Team – Contact Sports

**971 COMMERCIAL BUILDINGS**

Applicable to owners, operators and/or contract management firms of buildings or properties used for commercial or industrial occupancy (e.g., office buildings and strip malls). Includes the care, custody and/or maintenance of the premises by the property owner, operator and/or management firm's staff.

**OPERATIONS ALSO INCLUDED:**

1. Janitorial contractors for commercial building cleaning and specialist commercial building cleaning contractors pursuant to the Code 971 Underwriting Guide entries.
2. Separate staff of a homeowners' association performing the maintenance of common grounds (e.g., roads), and the operation and maintenance of recreational amenities (e.g., swimming pools, tennis courts and/or clubhouses) and security.
3. If the principal business is described by classifications defined as Standard Exceptions, the

payroll of all employees not specifically included in the definition of such Standard Exceptions shall be separately classified to Code 971.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 880 to employers principally engaged in operating apartment buildings, condominium complexes or cooperative buildings used for residential occupancy.
2. Assign Code 882 to specialist contractors principally engaged in providing residential interior cleaning services.
3. As provided for in this Manual, separately classify the following operations of a homeowners association provided each operation is separately staffed: golf courses, stables, restaurants, sewage plant or water works.

**UNDERWRITING GUIDE**

Arena Operation – Indoor – By Contractor Or Owner  
 Building Cleaning - By Contractor Or Owner  
 Carpet And Rug Cleaning And Storage  
 Carpet Cleaning On Customers' Premises  
 Civic Center - Operation By Specialist Contractor  
 Cleaning Of Grease Exhaust, Air Conditioning, Heating And Ventilating Ducts - By Specialist Contractor  
 Commercial Or Industrial Building Operation - By Owner, Lessee Or Real Estate Management Firm  
 Contractor For Commercial Building Cleaning  
 Duct Cleaning - Grease Exhaust, Air Conditioning, Heating, Ventilating - By Specialist Contractor  
 Exterminator  
 Fire, Smoke and/or Water Damage Clean-Up – By Contractor  
 Flea Market Or Swap Meet Operators  
 Floor Waxing Or Polishing - By Building Owner, Lessee, Management Agency Or Contractor  
 Fumigating - Not Agricultural - By Contractor  
 Gutter Cleaning – Residential Or Commercial – By Specialist Contractor  
 Janitor Contractor  
 Kitchen Equipment Exhaust Duct Cleaning – By Specialist Contractor  
 Mobile Home Park Maintenance – By Contractor  
 Mold Removal - By Specialist Contractor  
 Post Construction Clean-Up - New Homes – By Specialist Contractor  
 Power Washing Of Exterior Walls Or Decks At Residential Or Commercial Sites – By Contractor  
 Storage - Self-Service  
 Sweeping Of Parking Lots - Shopping Areas And Similar Areas, By Specialty Contractor  
 Swimming Pool Cleaning Or Maintenance – By Specialty Contractor  
 Swimming Pool Liner Installation - Vinyl, By Swimming Pool Maintenance Contractor  
 Termite Control - By Contractor  
 Truck Washing Service – Mobile  
 Warehouse - Storage - Self-Service  
 Window Cleaning Contractor

**973 HOTEL - ALL EMPLOYEES EXCEPT OFFICE, FOOD SERVICE OR BEVERAGE OPERATIONS STAFF AND SLOT MACHINE GAMBLING STAFFS**

Please see the Hotel Or Motel Operations entry in the General Auditing & Classification Information section for further information on the scope of this class.

**OPERATIONS ALSO INCLUDED:**

1. Temporary or short term lodging facilities for families of seriously ill or injured children who are hospitalized (e.g. a Ronald McDonald House).

**UNDERWRITING GUIDE**

Bed And Breakfast  
 Golf Course Operated By Hotel  
 Motel  
 Religious Retreats  
 Ronald McDonald House Operation

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

LIFE CARE/RETIREMENT COMMUNITIES offer lifetime guarantees for housing and long-term skilled nursing care. These facilities provide independent living units, assisted living, intermediate and/or skilled care units at one site. The client pays a one-time entrance fee and subsequent monthly maintenance fees. Clients enter through independent living units and as needed progress onto higher levels of care.

A Life Care or Retirement Community is a multiple tier facility meaning it has a mix of licensed beds and unlicensed quarters such as apartments or cottages. These businesses are classified to either Code 960 or to Code 974 dependent upon the counting procedure delineated below. Rest (Residential) Home, Assisted Living, intermediate care or skilled nursing beds shall be counted per bed. Apartments or cottages shall be counted per number of units with each unit being the equivalent of a bed. Those with 50 percent or more beds licensed as intermediate care or higher are assignable to Code 960. Those with less than 50 percent so licensed are assignable to Code 974.

There shall be no payroll division between Code 974 and Codes 960 and 979 at a single location.

***OPERATIONS NOT INCLUDED:***

Payroll developed by separate staff(s) performing home health care services shall be separately classified as provided for in this Manual.

***UNDERWRITING GUIDE***

Continuing Care Community – With Less Than 50 Percent of Beds incensed As Intermediate Care Or Higher

Life Care Community - With Less Than 50 Pct. Of Beds Licensed As Intermediate Care Or Higher

Retirement Community - With Less Than 50 Pct. Of Beds Licensed As Intermediate Care Or Higher

**975 RESTAURANT, N.O.C. – ALL EMPLOYEES EXCEPT OFFICE**

Applicable to retail businesses principally engaged in preparing food(s) and selling the prepared food(s) and beverages (alcoholic or nonalcoholic) to the public for immediate consumption on the businesses' premises. This is a "traditional" restaurant where customers may either select their table or be seated by a hostess or another of the businesses' employees, browse a varied menu while seated at their table and place their food order with a member of the wait staff who will then place the order with the kitchen staff. The prepared food will be served to the customer by the wait staff who remains available to further assist the customer during the course of the meal. Where wait service is provided it is the practice for customers to give a gratuity to the wait staff person based upon the quality of service provided.

***OPERATIONS NOT INCLUDED:***

1. Assign Code 944 to country or yacht clubs or golf courses.
2. Assign Code 945 to hotel restaurants.

***UNDERWRITING GUIDE***

Dinner Theater

Restaurant, N.O.C.

**976 COMMUNITY CENTER – ALL EMPLOYEES INCLUDING OFFICE.**

Applies to a YMCA, YWCA that follows the “traditional” YMCA, YWCA business model. A traditional YMCA, YWCA will provide a range of recreational, informational and social services but is not principally engaged in the operation of a camp, health or exercise club or after school program. The range of programs and services provided by a traditional YMCA, YWCA include but are not limited to: sports leagues, personal fitness services, pre-school education and/or child daycare, before and/or after school programs, camping, employment readiness and training programs, advice services, immigrant services and conference centers.

Also applies to a community center that is not principally engaged in the operation of a camp, health or exercise club or after school program. A community center is a public location where members of a community gather for group activities, social support, public information, and other purposes. Community centers may be open to the entire community in which they are located or to a specific group within the greater community.

Further applicable to a senior citizens center and an adult daycare. A senior citizens center provides programs and services to a clientele that is typically Ages 55 or older. The focus of such centers is to assist senior citizens in living active and engaged lives. Typical programs and services provided by a senior citizens center may include but are not necessarily limited to: arts and crafts, social functions such as dances, seminars and classes on a range of topics such as computer literacy and field trips. An adult daycare provides non-residential custodial care for individuals typically 18 years and older who cannot care for themselves due to age and/or illness.

**OPERATIONS ALSO INCLUDED:**

1. A camp operated by any organization whose operations are assignable to Code 976.
2. Pre-school, early education and/or before or after school program services provided by any organization whose operations are assignable to Code 976.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 884 to a YMCA, YWCA or Community Center that is principally engaged in the operation of a health or exercise club.
2. Assign Code 891 to a YMCA, YWCA or Community Center that is principally engaged in the operation of an after school program.
3. Assign Code 978 to a YMCA, YWCA that is principally engaged in the operation of a camp.
4. Assign Code 986 to a YMCA, YWCA that is principally engaged in the operation of a shelter or halfway house.
5. Assign separate staff performing home health care services to Code 942 or Code 943 as provided in this manual.

**UNDERWRITING GUIDE**

Adult Day Center

Boys & Girls Club

Community Center

Day Center For The Elderly

Daycare - Developmentally Disabled, No Residential Facility Affiliation

Daycare Center Operated By A Y.M.C.A., Y.W.C.A. Recreation Association, Commission or Authority

Senior Citizens Center

Youth Athletic League (Including Police Athletic League)

**977 BARBER SHOP, BEAUTY PARLOR OR HAIR STYLING SALON****UNDERWRITING GUIDE**

Barber Shop  
 Beauty Shop  
 Cryotherapy Services  
 Day Spa Not Affiliated With A Health Club Or Swimming Pool  
 Electrolysis  
 Hairdressing Shop  
 Manicuring Shop  
 Massage Therapy Services  
 Tanning Salon  
 Tattoo Parlor

## **978 CAMPS, N.O.C. – ALL EMPLOYEES INCLUDING OFFICE AT CAMP LOCATIONS**

Separate staff at other than camp locations shall be classified in accordance with the class appropriate to the business at the location.

Executive Secretaries of Boy or Girl Scout Councils shall be assigned to Code 951.

### ***UNDERWRITING GUIDE***

Boy Or Girl Scout Councils Camp Operations, Including Clerical Workers At Camp Locations  
 Camp, Boy Or Girl Scout - Day, Summer Or Winter  
 Commercial Camp  
 Recreational Vehicle Campground  
 Scout Camp

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

Applicable to businesses providing custodial/personal care for residents who are ambulatory and where facilities are non-medically oriented. The State of Delaware defines custodial care/personal care facilities as those providing resident beds and personal care services for persons who are normally able to manage activities of daily living.

Includes facilities licensed as Rest (Residential) Homes or Assisted Living Facilities. These facilities provide shelter, housekeeping services, board, and personal surveillance or direction in activities of daily living.

There shall be no payroll division between Code 979 and Codes 960 and 974 at a single location.

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

Payroll developed by separate staff(s) performing home health care services shall be separately classified as provided in this Manual.

### ***UNDERWRITING GUIDE***

Assisted Living Facility  
 Residential Facility For The Elderly - Non Medical  
 Rest (Residential) Home

## **CITIES AND TOWNS**

## **980 CITY, TOWN, VILLAGE OR COUNTY**

For incorporated municipalities and counties of the State of Delaware.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 890 to separately located and staffed Public Libraries. Separately located by be a separate building or in an area of the municipal building separated from the other operations by floor-to-ceiling partitions.
2. Assign Code 951 to inspectors and/or code enforcers.
3. Assign Code 953 to clerical office.
4. Assign Code 983 to Housing Authorities.
5. Assign Code 985 to Salaried Police Officers of Firefighters.

**UNDERWRITING GUIDE**

City Emp. Except Sewer Const., Sal. Policemen & Firemen, Vol. Firemen, Aux. Police, Workfare Emp., Clerical Office  
 City Employees, N.O.C.  
 County Employees, N.O.C.  
 County Road Districts  
 Forest Ranger - Not State Employees  
 Garbage Works - Reduction Or Incineration – Municipal  
 Municipal Or County Employees, N.O.C.  
 Parking Enforcement Officer - Employed By A Municipality  
 Road Maintenance By Municipal Employees  
 School Crossing Guard  
 Sewage Disposal Plant, Municipal  
 Town Employees, N.O.C.  
 Villages Operation  
 Water Supply System - Operated By A Municipality

**981 CASINO GAMBLING – ALL EMPLOYEES INCLUDING OFFICE.**

Includes all personnel of the licensed casino gaming facility.

A licensed casino gaming facility is defined to include the gaming floor, all restricted areas servicing gaming operations, and food, beverage and retail outlets and other areas serving the gaming floor which are located on or are directly accessible from and adjacent to the gaming floor or the restricted areas servicing gaming operations.

**OPERATIONS NOT INCLUDED:**

As provided for in this Manual, separately classify:

1. Areas or amenities exclusive to horse racing including pari-mutuel wagering.
2. Hotel operations.
3. Retail merchandise facilities, food and beverage outlets and other amenities or activities not located on or adjacent to the gaming floor, or related to casino gaming operations.

**UNDERWRITING GUIDE**

Slot Machine Gambling

**983 HOUSING AUTHORITY**

An on-site property or project manager's job duties may include but are not necessarily limited to: performing maintenance and repair work, informing approved housing applicants of program requirements (e.g., keeping their unit clean, payment of rent in a timely manner), handling tenant complaints, inspecting each occupied unit once a year, inspecting vacant units for damage, checking the property's or project's general grounds (e.g., exit lights, fire equipment readiness, gutter condition), coordinating maintenance and

repair activities, assisting tenants to secure financial aid, medical care and other social services provided by unrelated organizations, and coordinating and participating in tenant evictions (e.g., appearing in court). Assign Code 983 to an on-site property or project manager so engaged. Code 983 shall also apply to a resident manager so engaged.

An on-site property or project manager who does not perform any maintenance or repair work and who also performs no direct supervision of the maintenance staff may be assigned to Code 951

An on-site property or project manager's job title may be that of "housing administrator" or "assistant housing administrator."

Housing units owned and operated by a housing authority may be denoted as but are not necessarily limited to: a property, a project, a development or a community.

**OPERATIONS NOT INCLUDED:**

1. Separately rate to the applicable construction classification(s) new construction, alterations or demolition as provided in this Manual.

**UNDERWRITING GUIDE**

Housing Authority

**984 INSURANCE COMPANY – ALL EMPLOYEES INCLUDING OFFICE**

A business chartered under state law that undertakes to indemnify for losses pursuant to a written contract of insurance and to perform other insurance related operations. Such business is also licensed by the Delaware Department of Insurance as an insurance company.

**OPERATIONS NOT INCLUDED:**

As provided for in this Manual separately classifies any contractor providing a service(s) to an insurance company. Such businesses may include but are not necessarily limited to the types of businesses listed below:

1. Independent insurance agents
2. Consulting actuarial firms
3. Advisory rating organizations
4. Independent auditing firms
5. Independent claim adjusting firms
6. Third party claims administrators

**UNDERWRITING GUIDE**

Adjuster, Insurance Company

Auditor (Insurance Company), Traveling

Inspection Of Mercantile, Mfg. Or Risks For Insurance Or Valuation Purposes – By Insurance Company

Insurance Company

Traveling Insurance Company Auditor

**985 POLICE OR FIREFIGHTERS, SALARIED EMPLOYEES OF CITIES, TOWNS OR COUNTIES**

**VOLUNTEER FIRE COMPANIES; MEMBERS TREATED AS STATE EMPLOYEES SEE CHAPTER 23, SECTION 2312 OF THE WORKERS' COMPENSATION LAW FOR MORE DETAIL.**

**UNDERWRITING GUIDE**

Fire Department – Paid



Fire Patrol Or Protective Corp. - Independent – Paid  
 Firemen - Not Volunteer  
 Police Deputies  
 Police, Special School Police  
 Policemen And Detectives  
 Sheriff And Sheriff's Deputies

## **986 ADULT SHELTER OR HALFWAY HOUSE – RESIDENTIAL – NON-MEDICAL – ALL EMPLOYEES INCLUDING OFFICE**

Applicable to shelters for adults who are homeless, victims of domestic abuse or unwed mothers or to halfway houses for prison release programs or drug and alcohol residential facilities not otherwise classified. Such are non- medical residential facilities providing counseling and training in a non-institutional environment on daily living skills aimed at reintegrating residents into the community. The residents of these facilities are adults, but residents of domestic violence shelters may be accompanied by their minor children. Services provided to clients may also include but are not necessarily limited to: counseling for specific client needs, advocacy services, job training, child care and help in seeking services available to the clients in the community. All provided services and the insured's administrative staff (regardless of location) are included within the scope of this class.

### **OPERATIONS NOT INCLUDED:**

1. Assign Code 940 to residential facilities licensed as Intermediate Care Facilities (ICF/MR or ICF/IID) which house any number of intellectually or developmentally disabled clients.
2. Assign Code 941 to children and youth residential services or to facilities providing non-medical residential care such as Group Homes For Persons With Mental Illness, Neighborhood Homes, community living arrangements for intellectually or developmentally disabled clients or Rest (Family) care homes.
3. Assign Code 958 to residential drug or alcohol addiction detoxification facilities licensed by the State of Delaware as Medical or Social Setting Detoxification.

### **UNDERWRITING GUIDE**

Alcohol/Drug - Halfway House Or Residential  
 Halfway House - Pre-Parole Or Probation  
 Maternity Home - No Medical Services  
 Program Not Licensed As Medical Or Social Setting Detoxification  
 Shelter For The Homeless  
 Shelter For Victims Of Domestic Abuse

## **988 BANK – ALL EMPLOYEES INCLUDING OFFICE**

Applicable to “brick and mortar” and online businesses whose operations must include the deposit and holding of money in the form of checking/savings accounts or certificates of deposit. In addition these businesses may also provide credit extensions, commercial/consumer loans or mortgages.

Also applicable to establishments principally engaged in check cashing for a fee. Such risks may also provide money orders, wire transfers, lottery tickets, transit passes/tokens, or postage stamps to their customers, each for a separate fee.

### **OPERATIONS NOT INCLUDED:**

1. The operation of trusts, repossessed or other business properties away from the bank premises.
2. Financial agencies engaged solely in providing home equity loans, debt consolidation, or mortgage services who do not receive money deposits and/or provide interest bearing accounts to their borrowers.



**UNDERWRITING GUIDE**

Bank  
 Check Cashing Service  
 Credit Union  
 Cyber Bank  
 Foreign Currency Exchange  
 Savings And Loan

**991 ATHLETIC TEAM: NON-CONTACT SPORTS - PROFESSIONAL OR SEMIPROFESSIONAL.**

Includes all players on the employer's salary list whether regularly played or not, coaches, managers, trainers, equipment managers or sports officials.

Non-contact sports include but are not necessarily limited to: baseball, basketball or soccer.

The entire remuneration of each player, coach, manager or sports official should be included in computing premium, subject to a maximum of \$60,000 per policy year. When a player, coach, manager or sports official works for two or more teams in the same sport during the policy year, the maximum shall be pro-rated.

The remuneration of an individual player, coach, manager or sports official is subject to a minimum of \$500 per policy year, including board and lodging.

**OPERATIONS ALSO INCLUDED:**

1. Game staff (bench or dugout) providing water or equipment to players.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 951 to separate scouting staff.
2. Assign Code 953 to separate clerical staff.
3. Assign Code 969 to non-bench or non-dugout game staff, including but not necessarily limited to: cheerleaders, dancers, mascots, persons mingling with the fans to rally support and/or distribute free t-shirts and persons videotaping fan reactions or the game when the sport is played in an outdoor stadium.
4. Assign Code 971 to non-bench or non-dugout game staff, including but not necessarily limited to: cheerleaders, dancers, mascots, persons mingling with the fans to rally support and/or distribute free t-shirts and persons videotaping fan reaction or the game when the sport is played in an indoor arena.
5. Assign Code 969 to separate staff operating/maintaining the outdoor stadium.
6. Assign Code 971 to separate staff operating/maintaining the indoor arena.

**UNDERWRITING GUIDE**

Athletic Team: Noncontact Sports – Professional Or Semiprofessional  
 Baseball Player, Coach, Manager Or Sports Official – Professional Or Semiprofessional  
 Basketball Player, Coach, Manager Or Sports Official – Professional Or Semiprofessional  
 Noncontact Sports Athletic Team, Professional Or Semiprofessional  
 Semiprofessional Or Professional Athletic Team – Noncontact Sports  
 Soccer Player, Coach, Manager Or Sports Official – Professional Or Semiprofessional

**992 SANITATION COMPANY**

For establishments engaged in the cleaning of septic tanks, cesspools or chemical portable toilets.

Rubbish or garbage removal performed by a separate staff shall be assigned to Code 995.

### ***UNDERWRITING GUIDE***

Cesspool Cleaning, By Contractor

Portable Toilet Leasing/Service

Sanitary Company (Septic Tank, Cesspool Or Chemical Portable Toilet Cleaning)

Septic Tank Cleaner

## **995 RUBBISH OR GARBAGE REMOVAL**

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

Code 995 also includes but is not necessarily limited to businesses performing:

1. Environmental cleanup services.
2. Sewer or water main cleaning by hydraulic method.
3. Street sweeping
4. Cleaning of permanently-sited tanks including the bulk storage type.
5. Debris box rental/service or dumpster rental/service.

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

1. Assign Code 862 to the collection and sorting of recyclables (e.g., newspapers, beverage cans, glass or plastic bottles) by separate collection and sorting staff(s) with the sorting taking place in a physically separate work area.

### ***UNDERWRITING GUIDE***

Ash Collecting

Cleaning Permanently-Sited Tanks Or Railroad Tank Cars – By Contractor

Containerized Trash Removal

Debris Box Rental/Service

Dumpster Rental/Service

Environmental Cleanup Services

Flood Debris Cleanup (Except Building Demolition - By Contractor

Garbage Or Rubbish Removal

Garbage Works - Reduction Or Incineration – Private

Landfill Operations By A Rubbish Or Garbage Removal Contractor

Oil Spill Cleanup

Pipe Cleaning - Interiors Of Sewer Or Water Mains By Hydraulic Method

Railroad Tank Car Cleaning – By Contractor

Rubbish Or Garbage Removal

Sewer Cleaning - Interiors Of Sewer Or Water Mains By Hydraulic Method

Street Sweeping - By Contractor

Tank Cleaning – Permanently Sited - Including Bulk Storage Type By Contractor

Trash Dumpster/Debris Box Rental/Service

Trash Removal Including Containerized

Trash Transfer Station – Non-Municipal

Waste Removal - Industrial and/or Domestic

Water Main Cleaning (Interiors Of) By Hydraulic Method

## **CEMETERIES AND UNDERTAKERS**

## **997 UNDERTAKERS**

**UNDERWRITING GUIDE**

Crematory Operation  
 Funeral Director  
 Pet Cremation Service – No Veterinary Services  
 Undertaker

**999 CEMETERY****UNDERWRITING GUIDE**

Cemetery Operation  
 Cemetery, Opening Graves, Removing And Reinterring Remains

**AGRICULTURE**

Agriculture, the art or science of cultivating the ground, includes not only farming but also horticulture – the cultivation of a garden or orchard, the art of growing fruits, vegetables or ornamental plants – and the breeding, raising and care of livestock for sale or for dairying purposes. Agriculture includes the marketing and transportation of these products by the farmer.

**FARMS****0006 FIELD CROP OR VEGETABLE FARM – THE RAISING OF ALL FIELD CROPS OR VEGETABLES.****OPERATIONS NOT INCLUDED:**

1. Assign Code 113 to separately-staffed canning, pickling or operations preserving vegetables by use of another food preservation technique.
2. Assign the appropriate inside domestic workers' classification to inside domestic workers.
3. Assign a separately staffed and physically separated or separately located retail store or outlet to the appropriate store classification based on the principal category of merchandise sold.

**UNDERWRITING GUIDE**

Farm, N.O.C.  
 Grain Farm  
 Grass Seed Raising  
 Hay Farm  
 Sod Farm  
 Tobacco Farm  
 Vegetable Farm

**0008 MUSHROOM RAISING**

Applies to businesses principally engaged in raising mushrooms, including the incident production of hay or other materials for compost.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 007 to specialist contractors performing one or more of the following tasks: filling mushroom beds with compost, spawning or casing.
2. Assign Code 113 to separately-staffed mushroom canning operations.

**UNDERWRITING GUIDE**

Farm, Mushroom

Mushroom Raising

Mushroom Spawn Production

**0011 FLOWER RAISING, CULTIVATING OR GROWING**

Applicable to businesses principally engaged in raising, growing or cultivating flowers and/or plants used for indoor decorative purposes.

**OPERATIONS ALSO INCLUDED:**

1. An employer principally engaged in vegetable growing in a hothouse or greenhouse and/or by hydroponic method.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 919 to a physically separate and separately staffed store or outlet operated by an employer classified to Code 0011.

**UNDERWRITING GUIDE**

Flower Raising

Greenhouse, Flower Or Vegetable

Growing Hot House, Vegetable Growing

Hydroponic Vegetable Production

Medical Marijuana Growing

Vegetable Growing, Hot House

**0013 NURSERY**

Applicable to businesses principally engaged in raising trees (including Christmas trees), shrubs and/or bedding plants used for outdoor planting.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 928 to separately staffed and physically separated store or outlet operated by an employer classified to Code 0013.

**UNDERWRITING GUIDE**

Christmas Tree Raising

Farm, Tree

**0016 ORCHARD – THE RAISING OF FRUIT OR NUT TREES OR OF BERRIES OR GRAPES****OPERATIONS NOT INCLUDED:**

1. Assign Code 113 to separately-staffed wine, apple juice or similar products' manufacturing.
2. Assign inside domestic workers to the applicable inside domestic workers' classification.
3. Assign a separately staffed and physically separated or separately located retail store or outlet to the appropriate store classification based on the principal category of merchandise sold.

**UNDERWRITING GUIDE**

Berry Farm

Cranberry Grower

Fruit Farm  
Fruit Packing, By Grower  
Fruit Picking  
Orchard  
Vineyard

**0034 ANIMAL RAISING – EGG PRODUCTION, FISH HATCHERIES, HOGS, POULTRY, CALF RAISING FOR VEAL OR FUR BEARING ANIMALS**

***OPERATIONS NOT INCLUDED:***

1. Assign Code 111 to separately-staffed hog or calf dressing operations.
2. Assign Code 865 to separately-staffed poultry dressing operations.
3. Assign inside domestic workers to the appropriate inside domestic workers' classification.

***UNDERWRITING GUIDE***

Animal Raising - Egg Production, Fish Hatcheries, Hogs, Poultry Or Veal  
Calf Raising For Veal  
Chinchilla Farm  
Farm, Chicken  
Farm, Egg Producer  
Farm, Fish  
Farm, Poultry  
Fish Grower  
Fish Hatchery  
Fur Bearing Animal Raising  
Hog Farm  
Mink Farm  
Ostrich Farm  
Piggery  
Poultry Or Egg Producer  
Veal Calf Raising

**0036 DAIRY FARM – FARMS ENGAGED IN THE PRODUCTION OF MILK**

***OPERATIONS NOT INCLUDED:***

1. Assign Code 109 to separately-staffed milk plant processing operations.
2. Assign inside domestic workers to the appropriate inside domestic workers' classification.
3. Assign a separately staffed and physically separated or separately located retail store or outlet to the appropriate store classification based on the principal category of merchandise sold.

***UNDERWRITING GUIDE***

Dairy Farm  
Farm, Dairy  
Milk Producer - Fluid Only

**0083 LIVESTOCK (EXCLUDING DAIRY OR HORSE) FARM – INCLUDES BUT IS NOT NECESSARILY LIMITED TO THE RAISING OF CATTLE, SHEEP OR GOATS IN FIELDS/PASTURES**

***OPERATIONS NOT INCLUDED:***

1. Assign Code 801 to a farm principally engaged in the breeding and/or raising of horses.
2. Assign inside domestic workers to the appropriate inside domestic workers' classification.

***UNDERWRITING GUIDE***

Breeding Farm - Cattle, Sheep Or Goats

Cattle Farm

Farm, Livestock

Goat Farm

Livestock (Excluding Dairy Or Horses) Farm – Animal Raising In Fields/Pastures

Sheep men

**DOMESTIC WORKERS**

**0908 DOMESTIC WORKERS - INSIDE – OCCASIONAL**

***UNDERWRITING GUIDE***

Domestic Workers - Inside – Occasional

**0909 DOMESTIC WORKERS - OUTSIDE – OCCASIONAL – INCLUDING OCCASIONAL PRIVATE CHAUFFEURS**

(Classes 0912 and 0909 are not available for use in connection with the operation of a farm.)

***UNDERWRITING GUIDE***

Domestic Workers - Outside - Occasional - Including Occasional Private Chauffeurs

**0912 DOMESTIC WORKERS - OUTSIDE – INCLUDING PRIVATE CHAUFFEURS**

(Classes 0912 and 0909 are not available for use in connection with the operation of a farm.)

***UNDERWRITING GUIDE***

Chauffeurs, Private - Not Available For Use With Any Farm Class

Domestic Workers - Outside - Including Private Chauffeurs

**0913 DOMESTIC WORKERS - INSIDE, EXCLUDING OFFICE EMPLOYEES**

***UNDERWRITING GUIDE***

Domestic Workers - Inside, Excluding Office Employees

**EXPLOSIVES AND AMMUNITION MFG.**

**4771 EXPLOSIVES OR AMMUNITION MFG., N.O.C.**

Includes but is not necessarily limited to: bag loading - propellant charges, black powder mfg., cap, primer, fuse, booster or detonator assembly, cartridge charging or loading, fireworks mfg., high explosives mfg., projectile, bomb, mine or grenade loading, projectile or shell mfg., shell case loading or smokeless powder mfg. – single base.

Code 0771 must be applied to Class 4771 payroll to determine the mandatory catastrophe reserve which is not subject to experience or retrospective rating.

Businesses engaged in the preparation and/or distribution of blasting agents and/or the distribution of high explosives shall be classified by Code 4777.

**UNDERWRITING GUIDE**

Ammunition Mfg.  
 Bag Loading, Explosives  
 Black Powder Mfg.  
 Blasting Cap Mfg.  
 Cartridge Charging Or Loading.  
 Cordite Mfg.  
 Dynamite Mfg.  
 Explosives Or Ammunition Mfg., N.O.C.  
 Fireworks Mfg.  
 Flare Mfg.  
 Fuse Mfg., Explosives  
 High Explosives Mfg.  
 Nitroglycerin Mfg.  
 Projectile Loading  
 Shell Case Loading  
 Smokeless Powder Mfg.

**4777 EXPLOSIVES DISTRIBUTOR**

Includes the preparation and/or distribution of blasting agents and/or the distribution of high explosives.

**OPERATIONS NOT INCLUDED:**

1. Assign Code 609 to blasting operations conducted by a separate crew.
2. Assign Code 4771 to a business manufacturing explosives.

**UNDERWRITING GUIDE**

Anfo Mfg.  
 Blasting Agents Mfg.  
 Explosives Distributor  
 Fireworks Exhibitor  
 Slurry Blasting Agents Mfg.

**MARITIME OR FEDERAL EMPLOYMENTS****(1) Liability under the U.S. Longshore and Harbor Workers' Compensation Act.**

- (a) *To provide insurance against liability under the U.S. Longshore and Harbor Workers' Compensation Act, the Standard Workmen's Compensation and Employers' Liability Policy shall be used with endorsement providing for coverage under such Act (See Section 3).*
- (b) *The rates for the following classifications have been calculated to provide coverage under the U.S. Longshore and Harbor Workers' Compensation Act:*

**STEVEDORING:**

*Any or all of the following operations conducted by employees not members of the crews of vessels shall be classified as "Stevedoring":*

1. *Loading or unloading, stowing, shifting or trimming of cargo, supplies and materials on board vessel.*
2. *Transfer of cargo, supplies and materials between vessels and pier, irrespective of the necessity of work on board vessels by employees of the insured.*

*3. Transfer between string piece and point of deposit on dock or adjacent warehouses – including tiering, sorting and breaking down.*

*4. Operation of all mechanical equipment, including dock tractors, in connection with the above.*

*Any or all operations as defined above shall be assigned to Code 7309F if the operations described by Item 2 above, whether conducted by one or more concerns, require the use of hoisting equipment except as provided under Code 7327F. All other operations shall be assigned to Code 7317F. Drivers not conducting Stevedoring operations as defined above shall be assigned to Code 811.*

**6824F BOAT BUILDING OR REPAIR**

This classification is applicable to the construction or repair of wood, metal, fiberglass or plastic yachts, motor boats, sailboats or rowboats not exceeding 150' in length overall where the coverage is under the U.S. Act.

***UNDERWRITING GUIDE***

Boat Building Or Repair

**6826F MARINA**

Applicable to all waterfront operations, including but not necessarily limited to: the operation of boat docks, storage facilities, repair shops or marine railways, the sale or repair of boats or engines, the sale of parts or accessories, dockside snack bars and all dockside employees. The operation of separately-staffed inland boat showrooms or the operation of separately-staffed motels, restaurants, swimming pools, bowling lanes or other recreational facilities shall be separately classified as provided for in this Manual.

Separate staff engaged in boat building are assignable to Code 6824F.

***UNDERWRITING GUIDE***

Marina - With Federal Coverage

**6843F SHIP BUILDING, IRON OR STEEL**

Includes fabrication or assembling of ship plates or frames, all yard operations and shops directly connected with the construction of hull.

***UNDERWRITING GUIDE***

Building, Iron Or Steel Including Naval

**6872F SHIP REPAIR OR CONVERSION – ALL OPERATIONS**

Includes shop or yard operations as well as the operation of dry docks and marine railways. Applicable only to concerns engaged in general ship repair or conversion. Work performed on ships by other concerns shall be assigned to the Manual classes describing the work. See special rules for application of U.S.L. factor to State classification. (See Rule XII).

***UNDERWRITING GUIDE***

Dry Dock Operation  
Marine Railway Operator  
Painting Ship Hulls  
Rigging, Ship  
Ship Cleaning



Ship Repair  
Ship Scaling

**7309F STEVEDORING, N.O.C.**

When policies are issued covering both Codes 7317F and 7309F, no division of payroll shall be permitted in connection with the loading or unloading of any one vessel.

***UNDERWRITING GUIDE***

Stevedoring, N.O.C.

**7313F COAL DOCK OPERATION AND STEVEDORING**

Applies to coal docks using mechanical apparatus. Not applicable to contract stevedores or coal merchants operating yards.

***UNDERWRITING GUIDE***

Oil Or Coal Dock Operation – Waterfront  
Ore Dock Operation

**7317F STEVEDORING – BY HAND OR HAND TRUCK EXCLUSIVELY**

Includes incidental use of power-driven escalators or conveyors or operation of tractors or trailers through side ports. No use of hoisting equipment. No payroll division in connection with a single vessel.

***UNDERWRITING GUIDE***

Automobile Haulaway Or Driveaway Service, Driving Cars On Or Off Vessels  
Stevedoring, By Hand Or Hand Truck Exclusively

**7327F STEVEDORING – CONTAINERIZED FREIGHT**

Applies to ships designed for freight carrying containers. No work in holds. Separately staffed over-the-road trucking operations shall be assigned to Code 811. No payroll division with a single vessel.

***UNDERWRITING GUIDE***

Containers, Stevedoring  
Stevedoring Containers

**7366F FREIGHT HANDLERS – ON PIERS OR IN TERMINALS IN AREAS ADJOINING PIERS**

Applies to handling cargo on piers or adjoining areas or terminals, incident to loading or unloading vessels. Such cargo handling includes but is not necessarily limited to: freight checks, stuffing and/or stripping containers, loading and/or unloading trucks and/or railroad cars.

Freight handling not on piers or in terminals in areas adjoining piers (Stevedoring) conducted by a separate staff shall be assigned in accordance with the class or classes appropriate to the business of the employer.

***UNDERWRITING GUIDE***

Freight Handling On Piers Or Terminals Or Adjoining Piers

**8709F STEVEDORING – TALLYMEN AND CHECKING CLERKS**

Engaged in connection with stevedoring work. Coverage under U.S. Act.

**UNDERWRITING GUIDE**

Stevedoring Tallymen

Weighers, Samplers Or Inspectors Of Merchandise On Vessels Or Docks

**8726F STEAMSHIP LINE OR AGENCY – PORT EMPLOYEES**

This classification includes superintendents, captains, engineers, stewards or their assistants and pay clerks.

**UNDERWRITING GUIDE**

Steamship Lines Port Employees

**(2) Other Maritime or Federal Employments.**

*Maritime or Federal employments other than the U.S. Longshore and Harbor Workers' Compensation Act do not come under the provisions of the Delaware Insurance Laws. Accordingly, the Delaware Insurance Department indicates that they do not have jurisdiction over the coverage, rules and rates for these other Maritime and Federal employments. In compliance with Federal Anti-Trust laws the Delaware Compensation Rating Bureau, Inc. cannot promulgate rates for these coverages.*

**(3) Dredging Operations.**

*The rating values published in the Delaware Compensation Manual for Code 055 (for dredging of materials on unnavigable waterways) contemplate coverage under the State Act only. If coverage is desired under the U.S.L. Act, the Federal increase factor shown in Section 2 shall be applied.*

*A single policy may be issued including Delaware Act coverage, U.S.L. coverage and Admiralty coverage providing the classification of operations in the policy declarations is subdivided to clearly indicate the classes and rating values for the Dredging operations subject to:*

- (a) *The Delaware Act alone or including U.S.L. Act coverage and*
- (b) *Admiralty jurisdiction.*

*In lieu of a single policy, two separate policies may be issued as follows:*

- (a) *A standard Delaware policy using rates approved by the Delaware Insurance Commissioner, applicable to Delaware coverage only, or to Delaware and U.S.L. coverage. Such policy shall be endorsed to exclude Admiralty coverage.*
- (b) *An Admiralty policy.*

**AIRCRAFT OPERATION**

The classifications described under this class group apply to fixed wing and other aircraft. The phrase "members of the flying crew" is defined to mean all flying personnel engaged in the operation of aircraft or the care of passengers or cargo in flight. It includes, but is not limited to employees designated as airplane commanders, pilots, check pilots, co-pilots, flight engineers, navigators, technical or other observers, flight technicians, radio or radar operators, hosts, hostesses, stewards, stewardesses and pursers.

Ticket sellers and information clerks away from airport locations shall be separately classified by Code 953. Ticket sellers, information clerks and personnel engaged in performing the checking-in of passengers and baggage at airport locations shall be assigned to Code 7428.

When noted, an aircraft operations classification allows use of an associated classification for a nonratable catastrophe reserve.

**7405 AIRCRAFT OPERATION – SCHEDULED AND SUPPLEMENTAL AIR CARRIERS - ALL MEMBERS OF THE FLYING CREW.**

This classification shall apply to scheduled or commercial air carriers, including cargo carriers, operating under Part 121 of the Federal Aviation Regulations.

*Code 7445 must be applied to Class 7405 payroll to determine the mandatory catastrophe reserve which is not subject to experience or retrospective rating.*

**UNDERWRITING GUIDE**

Aircraft Operation - Air Cargo Carrier Aircraft

Operation - Scheduled Air Carrier Aircraft

Operation - Supplemental Air Carrier

**7413 AIRCRAFT OPERATION – COMMUTER AIR CARRIERS – ALL MEMBERS OF FLYING CREW**

This classification shall apply to commuter air carriers who operate under Part 135 of the Federal Aviation Regulations, conduct at least five round trips per week between two or more points, and publish flight schedules that specify the times and places between which flights are performed.

*Code 7453 must be applied to Class 7413 payroll to determine the mandatory catastrophe reserve which is not subject to experience or retrospective rating.*

**UNDERWRITING GUIDE**

Aircraft Operation - Commuter Air Carrier

**7421 AIRCRAFT OPERATION – TRANSPORTATION OF PERSONNEL IN THE BUSINESS OF AN EMPLOYER NOT OTHERWISE ENGAGED IN AIRCRAFT OPERATIONS – ALL MEMBERS OF THE FLYING CREW**

Applicable to the payroll of the pilot and all members of the flying crew. In the case of aircraft owned or operated by an employer in the conduct of his business, this classification shall apply to the payroll of executive officers or other employees acting as pilots or members of the flying crew. If the records of the employer clearly indicate the weeks in which flying is performed by such employees, (1) only the payroll for each week during any part of which the employee has engaged in flight duties shall be assigned to Code 7421 unless the classification applicable to the employee's non-flying operations carries a higher insuring carrier or residual market rating value, in which event such classification shall apply; and (2) the payroll for each week in which no flying has been done shall be assigned to those classifications which would otherwise apply. If the employer's records do not clearly indicate the weeks in which flying is performed by such employees, the entire payroll for such employees shall be assigned to Code 7421 unless the classification applicable to the employee's non-flying operations has a higher insuring carrier or residual market rating value in which event such classification shall apply.

Assign the payroll and losses of employees who are transported as passengers (and who are not members of the flying crew) to their normal applicable classification.

**OPERATIONS NOT INCLUDED:**

1. Separately rate commercial aircraft operation as provided for in this Manual.

**UNDERWRITING GUIDE**

Aircraft Operation - Personnel Transport

**7424 AIRCRAFT OPERATION, N.O.C – INCLUDING BUT NOT NECESSARILY LIMITED TO AIR TAXI, PATROL, PHOTOGRAPHY, MAPPING, SKYWRITING ADVERTISING, SURVEY WORK, SIGHTSEEING, STUDENT INSTRUCTION, CROP DUSTING OR SPRAYING OR FLIGHT TESTING – ALL MEMBERS OF THE FLYING CREW.**

**UNDERWRITING GUIDE**

Aerial Patrol Or Photography  
 Aircraft Flight Testing  
 Aircraft Operation - Agricultural  
 Aircraft Operation - Air Taxi  
 Aircraft Operation - Crop Dusting, Seeding Or Spraying  
 Aircraft Operation - Forest Fire Fighting, Spotting And Observation  
 Aircraft Operation - Mapping Or Survey Work  
 Aircraft Operation - Patrol  
 Aircraft Operation - Photography  
 Aircraft Operation - Sightseeing  
 Aircraft Operation - Skywriting Advertising  
 Aircraft Operation - Stunt Flying  
 Aircraft Operation, N.O.C.  
 Aircraft Sales Agency - Flight Operations  
 Helicopter Operation, N.O.C.  
 Hot Air Ballooning  
 Photographer - Aerial  
 School, Aircraft, Flight Employees  
 Stunt Flying

**7428 AIRPORT OPERATION – GROUND EMPLOYEES**

Ticket sellers or information clerks away from airport locations shall be separately classified by **Code 953**. Ticket sellers, information clerks or personnel engaged in performing the checking-in of passengers or baggage at airport locations shall be assigned to **Code 7428**.

**UNDERWRITING GUIDE**

Aircraft Cleaning - Including Specialist Contractor  
 Aircraft Conversion Or Modification - Not By The Original Aircraft Manufacturer  
 Aircraft Fueling Or Refueling - Including By Specialist Contractor  
 Aircraft Operation - Ground Employees  
 Aircraft Service And Repair  
 Airport Hangar Operation  
 Airport Operation - Ground men  
 Flying Field  
 Ground Personnel - Aircraft and/or Airport Operations  
 Hangar Operation  
 Heliport Operation - Ground Personnel

**9740 TERRORISM PREMIUM CHARGE**

Statistical **Code 9740** relates to premium charged for losses covered under the Terrorism Risk Insurance Act of 2002 (TRIA 2002) as amended and extended by the Terrorism Risk Insurance Program Reauthorization Act of 2007 (the Act). Premium developed under **Code 9740** is not subject to experience, merit or retrospective rating.

**9741 CATASTROPHE (OTHER THAN CERTIFIED ACTS OF TERRORISM)**

Premium developed under **Code 9741** is not subject to experience, merit or retrospective rating.

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### AUTOMOBILE DISMANTLERS

A business whose operations include the dismantling of automobiles or other types of vehicles to recover usable/salable used parts shall be classified pursuant to the manner in which the employer is principally engaged. Please see the "Definitions" Ruling and Interpretation for additional information on principally engaged. Below find examples of reasonably common classification assignments for such businesses:

1. Assign Code 815 to businesses principally engaged in dismantling automobiles or other vehicles to recover usable/salable used parts and the sale of such and new parts.
2. Assign Code 815 to businesses principally engaged in performing automobile repairs (e.g., mechanical or body).
3. Assign Code 818 to businesses principally engaged in the sale of new and/or used automobiles or other vehicles (e.g., trucks, motorcycles).
4. Assign Code 858 to businesses principally engaged in the collection, handling and sale of ferrous scrap metal.
5. Assign Code 859 to businesses principally engaged in the collection, handling and sale of nonferrous scrap metal.
6. Assign Code 860 to businesses dismantling automobiles or other vehicles and collecting and handling a combination of ferrous and/or nonferrous scrap metal and/or other secondhand commodities (e.g., paper, glass) with no principal line of merchandise.
7. Assign Code 934 to businesses principally engaged in the sale of new automobile parts. There may be a payroll division with Code 815 when such businesses also dismantle automobiles when the following conditions are fulfilled: the automobile dismantling is conducted in a physically separate work area by separate employee crews, and the majority of the automobile parts are sold to unrelated customers and are neither installed nor used by the business for repair services.
8. Assign Code 825 to businesses principally engaged in the storage of automobiles (e.g., an impound lot) or in the parking of customers' automobiles.

### AUTOMOBILE SERVICE/GASOLINE STATION

It is common for automobile service stations or gasoline stations to be engaged in both the sale of gasoline and the performance of automobile service or repair. When both operations are conducted at the same or contiguous location, such establishment shall be classified on the basis of the principal operation:

When more than 50 percent of the gross receipts result from automobile service or repair, assign Code 815, Automobile Service Center.

When more than 50 percent of the gross receipts are from gasoline sales, assign Code 816, Automobile Filling Station.

An assignment of Code 815 or Code 816 is mutually exclusive for operations conducted at the same or contiguous location.

Please refer to the separate entries in the General Auditing & Classification Information section "Self-Service Gasoline Stations and Convenience Grocers" and "Truck Stops" for information on classifying such enterprises.

### BAKERY PRODUCTS DISTRIBUTION

Payroll developed in the wholesale distribution of bakery products, including but not necessarily limited to bread, cakes, pies, cookies or crackers by a baker whose production facilities are located in another state or by an independent business (not related to a bakery) must be assigned to Code 924.

### CERAMIC SHOPS

The operations contemplated by the term "ceramic shops" are manual with little or no mechanization. The major material is liquid clay known as slip. After mixing, the clay is poured or pumped into plaster of paris or rubber molds.

When dry, the clay is now called green ware (an unfired shape or figurine) which is manually trimmed, inventoried or shelved for further hardening and curing, and then sold to customers. Retail customers often paint or finish the green ware and return it to the shop for firing. A ceramic shop will often hold classes for students who will perform all of the above functions except for the firing. The ceramic shop may also sell paints, artist-type brushes, decals and ceramic hand tools.

Payroll developed in operations as discussed above shall be assigned to Code 928.

### **CLASSIFICATION AND AUDIT INQUIRIES**

Written classification and audit inquiries may be submitted to the Classification & Field Operations Department of the Delaware Compensation Rating Bureau, Inc. (DCRB) in one of the following methods: via facsimile, USPS, or the DCRB's website ([www.dcrb.com](http://www.dcrb.com)). For the last (preferred) method please click on "Classification" on the website's main menu and then click on "Classification Inquiries."

For the Classification & Field Operations Department of the DCRB to operate effectively it is important that the DCRB have the complete cooperation of every carrier, agent and employer in providing the essential information that the DCRB needs to make classification rulings and to otherwise be of service to you. The following instructions are intended to reduce and in some cases eliminate the need for the DCRB having to develop additional information in order to resolve certain classification issues.

The information that the Classification & Field Operations Department needs to properly respond to inquiries from carriers, agents or employers on classification questions is:

- A complete listing of all Delaware operating locations
- The exact name (as shown in Item 1 of the policy and Delaware address of the business in question).
- The DCRB file number (if available) of the business in question (see Rating and Underwriting Reference via the Application Login on the DCRB's website).
- A full and accurate written description of the business in question, including any available recent premium audits, loss control reports and/or insurance application information.
- The reason why a change in the employer's classification is being requested; e.g., has a substantial change in the employer's operation recently occurred?
- The name, title and telephone number of a management representative that a DCRB field representative can contact to schedule an appointment with the employer (in the event a field survey is necessary).
- The employer's website address.

The information that the Field Operations Department needs to properly respond to disputes concerning payroll allocation on a final audit is:

- A request in writing from the insured or the insured's agent of record outlining the nature of the dispute.
- A complete and accurate description of the business operations during the policy term in dispute and if available a copy of the final audit as issued by the carrier.
- A complete listing of all employees being disputed including the names of each employee, a description of the duties of the employees during the policy term of the audit dispute and an explanation why the duties of the employees do not support the carrier's assignment.

It should be noted that it is not the DCRB's role to become involved in every dispute involving the allocation of a particular employee's payroll to a given classification. Allocations of payroll are made by the carrier and should be explained by the carrier to the insured. Since the DCRB did not perform the audit, the DCRB does not normally have the relevant facts on which to base an opinion or render a decision. Issues/disputes of this kind should initially be referred to the carrier's regional audit manager for resolution.

Upon receipt of the written inquiry the DCRB will determine whether the information presented is sufficient to determine the employer's applicable classification(s). In those cases where the information provided is insufficient, the DCRB will usually schedule the employer for a field survey/special audit or issue a "Description of Operations Questionnaire." Following the field survey/ special audit or receipt of the completed questionnaire, the DCRB will issue a written ruling on the matter that will be communicated to authorized parties. These decisions are subject to further review as delineated in "Appeals From Application of the Rating System Procedure" – see Rule XVI, Section 1.



**With respect to telephone requests, an official, binding DCRB decision on classification/audit matters cannot be provided over the telephone.** However, the DCRB will offer opinions as requested. To that end a carrier, agent or employer who telephones the DCRB on a classification/audit question should:

- Identify himself/herself and indicate the firm he/she represents;
- Give the name, address and DCRB file number (if available) of the employer in question.
- Be knowledgeable of the facts surrounding the situation and prepared to provide specific responses to any questions asked.

Please remember that the DCRB is in a position to reply only to an employer relative to its account, the authorized agent or carrier-of-record or another representative of the employer (providing the DCRB has received a signed recently-dated letter on the employer's letterhead authorizing the representative to act on the employer's behalf in the matter at issue).

### CLEARING OF LAND

Below find the class assigned to payroll developed in each of five different but common types of land clearing or right-of-way clearing or maintenance projects. Such class listing does not waive either the underwriting or payroll division rules delineated in Sections 1 or 2 of this Manual.

1. Assign Code 009 for tree cutting/felling by chain saw regardless of tree size and the incident removal of brush and/or stumps.
2. Assign Code 015 for tree cutting/felling by mechanized equipment regardless of tree size and the incident removal of brush and/or stumps.
3. Assign Code 609 for all methods of clearing or removing brush and/or stump removal not incidental to tree removal including road construction.
4. Assign Code 005 for all methods of tree pruning, spraying (except aerial tree spraying, which is assignable to the applicable aircraft operation class) or trimming, including incident tree removal and all incident operations.
5. Assign Code 012 for brush or weed control using chemicals dispensed from portable or mechanical ground spraying equipment.

### COMMISSION SALESPERSONS (Deductible Expenses)

Commissions paid to commission salespersons shall be included in the audit of payroll for premium computation purposes, except that traveling and all other expenses of the salespersons in connection with their employment may be deducted provided the salespersons report such expenses and the insured maintains a definite verifiable record of them. Arbitrary flat percentages shall not be allowed under the provisions of this interpretation nor shall automobile depreciation be deductible as an item of expense unless such depreciation comprises a part of the mileage rate allowance.

### COMPUTER AND/OR SOFTWARE CONSULTING BUSINESSES

A business principally engaged in computer and/or software consulting is assignable to Code 951 and to Code 953, as each classification may apply pursuant to the job duties of individual personnel of such businesses.

One typical workday scenario for computer and/or software consulting staff is the consultant leaves his/her place of residence in the morning and travels to a customer's location, where the consultant will spend his/her entire day working on the customer's computer and/or software issues. At the end of the workday the consultant leaves the customer's location and returns to his/her place of residence. The duration or timing of such an assignment may vary from one to several days to indefinite. Such persons do not engage in over-the-road sales solicitation or collection work. As this is no different in relation to the typical workday for a computer person employed directly by the customer, the assignment of such consultant's payroll is Code 953.



In the event a computer and/or software consultant typically visits two or more customer locations in a typical workday, such separate consultant's payroll is assignable to Code 951.

If the employer cannot or will not provide a sufficiently detailed picture of a computer and/or software consultant's typical workday so the above procedure may properly be utilized, then the payroll of the consultant(s) shall be assigned to Code 951.

The above classification procedure is also applicable to separate staff training a customer's staff in the use of software developed or purchased by the insurer employer for their customer(s).

### DRIVERS (Payroll Allocation)

It is the Bureau's position that the payroll of drivers, chauffeurs or their helpers which cannot be allocated to a specific classification because they have duties common to more than one classification shall be assigned to the governing classification of the two or more classifications to which their work belongs.

The above ruling does not supersede any Manual rules found in Section 2 of the Delaware Manual, nor does it supersede any Manual wording footnotes found in Section 2 regarding the allocation of payroll for the 800-series of classifications (Trucking and Storage Industry).

#### *Example:*

Insured X has approved classifications Code 0034 and Code 865. If insured X had separate crews of drivers that did not interchange their duties between the two operations, the separate crews would have their payroll allocated to the separate respective classifications.

If no such separate crew existed and the drivers, etc. have duties common to both operations, their payroll would be assigned to the governing classification exclusive of miscellaneous employee payroll.

### EMPLOYMENT CONTRACTOR – TEMPORARY STAFFING

Temporary staffing is a business that hires its own employees and assigns them to an unrelated business to support or supplement that unrelated business' permanent workforce in a special work situation including but not necessarily limited to employee absences (e.g., vacation or illness), temporary skill shortages, seasonal workloads or special assignments or projects. The temporary staffing business usually contracts to fill a job but not to supply a particular person to fill that job. The special work situation generally involves a work assignment that may be of varying time length from a single day to any period less than a year.

Employers engaged in supplying temporary staffing to unrelated concerns shall in all instances be classified in accordance with the separate temporary staffing classes shown in Section 2 of this Manual per the cross-reference chart below subject only to specified EXCEPTIONS for temporary staff engaged in the various occupations or tasks listed after the chart. The cross-reference chart shows which business classifications are assignable to each appropriate temporary staffing class. The customers' assigned business classification shall be a guide in selecting the temporary staffing class (es) utilized in classifying the different portions of a temporary staffing contractor's payroll.

### TEMPORARY STAFFING CLASSIFICATION

Assignable Customer  
Business Classification(s)

#### **185**

For example, the table entry 104 indicates that temporary staff performing duties which would be subject to DCRB classification **104** if performed by direct employees of the client are to be assigned to the temporary staffing **Code 185**. In total there are 21 temporary staffing classifications for which there is a single assignable customer business classification, seven temporary staffing classifications with multiple assignable customer business classifications and one temporary staffing classification, **Code 889** applies to all temporary staff whose job duties fulfill the definition of clerical found in Rule IV, Paragraph B.2.a, Section 1 of this Manual regardless of the customer's business classification.

### TEMPORARY STAFFING CROSS- REFERENCE CHART

<b>185</b>	<b>187</b>	<b>191</b>	<b>275</b>	<b>276</b>	<b>297</b>
104	107	161	221	222	281
<b>491</b>	<b>495</b>	<b>497</b>	<b>499</b>	<b>587</b>	<b>691</b>
403	451	472	475	563	609
<b>693</b>	<b>695</b>	<b>867</b>	<b>871</b>	<b>877</b>	<b>879</b>
651	661	813	921	914	923
<b>881</b>	<b>883</b>	<b>889*</b>	<b>895</b>		
926	928	953	965		
		956			
		962			

\*Code 889 applies to temporary staff whose job duties fulfill the definition of clerical found in Rule IV, Paragraph B.2.a, Section 1 of this Manual regardless of the customer's business classification.

<b>544</b>										
101	115	166	263	319	416	445	463	486	512	718
105	119	201	265	323	421	446	464	487	513	744
106	130	204	282	327	425	447	465	488	535	4771
108	132	205	285	402	427	449	467	489	536	4777
109	134	225	301	404	429	454	471	501	551	
110	135	227	305	406	431	456	473	502	553	
111	136	255	306	407	433	457	474	506	555	
112	139	257	309	411	435	458	476	507	571	
113	163	259	311	413	441	459	477	509	573	
114	165	261		415		461	483	511	581	
							485			

<b>682</b>					<b>929</b>		<b>937</b>			
601	643	655	666	677	885	920	005	804	821	907
603	645	656	667	679	886	922	009	805	828	911
605	646	657	668	681	910	925	015	806	855	924
607	647	658	669		915	927	055	807	857	980
608	648	659	670		916	932	059	808	858	992
611	649	660	673		917	933	721	809	859	995
615	652	663	674		918	934	801	811	860	
617	653	664	675		919	935	802	812	862	
625	654	665	676				803	817	865	

<b>946</b>		<b>947</b>						<b>949</b>	
940		0011	753	825	897	952	971	986	709
957		012	755	880	898	954	973	988	819
958		0013	757	882	899	963	975	991	903
959		141	759	884	936	964	976	997	904
960		142	814	887	939	966	977	999	905
961		661	815	888	941	967	978	7428	951
974		716	816	890	944	968	981		955
979		751	818	891	945	969	983		
		752	820	896	948	970	984		

**EXCEPTIONS**

1. **AVIATION** – any temporary personnel provided as flight crew in any capacity shall be assigned to the appropriate aircraft operation classification.
2. **LONGSHORING** – personnel provided to load or unload a vessel shall be assigned to the appropriate stevedoring classification.
3. **SHIP BUILDING** – temporary staff provided to perform work concerned with either ship building and/or ship repair shall be assigned to the appropriate Federal classification.
4. **FARM LABOR** – any temporary staff shall be assigned to the appropriate agricultural classification or if provided to perform mechanical harvesting, picking and related activities utilizing machinery shall be assigned to Code 007.
5. **LEASED EMPLOYEES** – the leasing of personnel shall not be construed as temporary staffing.
6. **CLERICAL** – all temporary clerical staff shall be assigned to Code 889 regardless of the customer's business classification.
7. **HOME HEALTH CARE** – any personnel performing home health care services shall be assigned to the appropriate home health care class as provided in Section 2 of this Manual.
8. The following classifications are not available as a guide in classifying temporary staffing contractors: 985, 0908, 0909, 0912 and 0913.
9. **EMPLOYMENT CONTRACTOR'S PERMANENT STAFF** – shall be assigned to Codes 951 and 953 as they may apply. Other permanent staff employees with duties falling beyond the scope of the standard exception classes shall be assigned to Code 971.

**EXECUTIVE OFFICERS - CLASSIFICATION ASSIGNMENT**

A significant number of disputes occur as a result of the misclassification of executive officers' payroll. In an attempt to enhance the accuracy and consistency of the treatment of these issues by insurance companies, below find a series of questions that the DCRB believes will aid in the determination of the proper classification for executive officers.

- Who are the officers of the corporation for the policy period in question?
- Was each of these officers active in the business during the policy period in question?
- What were each officer's exact job duties?
- How many hours a week (or what percentage of time) does each officer work in the store, shop, job site, farm, etc.?
- How many hours a week (or what percentage of time) does each officer spend in the basic classification work area, providing direct supervision and/or giving instructions to employees?
- How many hours a week (or what percentage of time) does each officer spend out of the office for sales calls, meetings or other similar purposes?

Please also see Section 1, Rule IX, Paragraph A., 5. "Assignment of Payroll" that advises an executive officer shall be classified in the same manner as any employee. Also please see the "Regular and Frequent" entry in the General Auditing & Classification Information section.

**EXECUTIVE SUPERVISORS - CONSTRUCTION OR ERECTION – 951**

The assignment of Code 951 is applicable only to executive supervisors who do not exercise direct supervision of construction or erection operations. Code 951 is not applicable to supervisors permanently located at a given job location until the completion of that job. Code 951 is also not assigned to the payroll of any individual

who is directly in charge of construction workers (including general laborers) at a specific job location. Any person who is directly in charge of construction work or construction employees at a specific job location shall be assigned to that job classification or, if more than one classification is assigned, to the highest-rated classification for that job if separate payroll records are not maintained.

The job duties of an executive supervisor would include time spent in an office and visits to a job site. Such supervision given by an individual classified under Code 951 must be indirect; i.e., through another person such as a superintendent or foreman. The executive supervisor has overall managerial responsibility for the various projects. That responsibility may include making arrangements for the procurement of materials and/or the delivery of supplies, procurement of subcontractors, maintenance of construction timetables, visits to job sites to keep track of job progress, conferring with clients, architects and engineers, and traveling to and from the company's headquarters. It also contemplates clerical office exposure and the part-time hazards of walking and climbing around on job sites. Typically, the use of the classification is applicable to large construction companies that have at least one level of supervision between the executive supervisor and the worker. It is also applicable in situations where numerous smaller projects are in progress simultaneously and the executive supervisor has the managerial responsibility for all of them.

An exception to the above-stated application would apply to a job superintendent responsible for and physically located at a specific job site where all operations are subcontracted to unrelated concerns. In this instance, the contractor has no construction workers at the job site, and the superintendent cannot exercise direct control of the subcontractor's employees. Therefore, in this circumstance the job superintendent should have his/her payroll assigned to Code 951.

### **FROZEN OR FROSTED FOOD PRODUCTS MFG.**

The processing of frozen foods shall be assigned to the classification which would apply if the product was not frozen. This ruling is made as the application of cold to either chill or freeze food products is common to a number of food processing classifications. It has been determined that the freezing operations of themselves do not change the fundamental characteristics of the risk.

### **HOTEL OR MOTEL OPERATIONS**

The two classifications applicable to hotel/motel operations are Codes 973 and 945.

Code 973 shall include all operations performed by hotel or motel employees except for separate food service and beverage staff(s). Employees assigned to Code 973 include but are not necessarily limited to: front desk employees, persons engaged in the operation of newsstands, candy or cigar shops or similar activities, personnel operating or maintaining indoor or outdoor swimming pools, the golf course(s), video game room, the health or fitness club, tennis courts or other hotel or motel guest amenities, maids, housemen, inside or outside maintenance, store workers, barbers, laundry workers, employees performing concierge services (i.e., arrangements for tours, theater tickets or the rental of automobiles), or opening boxes and/or bags and laying out pre-packaged food or beverages and/or precooked food (including heating of the precooked foods in a microwave oven) and/or making coffee for a continental breakfast where there is no other food service or beverage operations.

Separate staff exclusively engaged in the hotel's food service or beverage operations shall be classified by Code 945 which includes but is not necessarily limited to: waiters or waitresses and their assistants, cooks, kitchen help, bartenders, cashiers, restaurant managers, musicians or entertainers. On the auditing procedures for tips and musicians or entertainers, see Section 1, Rule V.

Payroll developed by interchanging hotel and hotel restaurant employees shall be assigned to Code 973 or to Code 945, whichever has the higher value.

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

1. Religious retreats.

2. Bed and breakfast enterprises.
3. Temporary or short term lodging facilities for families of seriously ill or injured children who are hospitalized (e.g., a Ronald McDonald House).

**OPERATIONS NOT INCLUDED:**

1. The businesses of a concessionaire or independent contractor operating on the premises of a hotel or motel will be classified on the merits of their operations.
2. Assign Code 953 to employees of the hotel or hotel restaurant exclusively engaged in clerical office duties.

**MANUFACTURED (MOBILE) HOME VS. MODULAR HOME**

Both a manufactured (mobile) home and a modular home are produced in a factory but there are differences between each type of home. The manufactured/mobile home is towed on a permanent steel chassis which remains a structural part of the home throughout its service life. It has a non-removable steel chassis, while a modular home does not. Although required to be secured to the ground, as observed the manufactured home retains its permanent steel chassis, and, thus, while many are not relocated, a manufactured home may be relocated and is considered removable and relocatable.

A modular home is transported to the installation site on a flat-bed truck. Modular homes are placed upon foundations, often with the use of a crane. Modular homes are not relocatable and are considered a permanent structure once placed upon a foundation.

The production of a manufactured/mobile home is assigned to Code 451. Code 305 is used to classify the production of a modular home.

Assign Code 818 to manufactured home setup or warranty service whether by the dealer or a specialist contractor.

Assign Code 652 to modular home setup, warranty service, remodeling, or repair whether by the dealer or a specialist contractor.

**MINIMUM WAGE PROCEDURE**

Section 1, Rule V., B. 2. o. of the Manual remuneration includes: Adjustments necessary to bring employees to the federal minimum wage as reported by the United States Department of Labor.

Section 1, Rule V., B. 3. e. of the Manual remuneration excludes: tips and other gratuities received by employees.

All carriers are required to include an adjustment to equal the current federal minimum wage. The auditor should verify if all employees' wages equal or exceed the federal minimum wage. If not, the following adjustments should be made, assuming the current minimum hourly wage for tipped employees is included.

1. Determine the average number of full-time tipped employees and the normal work hours.
  - 35 hour week x (the difference of federal minimum wage and the tipped employees' minimum wages) x number of tipped employees x 52 weeks.
2. Determine the average number of part-time tipped employees and the normal work hours.
  - Number of hours x (the difference of federal minimum wage and the tipped employee minimum) x the number of tipped employees x 52 weeks.

**NURSING HOME, PERSONAL CARE HOME AND RESIDENTIAL CARE FACILITY  
CLASSIFICATION GUIDELINE**

The following guidelines have been developed to aid in the classification of employees of a typical nursing home/personal care home. Proper documentation on audit worksheets should be added whenever exceptions are made to these guidelines. These guidelines, to varying degrees, affect the following basic business classifications.

Code 960, NURSING AND CONVALESCENT HOME

Code 974, RETIREMENT OR LIFE CARE COMMUNITY

Code 979, RESIDENTIAL CARE FACILITY FOR THE ELDERLY – NON MEDICAL

Nursing home/personal care home employees do not have to provide actual “hands on” care to the patients and/or residents in order to have their payroll assigned to one of the above basic classifications. The object of the classification system is to group insureds into classifications so that the rating value for each classification reflects the exposures common to such distinct business enterprise (See Section 1, Rule IV. C. 2. and 3.). It is the business of the insured that is classified within Delaware, not the separate employments, occupations or operations within the business.

Employees who typically comprise the basic classification for a nursing home/personal care home are activity staff, beauticians or barbers (usually remunerated through a 1099), dining room set-up and servers, drivers, food preparation, housekeeping, laundry, maintenance/plant including supervisors, nurses (registered nurses, licensed practical nurses), nurses’ aides including certified nurses’ aides, security and therapists (physical and speech).

Employees typically considered office employees include accounting, accounts payable and accounts receivable, business office, bookkeeping, finance, human resources and the office manager. These employees must work in a physically separate office as defined in Section 1, Rule IV, B. 2.

Codes 960, 974 and 979 are “all employees except office,” which means none of the three classes permit payroll division with Code 951.

With the above statements in mind, the payroll of nursing home/personal care home employees should be assigned in the following manner.

### **ADMINISTRATOR/EXECUTIVE DIRECTOR**

Each facility has a licensed nursing home or residential care facility administrator on site who is in charge of all operations at the facility. This employee prepares budgets, reviews departmental reports, answers questions of department managers, deals with licensing issues, handles public relation issues, attends community events to promote the business, deals with HIPAA (Health Insurance Portability and Accounting Act) regulations, deals with employee benefits, handles safety issues, interprets procedures and writes plans of correction based on inspection reports. The employee will attend patient care plan meetings. The administrator will make rounds of the facility on a regularly scheduled basis. Each round will vary as to the amount of time it takes depending on the size and complexity of the facility. During rounds, the administrator walks the halls to observe that the patients are being cared for properly, there are no unreported maintenance issues, no housekeeping issues that are unsolved, the floor has adequate staffing and the general appearance of the facility is acceptable.

The administrator will stop and talk to residents to inquire if they have any complaints or concerns and will talk to family members and volunteers who may have questions. The administrator will not provide direct patient care. By state law (for nursing homes only) the administrator is not permitted to feed, toilet, administer medications or provide any other type of care. However, administrators do keep track of how often nurses see patients.

Administrators should have their payroll assigned to the applicable basic classification, as they are regularly exposed to the operative hazards of the nursing home/personal care facility. An administrator’s job duties fall beyond the Manual definition of a clerical office employee

### **ASSISTANT ADMINISTRATOR**

An assistant administrator performs many of the same job duties as the administrator and reports directly to the administrator in the chain of command. This employee may assist the administrator in the preparation of budgets, review departmental reports, answer questions of department managers, deal with licensing issues,



handle public relation issues, attend community events to promote the business, deal with HIPPA regulations, deal with employee benefits, handle safety issues, interpret procedures and write plans of correction based on inspection reports. The employee will attend patient care plan meetings. The assistant administrator may make rounds of the facility on a regularly scheduled basis. Each round will vary as to the amount of time it takes depending on the size and complexity of the facility.

During rounds, the assistant administrator may walk the halls to observe that the patients are being cared for properly. They make sure no restraints are being used, there are no unreported maintenance issues or housekeeping issues that are unsolved, the floor is adequately staffed, and the general appearance of the facility is acceptable.

The assistant administrator may stop and talk to residents to inquire if they have any complaints or concerns and may talk to family members and volunteers who have questions. The assistant administrator may or may not provide direct patient care. Assistant administrators should have their payroll assigned to the appropriate basic classification, as they are regularly exposed to the operative hazards of the nursing home/personal care facility. See the Regular and Frequent Ruling and Interpretation for the definitions of "regular and frequent." An assistant administrator's job duties fall beyond the Manual definition of a clerical office employee.

### **ACTIVITY DIRECTOR**

The activity director is in charge of the recreational and educational activities at a nursing home. The director is responsible for setting up a schedule, ordering supplies for the activities and, in some of the smaller homes, directly supervising the employees and residents in activities. If the activities director has a physically separate office, does not participate nor directly supervise (this activity may be done by the assistant activity director) and has no regular job duties in or about the facility, then the employee may have their payroll assigned to the clerical office classification. However, most activity directors are responsible for organizing and directly supervising the event and are present at the activity, whether it is on the premises of the facility or at another location (e.g., a shopping trip to a local mall). As such, the payroll of an activity director is generally assignable to the basic classification.

### **ADMISSIONS DIRECTOR**

The admissions director may have alternate job titles such as marketing director, social services director, public relations director or director of development. Regardless, this employee is responsible for working with residents and their families and guiding them through the admission process. The admissions director will explain facility rules (such as marking clothing with a name) and patients' rights. The employee will work with family members who wish to bring furniture from home. The admissions director may explain that all electrical appliances must be inspected for safety (no frayed wires). If a family member visits and removes money from the patient, the admissions director must determine if an abuse situation exists and deal with reporting suspected abuse. If a patient is not happy with his room or roommate, the admissions director will determine if the patient can be transferred to another room. The admissions director may coordinate family concerns with department heads. If two family members disagree about treatment or how a resident's money is being spent, the admissions director may intervene and mediate the situation. They may do the charting about the social interactions of residents. They will plan care meetings. If a patient passes away or moves to another facility, the admissions director may contact the family about collecting personal belongings. They may also work with the ombudsman (a representative from the Area Agency on Aging that is assigned to a nursing home). The payroll of an admissions director is usually assigned to the basic classification, as they regularly spend time in and about the facility even though their primary job duties keep them in a physically separate office.

### **CASE MANAGER**

This position is responsible for the management of the rehabilitation department. The employee directs the therapists and gathers information on the level of care needed for minimum data sets (MDS) forms. The case manager maintains the resident's logs and compares the amount of therapy provided to the resident's care plan. The case manager usually does not provide any rehabilitation services. This employee may go to the local hospital to screen charts for potential admissions. The case manager deals with discharge personnel in hospitals regarding possible admissions to their facility. While at the nursing home, the case manager attends managed therapy meetings to see that therapy provided to a resident is in compliance with Medicare regulations. The employee

prepares communications bulletins and may write articles for a news bulletin that is distributed to residents. The case manager meets with physicians and social service workers to determine if any residents in the assisted living facility need to be moved to the nursing home. The employee is responsible for "hospitality" when new residents move into the independent living cottages, if such a facility exists. The employee will go to the resident's apartment and visit with the resident, answering any questions while providing information about the facility.

The case manager's payroll is properly assigned to the basic classification.

### **CENTRAL SUPPLY CLERK**

This employee is responsible for distributing supplies to the floors and assuring the cupboards are stocked with needed supplies. This employee orders the supplies and determines what is chargeable to a resident. The employee will physically stock the supplies in the units. Some facilities title these employees as purchasing, but they work in an area similar to a storage office. They will make deliveries of supplies throughout the facility, and their control/purchasing is confined to a computer, paperwork or reports. Their offices are usually locked, since this is also where the supplies are located. The central supply clerk's payroll is properly assigned to the basic classification.

### **CHAPLAINS**

A chaplain is a clergyman in charge of the nursing facility's chapel. They organize and conduct religious services for the residents of the nursing facility. They will visit non-ambulatory and ambulatory facility residents to provide spiritual counseling, individual worship services and counseling or just to see how a resident is faring in the facility. They may conduct in-room communions and/or last rites. Their payroll is properly assigned to the basic classification.

### **CLINICAL DIRECTOR**

The clinical director's job responsibilities usually involve updating and reviewing the resident's medical and treatment charts and folders. If they review medications and treatments on the floor or in the resident rooms or if their offices are not physically separate from all other areas of the nursing facility, the payroll of the clinical director is properly assigned to the basic classification.

### **DIETARY COORDINATOR/DIRECTOR/MANAGER/SUPERVISOR**

In some of the larger facilities there is a dietary director/manager who maintains all the dietary requirement records for the residents. Many residents have varying dietary needs, so this is often a critical position. This employee would develop menus and oversee food service. This may entail charting the intake of food by the residents. These duties are performed both in the office and on the floor. The duties also involve supervising the preparation of the food and trays. The employee may directly supervise dietary preparation in the kitchen or walk throughout the facility when meals are served to see that the patient is given their dietary requirements. The payroll of the dietary coordinator/director/ manager is properly assigned to the basic classification.

### **DIRECTOR OF NURSING (DON)/ASSISTANT DIRECTOR OF NURSING (ADON)**

Director of Nursing - This position is usually charged with overseeing the entire nursing/care functions of the facility. This employee is responsible for administering the nursing program to maintain standards of patient care and advises medical staff, department heads and administrators in matters related to nursing service. The employee analyzes and evaluates the quality of care administered by the nursing staff and visits residents routinely. The DON does not do any actual patient care.

Some nursing directors move throughout the facility all of the time, while others less so, spending the majority of their time in the office. This employee performs the scheduling of the nursing staff, all of the interviewing and hiring of nursing staff, and may review the unit manager's work. Due to the nature of the employee's work and the fact that the position requires the visitation of residents and the evaluation of the quality of care administered by the nursing staff, the payroll of the director of nursing is properly assigned to the basic classification.

Assistant Director of Nursing - This position is responsible for directing the programs of the facility. The employee



collaborates in composing and implementing nursing policy, practice and quality assurance throughout the nursing department. The employee does not do any actual patient care. Primarily, their job responsibilities center around the quality assurance programs. The ADON makes sure all nursing departments are ready for the state survey. The ADON develops the schedule for quality assurance audits and reports. The employee directs, supervises and assigns projects and programs to a quality assurance analyst. The employee develops and directly oversees the Infection Control Program and reports monthly to the Quality Assurance Committee. The employee may oversee the wound care program and plans, organizes and oversees the staff development program, reviewing the accurate recording of in-service attendance records. The ADON interacts on a regular basis with patients, families, physicians and facility employees and makes tours throughout the facility on a daily basis.

In smaller facilities the ADON is the supervisor on the floor. Their time may be split between directly supervising the registered nurses and other nursing staff and completing paperwork in an office. The payroll of the ADON is properly assigned to the basic classification.

### **FACILITIES MANAGER**

This employee, in most cases, has direct floor duties and can do hands-on repair and maintenance work in and about the facility. This employee will also conduct evaluations for major repairs and improvements to the facility that requires the hiring of outside contractors. The payroll of the facilities manager is properly assigned to the basic classification.

### **HOME HEALTH CARE OPERATIONS**

Payroll developed by separate staff(s) performing home health care services shall be separately classified as provided in the Delaware Workers Compensation Manual.

### **INVENTORY CONTROL COORDINATOR**

This employee is responsible for the control and purchasing of hard goods and supplies used throughout the facility. This employee usually has no hands-on responsibilities on the facility floor. They usually make no deliveries of supplies throughout the facility, and their control/ purchasing is confined to data entry, computer-generated reports and related paperwork. The payroll of the inventory control coordinator is properly assigned to Code 953 if their job duties are confined to working in a physically separate office.

### **MEDICAL DIRECTOR/MEDICAL COORDINATOR**

The medical director is usually a physician who is only active on a part-time basis. When he/she is active, the duties are usually visiting patients and making rounds within the nursing home. The payroll of the medical director is properly assigned to the basic classification.

### **MAINTENANCE DISPATCH**

These employees' major job responsibility is to dispatch work assignments to the maintenance employees. These employees are found in larger type facilities. They spend no time performing maintenance work in most facilities. They do not supervise the maintenance employees or do any inspections of the facility. As long as their job duties are confined to working in a physically separate office, their payroll can be assigned to Code 953.

### **MASHGIAH**

A mashgiah is an Orthodox rabbi or a person appointed by such a rabbi whose responsibility is to prevent violations of Jewish dietary laws by inspection of facilities where food assumed to be kosher is prepared for the public. These employees enter the kitchen area of the facility to make sure certain foods are kosher. This job position is usually found in faith-based facilities, and their payroll is properly assigned to the basic classification.

### **MEDICAL RECORDS CLERK/WARD CLERK**

The medical records clerks are normally responsible for updating resident's charts and medical records. If they

spend no time picking up and dropping off charts at either nurses' stations or resident's rooms, assign Code 953. If they perform any of the above duties on a regular basis on the floor, their payroll is properly assigned to the basic classification. If they complete their updates in a physically separate office, their payroll may be assigned to Code 953.

In larger facilities, medical records clerks usually work in the business office and use computers to maintain a database of records. In such circumstances assign Code 953. In the smaller facilities, they may have other duties, including the delivery of medical supplies to nursing stations and interchanging labor as a central supply clerk. If a medical records clerk has any of these duties, then their payroll should be assigned to the basic classification.

### **NURSING SECRETARY/SCHEDULER**

These employees do the paperwork for the nursing department, such as typing, scheduling, filing and other administrative support job duties. Their payroll may be assigned to Code 953 if they work in a physically separate office and have no floor exposure. If they have their desks at the nursing station that is on the floor, their payroll would be assigned to the basic classification.

### **RECEPTIONIST**

Receptionists answer incoming telephone calls and direct them to the correct extension. This employee also greets incoming visitors and asks them why they are at the facility. They may direct all visitors to sign a guest register. They may assist staff in making photocopies. They may maintain the postage meter and be responsible for outgoing mail. They will observe resident safety while the resident is in the lobby area. If one of the residents needs assistance or falls while in the lobby area, the receptionist may quickly page an aide to assist the resident rather than walk out to the resident herself. The receptionist will type the necessary information onto a new resident's identification bracelet. They may accept payment from residents or their representatives. They may walk out to the office, lobby and/or solarium to lock up the doors at the close of each day.

Receptionists in a nursing home facility not only greet and direct visitors but also provide a measure of security/safety for wandering residents and for visitors as well. Such an arrangement invariably precludes the assignment of Code 953. Their payroll is properly assigned to the basic classification.

### **REGISTERED NURSE ASSESSMENT COORDINATOR (RNAC)**

These employees are responsible for the completion and accuracy of the resident care planning process and monitoring level-of-care changes and determinations. The RNAC oversees the development and implementation of individual resident care plans and ensures the resident's reaction and ongoing development. They are case managers for the residents and compile all of the paperwork that is needed to deal with the Health Maintenance Organizations that reimburse the nursing home for the treatment and care of the resident. They input all types of information into the computer about the activity level of all of the residents. They complete forms called Minimum Data Sets (MDS) for each new admission to the facility. They complete MDS reviews on each resident on a quarterly basis, as well as an annual MDS. The form must be completed for each resident at least once a quarter and at other times required by Medicaid, including admission and change in condition.

The RNAC compiles this information by a comprehensive review of the patient charts. The form contains many different sections used to determine how well the resident is able to function. The dietician is responsible for completing the dietary section. The physical therapy department will complete a range of motion study and will complete the appropriate section of the form. The form is a comprehensive form that gathers information about the resident's social skills, communication skills, activities, cognitive skills, nutrition, vision and activities of daily living. Nursing homes are reimbursed by Medicare for the care of a patient based on the condition of the patient. If a patient is in a severe condition and requires extensive medical condition, Medicare will reimburse more funds for that patient than a patient who is more self-sufficient. The RNAC writes up reports to be submitted to Medicare. These employees will visit nurses' stations to discuss the patient's progress with a DON or nursing supervisors. The RNAC will take the patient's charts back to their office to type up the reports. These individuals will also visit patient rooms to do evaluations.

The amount of time an RNAC spends working throughout the facility varies. An assessment nurse has to assess the patient, and different department heads complete parts of the form, but the RNAC signs off on the form. The

RNAC places his/her license at risk by signing a form verifying the data is correct. For example, if a report states a patient has bedsores, the RNAC will go on the floor and physically turn the patient over to verify this is correct. Direct observation of the resident, as well as communication with the resident's direct caregivers across all shifts, are essential for the RNAC to complete their job according to the Resident Assessment Instrument User's Manual, a manual issued by the Federal government regarding the MDS. Based on the above information and job duties, the payroll of RNACs is properly assigned to the basic classification.

### **RESTORATIVE PROGRAMS DIRECTOR**

This employee is responsible for making sure that the residents eat regularly, walk and engage in the therapy that is provided by the insured's restorative aides. The employee will go out to see the residents and test them and regularly walks around the facility. Part of the employee's job responsibilities requires the employee to walk, lift and bend. The restorative programs director directly supervises the restorative aides and reviews them doing their jobs. Their payroll is assigned to the basic classification.

### **STAFF DEVELOPMENT/IN-SERVICE TRAINING COORDINATOR**

These employees are registered nurses and are the "clinical experts." When a new employee is hired, these employees will do an orientation with the employee. They review corporate compliance, explain workers' compensation and infection control, and introduce the employee to his manager. They verify that all forms are completed as required for the new hire. They attend "stand-up meetings." These are meetings that occur at the change of a shift. The employees completing their shift will explain any changes in a resident's condition to the new shift. These meetings used to take place at the nursing station, but, due to HIPPA regulations, they are now held in an activity room.

They are responsible for assuring the staff's credentials and licenses are up-to-date. They assure nurses have the correct number of continuing education credits. They arrange for educational classes to be provided to employees. They may arrange for the maintenance department to provide information in a classroom setting on fire safety and the correct operation of a fire extinguisher. They may arrange for housekeeping to conduct a class for staff on infection control. They will gather information from the floor supervisors verifying nurses have met IV competencies (inserted the correct number of IVs successfully in the correct amount of time).

They regularly spend time doing classroom teaching of employees. They will teach and provide instruction classes on hand-washing techniques, resident safety, wound care and proper lifting mechanics. Their payroll is properly assigned to the basic classification.

### **STAFF COORDINATOR**

This employee would only work from their office completing staffing schedules for the various departments. Their main job duty is to make sure there are enough employees for each shift.

If they have no other job duties and their scheduling work is done in a physically separate office, then the payroll of these employees may be assigned to Code 953.

### **TRANSPORTATION DISPATCHER**

Some of the larger facilities have employees who sit in an office and schedule transportation for the residents for shopping, doctors' visits and family visits. If the employee has no other job duty and their scheduling work is done in a physically separate office, then their payroll may be assigned to Code 953. If the employee regularly engages in driving the residents to and from their destinations, their payroll is properly assigned to the basic classification.

### **UTILIZATION MEDICAL REVIEWER**

These individuals review charts from medical records for the doctors to determine patient medical needs.

These individuals work in enclosed offices and usually have no floor duties. If their work is done in a physically separate office, then the payroll of these employees may be assigned to Code 953.

**UNIT CLERK/SECRETARY**

This employee is responsible for ordering supplies for the nursing department and checking secretarial notes for quality. The unit clerk will code bills for insurance companies, Medicare and Medicaid. These employees may work on the nursing home floor at a desk behind the nursing stations, or they may work in a physically separate office. Their responsibilities include maintaining all unit records of the patient residents. The employee answers, the phones, schedules medical appointments for residents on the unit and marks files if a resident leave the facility. The employee coordinates all labs and doctor appointments by telephone.

They call for transportation for all of the appointments and perform chart-thinning work according to the nursing home's policy. They maintain all forms and active files and coordinate all lab orders by telephone. They fax paperwork to pharmacies and physicians and complete admission/readmission checklists for each admission.

This employee is responsible for the secretarial work on the unit. The employee assures doctor's orders are placed in the patient's chart. The employee may work at a desk in the nursing station on the floor or may be in a physically separate office. If the employee has no regular job duties on the nursing room floor and works in a physically separate office, then their payroll may be assigned to Code 953. If they work on the nursing home floor at a desk behind the nursing station, then their payroll should be assigned to the basic classification.

**VOLUNTEER COORDINATOR**

The coordinator who has no duties/supervisory responsibilities over the volunteers on the floor, who simply schedules and coordinates volunteers' activities, can be classified as clerical. They usually work in an enclosed office. Many coordinators simply spend their time on the telephone recruiting volunteers or asking them to come in on a particular day. If they have no regular job duties in or about the facility and they work in a physically separate office, their payroll should be assigned to Code 953. Those volunteer coordinators who supervise volunteers on the floor should have their payroll assigned to the basic classification.

**PER DIEMS**

Per diems refer to a specific amount of money that a business provides to an employee to cover living and traveling expenses in connection with work. To the extent that specific documentation is not available for substantiation of per diem expenses in accordance with Manual rules (see Section 1, Rule V, F.) per diem expense reimbursement payments are included as remuneration for premium computation purposes.

Certain Internal Revenue Service (IRS) procedures allow for employer deduction of per diems paid to employees under the terms of a "nonaccountable plan." This type of plan does not require actual receipts for the expenses covered by the per diems. Exclusion of per diems under a "nonaccountable plan" from remuneration for premium computation purposes is solely a matter for carrier review and determination. Disputes emanating from insuring carrier's determinations in the area of nonaccountable IRS per diem plans are not subject to DCRB review and resolution.

**PREFABRICATED METAL BUILDING ERECTION – PREFABRICATED SHEET METAL AND SILO ERECTION METAL**

Payroll developed in the two types of erection jobs cited above will be classified in the manner indicated below.

Code 608 is applicable to the building of concrete flooring or padding for one or two story structures. Code 609 is applicable to site preparation and to any excavation. Code 654 is the proper classification for the building of concrete flooring or padding for structures of three stories or higher. Payroll developed in the erection of the prefabricated metal building framework is assignable to Code 655. Installation of sheet metal siding, roofing or interior work for a prefabricated metal building or the erection of metal or fiberglass silo sections is assignable to Code 651. Electrical work is assignable to Code 661 and plumbing installation is assignable to Code 663. For the silo erection Code 675 is proper for payroll developed in the installation of conveyors or other materials handling equipment or for the service and/or repair of such. Other trade classifications may be extended as warranted.

### PREVAILING WAGE PAYMENTS

Prevailing wage statutes, including but not necessarily limited to the Davis-Bacon Act or the Delaware Prevailing Wage Act stipulate that contractors under Federal or State government contracts, respectively, are required to pay specific minimum wage rates and specified fringe benefits. When auditing these types of employers, all wages paid to the employees are included for premium calculation. Fringe benefits that are required may only be excluded from premium calculation when paid to group insurance plans, pension plans, or third party administrators. If fringe benefit payments are paid directly to an employee the fringe benefit amount is treated like wages and is included for premium calculation.

### PRODUCT ASSEMBLY DEFINITION

For classification purposes, the term "assembly" refers to the joining together of prefabricated component parts purchased from unrelated concerns to form a described product. Some portion of the purchased prefabricated component parts may be modified prior to assembly. When a specific assembly classification does not exist for a certain product, the assembly of such product shall be assigned to the manufacturing classification which most accurately describes the completed product.

It is common for stores, such as those engaged in the sale of bicycles, furniture, jewelry or light fixtures, to perform incidental assembly activities in preparation for the display of or after the sale of merchandise. Assembly or "get ready" activities which are incidental to a store's operations shall be assigned to the store's applicable classification.

### PROPERTY MANAGEMENT FIRMS

Property management firms are engaged in the management of real property which may be owned by the management firm or owned by unrelated businesses and managed under contract. Real property is defined for this Ruling and Interpretation as apartment houses, condominiums, private dwellings (houses) and commercial office buildings. The duties of a property management firm are to enforce the provisions of the lease agreement entered into by the tenant and landlord, to ensure that necessary tax, mortgage, insurance and other payments are made in a timely manner, and to ensure that the property is maintained in such a way as to maximize its value to the owner. In the conduct of such operations management companies may employ maintenance personnel, resident or on-site managers, leasing agents or property management supervisors or may subcontract all or portions of these separate responsibilities. The basic functions performed by the personnel of property management firms and the current classification procedures followed in connection therewith are presented below:

#### Maintenance

Maintenance personnel generally perform minor maintenance and repair work at the property site, including but not limited to: cutting the grass, shoveling snow, plumbing, electrical wiring, painting and minor carpentry activities. New construction or structural alterations generally are subcontracted to a specialty contractor. Payroll developed by maintenance employees of a commercial or industrial building owner, lessee or real estate management firm is assigned to Code 971. Payroll developed by maintenance employees of an apartment or condominium complex operator is assigned to Code 880.

#### Resident or On-Site Managers

Resident managers typically are retained in connection with residential apartment complexes, while on-site managers may be employed in connection with either residential or commercial properties. Resident managers usually receive compensation in the form of a salary and an apartment unit located at the site of the managed property. The duties of resident or on-site managers retained in connection with apartment complexes and similar multiple dwelling units may include but are not limited to: performing maintenance and repair work, showing apartments to prospective tenants, preparing lease or rental agreements, collecting rents, handling tenant complaints, inspecting vacated units for damage, coordinating maintenance and repair activities, acting as the liaison between tenants and management supervisors, and directly supervising the overall operations and/or maintenance staff of the property.

As a general rule, managers engaged in the above job duties should have their payroll assigned to either Code 971 or Code 880. However, managers who perform no maintenance/repair work or perform no direct supervision of the maintenance staff or do not supervise the overall operations of the complex may have their payroll assigned to Code 951. The duties of on-site managers retained in connection with commercial buildings are similar to those described above and are classified the same way

### Leasing Agents

Leasing agents are typically engaged in residential and/or commercial property leasing or real estate sales activities. Leasing agents are paid a commission based upon the total rent paid over the duration of the lease. Leasing agents show available space to prospective tenants and negotiate the terms of the lease, including the lease period, tenant improvements, payment schedules, and termination provisions. Leasing agents usually do not perform any property management activities.

Historically, leasing agents engaged exclusively in the aforementioned activities have been assigned to Code 951. Leasing agents who, in addition to leasing activities, perform property management operations, such as the direct supervision of employees engaged in the operation, maintenance or repair of properties, are assignable to either Code 971 or Code 880.

### Property Management Supervisors

Property management supervisors normally retain responsibility for several residential complexes, single-family residences and/or commercial buildings. Such persons primarily perform administrative duties in the office of the management firm but will also visit the various properties under management to ensure that the properties are being adequately maintained. The job duties of these employees involve entering into contractual arrangements with real estate property owners for the management of properties, obtaining new properties to be managed, negotiating contracts with firms specializing in the maintenance, repair or alteration of properties, hiring and dismissal of resident or on-site managers, handling the financial arrangements of the property, preparing financial reports, showing available space to potential tenants, renegotiating or extending leases, meeting with resident or on-site managers to discuss problems or complaints, periodically inspecting the physical appearance of the property to ensure that necessary maintenance and repair operations are being performed and to take note of additional needed repairs.

Property management supervisors do not:

- reside at or work from the site of the properties under management
- directly supervise maintenance or repair employees
- directly supervise the operation of the property

Employees exclusively engaged in the above job duties may have their payroll assigned to Code 951.

### **OPERATIONS NOT INCLUDED:**

1. The management or operation of all other types of real property is not subject to this Ruling and Interpretation and shall be classified as provided elsewhere in this Manual.

### REGULAR AND FREQUENT

In determining the classification assignment for an employee who may have (to varying degrees) multiple operational exposures, the term "regular and frequent" has historically been used by the DCRB in evaluating the duties of the employee(s) in question. The purpose of this R&I is to briefly (but not exhaustively) clarify the DCRB's use and application of this classification assignment concept.

The word "regular" is defined as "usual, normal, customary, recurring at fixed times and periodic." The word "frequent" is defined as "happening or occurring at short intervals, constant or habitual." The intent of the DCRB's classification procedure is to assign the payroll of an employee having multiple occupational exposures to that



classification most consistent with the overall nature of that employee's exposure. The term "regular and frequent" is a benchmark used to help determine whether exposure in a given occupational area is or is not sufficient to warrant assignment of an employee to the Manual classification applicable to such exposure.

An employee need not actually work at a production machine in order to have their payroll assigned to the appropriate basic production classification. If, in the course of performing their work, the employees' duties bring them into regular and frequent contact with the production area, then that person's payroll would be assigned to the appropriate basic production classification.

The above observation should not be construed to mean that any individual who ever steps into the plant or shop area would automatically have their payroll assigned to the higher valued classification. The intent of the DCRB's classification procedure is to be reasonable and fair in assigning the appropriate classification that reflects the employee's job duties. Therefore, an employee who was temporarily engaged in a job duty beyond the restrictive definition of the standard exception classifications on an infrequent or emergency basis would not have their payroll assigned to the basic classification.

Please note that the existence of a portal door or window in a floor-to-ceiling partition to allow an interface between employees, visitors or customers does not in and of itself invalidate the floor-to-ceiling partition.

Some examples may further clarify these considerations:

- Employee X of ABC Corporation makes outside sales calls and visits prospective customers one day a week every week. The employee will typically visit five to six customers. The other four days of the week, Employee X works at ABC Corporation's offices handling administrative paperwork and other clerical duties. Employee X's payroll would be allocated to Code 951, because this employee is regularly (every week) and frequently (one day per week) engaged in outside sales duties away from the premises.
- Employee X of ABC Corporation makes a trip to a sales convention for a week, two times a year. The rest of the employee's duties keep Employee X working strictly in the company's corporate offices. Employee X's payroll should be assigned to Code 953, as two sales convention trips a year should not be construed as either regular or frequent.
- Employee Y of DEF Corporation spends about two hours (out of an eight-hour day) every day in the production plant. Employee Y will go to each of the production areas of the plant and physically observe and talk with foremen and workers at their machines to get feedback as to when a certain job will be completed. Employee Y may also set up a complex job on a machine or do an emergency repair during these two hours. Employee Y spends the other six hours of each day in an office handling production scheduling, administrative paperwork, finances and management reports. Employee Y's payroll would be assigned to the production plant's governing classification, as this employee is regularly and frequently exposed to the production area, even though Employee Y does not actually work on a production machine.

If this employee had spent only 10-to-15 minutes once or twice a week in the shop conferring with foremen, greeting employees or had been called into the shop in case of an emergency with the rest of their time spent in an office, then the payroll of Employee Y would be assigned to Code 953, as the employee is not frequently in the shop.

The major points attempted to be made here are:

- Determining the amount of time an employee spends exposed to the operational hazards of the business is extremely important.
- Determining the duties of an employee during that time may give a clearer picture of the extent of the employee's duties.

As usual, the more involved in presenting and exploring a line of questioning, the more information comes to light.

With the benefit of such enhanced information, the auditor will more likely be able to make an informed judgment on assignment of payroll.

### **RETAIL STORE WITH MANUFACTURING CONCERN**

Where a retail outlet is located at the same or contiguous premises as a business' manufacturing facility, the applicable retail store classification shall apply to the payroll of the retail outlet provided that such outlet is operated in a work area physically separate from the business' other operations by a floor to ceiling partition and by a separate crew of employees.

### **SELF-SERVICE GASOLINE STATIONS AND CONVENIENCE GROCERS**

In classifying a combination self-service gasoline station and convenience grocer Code 917 shall apply at each location when the sale of merchandise, other than gasoline, exceeds 10% of the total annual receipts for the location.

Self-service gasoline stations exclusively engaged in the retail sale of gasoline or where the cashier may also sell items such as cigarettes and/or snack food only shall be assigned to Code 816.

### **SEPARATE PAYROLL RECORDS**

In limited circumstances (Section 1, Rule IV, Paragraph C.5) the payroll of an employee may be divided between two or more classifications provided the employer has maintained the requisite separate payroll records. Specifically, the employer's payroll records should be supported by original time cards, hourly labor postings, labor cost entries or time book entries which show separately, both by individual employee and in summary by operations performed, the remuneration earned by such employee. A standard format for the records is not required but these records must be original and they must be summarized, i.e. totaled by operation. This allows employers the flexibility to use a variety of methods and technology to record the required information. The accuracy of the summaries must be verifiable by reviewing the original, individual employee records. Data elements must be contemporaneously recorded (originating at the same time) and summarized. If the employer fails to keep complete and accurate records as provided in this definition, the entire remuneration of the employee shall be assigned to the highest valued classification applicable to any part of the work performed by the employee. A permissible payroll separation should be based on a time card or invoice that shows the actual number of hours worked for a given employee. Payroll may not be divided by means of percentages, averages, estimates, or any basis other than specific time cards, hourly labor postings, labor cost entries or time book entries.

#### **EXAMPLES:**

An employee engaged in performing the fabrication of iron railings (Code 413) in the shop and also assisting in the installation of iron railings (Code 658.) The amount of time this employee spends in installing railings should be based on a time card or invoice that show time spent in the installation activity. Usually, an employer uses the total job cost in labor of installation work and transcribes that amount on a separate record (job book, general ledger) for each installation job completed during the workweek. Then the amounts are totaled and recorded on a weekly payroll record or a separate card is completed that just shows the installation payroll. The insured totals the amounts on a weekly or monthly basis.

Other employers record the total hours for each installation by employee for each job and then multiply those hours by the employee's hourly rate. The amount is recorded and entered on a separate section of the employee's earnings card or in the payroll book under the employee's name. This process is also completed week by week with the insured totaling the amounts on a weekly or monthly basis.

Types of records reviewed include but are not limited to payroll records, master control reports, and job cost records.

### **SHOP REPAIR OPERATIONS**



Risks having shop operations that involve the repair of a product for which there is no repair classification are to be assigned to the classification that applies to the manufacture of the product, unless such repair work is specifically referred to by another classification phraseology, footnote or definition in the Manual.

### SNOW PLOWING AND/OR REMOVAL

Assign the employer's governing classification to payroll developed in snow plowing and/or removal for unrelated concerns.

### TIPS vs. AUTOMATIC GRATUITIES

The IRS has ruled that when a business adds services charges to customers' bills (such as "automatic gratuities") and distributes those charges to its employees, the business should characterize the distributed amounts as social security wages, not as social security tips.

Payments must meet all of the following criteria to be considered as tips:

- The customer must freely determine the payment.
- The customer must be able to determine the amount without restriction.
- The payment cannot be determined by negotiations between the customer and the employer, or dictated by the employer.
- The customer should generally have the right to decide who receives the payment.

Historically, tips, including automatic gratuities, have been excluded from remuneration and, therefore, have been excluded from the basis for premium in Delaware. However, in recognition of this IRS ruling, the DCRB directs that automatic gratuities be included as remuneration. Note that tips, as defined above (and thus distinguished from automatic gratuities), remain an exclusion from remuneration in Delaware.

### TRUCK STOPS

A truck stop establishment is a multiple enterprise, and the appropriate classification shall be assigned to each of the various operations thereof provided each operation is separately staffed and is conducted in a physically separate work area. The exact nature of each of the truck stop's operations will direct which classification to assign. The more common truck stop operations and the assignable class for each are delineated below:

1. **Code 816** is for payroll developed by fuel attendants engaged in pumping gasoline or diesel fuel or to personnel who work exclusively on a fuel island adding or changing motor oil, checking the air in tires and performing related duties. Fuel attendants may also accept payment for fuel or motor oil sales.
2. **Code 815** is assignable to personnel engaged in the repair of automobiles or trucks. A truck stop may have separate automobile and truck repair bays.
3. **Code 973** is assignable to the payroll of chambermaids or related personnel engaged in the upkeep of motel rooms.
4. **Code 928** is assignable to gift shop and/or retail store personnel. The merchandise sold may include but is not necessarily limited to: men's or women's clothing, CB radios, gifts, greeting cards, toilet articles, health or beauty aids, books, newspapers or magazines.

Payroll developed in the operation of a restaurant, when conducted in a physically separate department and by a separate crew of employees, including preparing or serving food or beverages, washing dishes or receiving payment for meals or beverages, shall be assigned to the applicable restaurant classification. Please refer to the descriptions of Codes 897 and 975 in Section 2 for further information.

Control desk cashiers' duties include but are not necessarily limited to: operating self-serve fuel pump controls, writing invoices for fuel or motor oil sales or vehicle repairs, receiving cash or credit payment for fuel sales or trucking operating permits, receiving or transmitting telegrams or receiving telegram money transfers,

accepting payment for store merchandise or selling lottery tickets. Employees engaged as control desk cashiers may be assigned to Code 928 provided the control desk is located inside the truck stop store. In the event the control desk is located in an enclosed booth located on a fuel island or in an area contiguous thereto the payroll of the control desk cashiers shall be assigned to Code 816.

Additional classifications may be extended to a truck stop in the event a truck stop conducts additional separately staffed and located operations not listed in this General Auditing & Classification Information entry.

### **WHOLESALE/RETAIL MAIL ORDER HOUSE OR INTERNET SALES – DEFINITIONS**

#### **Wholesale**

For the purposes of classifying stores the term "wholesale" shall be construed to mean the selling of merchandise:

1. to retailers;
2. to manufacturers, builders or contractors;
3. to industrial, agricultural, commercial, governmental, institutional or professional users;
4. to other wholesalers; or
5. to firms acting as agents in buying merchandise for or selling merchandise to such persons or companies as those previously listed.

Wholesale store operations generally include the maintenance of warehouse inventories; delivery and the promoting of sales through utilization of an outside sales force and/or by telephone or fax. Many but not all wholesalers may also perform the physical assembling, sorting and grading of their goods; the breaking of bulk quantities and repackaging into smaller lots. A wholesaler may also have a sales counter where a walk-in customer's order may be written up and payment for merchandise made. The counter clerk may transmit the order to the warehouse or the customer may take the order to the warehouse for fulfillment.

#### **Mail Order House Or Internet Sales**

An enterprise principally (more than 50 percent of the gross receipts) engaged in selling by mail order or by telephone by means of a catalogue mailed to customers and/or via Internet website shall be assigned to the appropriate wholesale store classification for the commodities handled, except for mail order pharmacies filling individual patient drug prescriptions which shall be assigned to Code 927. Mail, telephone order or Internet sales by a manufacturer or incidental to a retail store business shall be classified in accordance with the class or classes appropriate to the business of the employer.

#### **Retail**

For purposes of classifying stores the term "Retail" shall be construed to mean the selling of displayed merchandise in store-type premises where floor and/or counter salespersons assist customers or on a self- service basis to the general public for personal or household consumption or use. Warehouse operations incident to the retail store enterprise shall be assigned to the enterprise's appropriate retail store classification.

The appropriate retail store class shall also be assigned when the insured, while technically a wholesaler, operates primarily in a retail manner. The customers will generally be commercial or professional users. "Retail manner" means such insured will have a large merchandise display area; customers may walk up and down the display aisles, inspect the merchandise being offered for sale, place their selections into either a shopping basket or shopping cart and will make payment for their selections at a customer checkout lane. The employer's single largest group(s) of employees are floor or counter salespersons assisting customers or performing customer checkout.

(There is no sales tax on merchandise sold in Delaware, but in the event such is enacted the act of collecting a sales tax on merchandise sold will not be a factor in defining a retail store and will have no bearing upon determining the business' classification assignment.)

**WRECKING OR DEMOLITION OR BUILDING MOVING OR RAISING PROJECT**

All work to completion at a wrecking or demolition or a building moving or raising site shall be assigned to one of the following classifications:

1. Code 651 - Applicable to wooden buildings or structures including those designed for residential occupancy and interior stripping/gutting.
2. Code 654 - Applicable to concrete or concrete encased buildings or structures.
3. Code 655 - Applicable to iron or steel buildings or structures.
4. Code 653 - Applicable to masonry buildings or structures.
5. Code 611 - Applicable to piers or wharfs.

The classification with the highest rating value applies where wrecking or demolition or building moving or raising involves a building or structure of more than one type of construction, the classification with the highest rating value applies.

All wrecking or demolition or building moving or raising work not specifically described above shall be assigned by analogy to one of the classifications designated above. No other classification is applicable.

Secondhand material businesses at a separate location with no interchange of employees shall be assigned to the appropriate scrap metal dealer classification based on whether the dealer is principally engaged in handling ferrous or nonferrous scrap metal. Assign ferrous scrap dealers to Code 858 and assign nonferrous scrap dealers to Code 859. Assign Code 860 to secondhand materials dealers who do not have a principal line of merchandise.

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Candy, Chocolate Or Chewing Gum Mfg. - Temporary Staff .....	187
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Coffin Mfg. - Wood.....	323
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Cold-Rolled Sheet Mfg. - By Specialist Contractor .....	406
Collapsible Tube Mfg. ....	445
Collar Mfg. ....	161
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Collectors Of Money - By Specialist Contractor .....	951
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Comforter Or Quilt Mfg.....	163
Comic Book Printing By Publisher Or Contractor .....	282
Commercial Camp .....	978
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Computer Or Computer System Hardware - Service Or Repair - Shop Or Field .....	952
Computer Paper Mfg. (No Paper Mfg.) .....	265
Computer Peripheral Mfg. ....	483
Computer Programmer .....	953
Computer Programmer/Operator - Temporary Staff .....	889
Computer Store - Retail.....	928
Computer Training School .....	965
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Concrete Burial Vault Mfg. ....	511
Concrete Construction .....	654
Concrete Dealer, Ready-Mixed.....	855
Concrete Drilling Or Sawing - On Highways Or Roads .....	601
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Concrete Floor Construction, Self-Bearing .....	654
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Concrete Mixing .....	855
Concrete Parking Garage Construction .....	654
Concrete Products Mfg. ....	511
Concrete Pumping Services - By Independent Contractor.....	855
Concrete Reinforcing Rod Setting .....	654
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Concrete Work, Floors, Etc., Above Ground Level .....	654
Concrete Work, Yard .....	608
Concrete, Pre-Stressed, Erection By Contractor .....	655
Condensed Milk Mfg. ....	109
Condenser Mfg., Steam .....	415
Condominium Association.....	880
Condominiums - Including Resident Or On-Site Manager .....	880
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Confectioners' Machinery Mfg. ....	464
Confectionery Mfg.....	107
Construction Equipment - Rental, Sales Or Service (In Shop Or At Customer's Location) .....	814
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Construction Tools Mfg.....	433
Consulting Engineering Firm - All Types .....	955
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Container Recycling - Beverage - Bottle Or Can .....	862
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Governing Class	
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Cooling Tower Erection, Prefabricated - Wood .....	651
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Copper Castings Mfg. ....	447
Copper Pipe Or Tube Mfg. By Extruding And Drawing .....	403
Copper Products Mfg. - From Sheet Stock .....	454
Copper Recovery, Not Smelting .....	551
Copper Scrap Dealer .....	859
Copper Smelting And Refining, Primary .....	402
Coppersmithing - Shop Only .....	454
Cordage Mfg., Including Fiber Preparation .....	132
Cordite Mfg.....	4771
Cork Carpet Mfg. ....	227
Cork Products Mfg.....	309
Corn Chip Mfg. ....	104
Corn Starch Mfg. ....	107
Corrosion Proofing Of Chemical Tanks .....	655
Corrugated Paper And/Or Corrugated Products Mfg.....	261
Corrugating Iron And Steel - Cold-Rolled - By Specialist Contractor .....	406
Cosmetic, Perfume Or Other Toilet Preparations Mfg. ....	571
Cosmetics Store .....	928



Costume Jewelry Mfg. ....	458
Costume Mfg. - Masquerade Or Theatrical .....	161
Cotton Batting Mfg. ....	130
Cotton Gin Operation .....	132
Cotton Merchant .....	924
Cotton Seed Oil Mfg. ....	551
Cotton Spinning And Weaving .....	132
Cotton Waste Mfg. ....	130
Cough Drop Mfg. ....	555
Counter Top Mfg. - Wood.....	311
Counter, Heel Or Sole Mfg. - Leather .....	204
Country Club .....	944
County Employees, N.O.C. ....	980
Courier Service Company.....	808
Cover Mfg. - Air Conditioner.....	163
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Projectile Or Shell Casing Mfg.: Forging - Separately Rate Loading Or Testing With Explosives.....	431
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Public Health Nurse .....	942
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Punch List Repairs - By Contractor To A New House .....	652
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Radio, Television, Stereophonic Or High Fidelity Equipment, Parts Or Accessories Dealer - Wholesale .....	926
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Railroad Car Or Locomotive Spring Mfg.....	435
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Railroad Tank Car Cleaning - By Contractor .....	995
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Refrigerator Mfg., Commercial Or Household .....	456
Refrigerator, Household - Service Or Repair.....	662
Refrigerator, Stove Or Washing Machine Store - Retail.....	922
Refuse Container Or Dumpster Mfg. - From Metal Plate .....	415
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Roller Bearing Mfg. ....	467
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Rubber Coating .....	227
Rubber Garment Mfg., No Rubber Mill .....	161
Rubber Products Mfg., N.O.C.....	225
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Rubber Stamp Mfg. ....	281
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Rubber Tire Dealer, Retail .....	815
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Salad Dressing Mfg. ....	104
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Setting Of Telephone Poles .....	656
Set-Up Box Mfg. ....	257
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Sewage Disposal Plant, Private .....	753
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Shade Roller Mfg. - Wood .....	306
Shaft Mfg. - All Types .....	461
Shale Digging Or Excavation In Open Pits .....	055
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Sheet Metal Aircraft Parts Mfg. ....	456
Sheet Metal Products Fabrication, N.O.C., Shop Only .....	454
Sheet Rock Installation - Within Buildings .....	645
Sheet Rolling, Cold Rolling - By Specialist Contractor .....	406
Sheet Stock Or Coil Stock Distributor .....	857
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Shellac Mfg. ....	563
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Shelving Mfg. - Metal .....	456
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Shingle Mfg. - Wood, Including In Shop Staining .....	305
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Shingle Staining, On Structures, Including Shop Work .....	665
Ship Building, Iron Or Steel Including Naval .....	6843F
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Shoe Ornament Mfg. - Fabric .....	163
Shoe Polish Mfg. ....	563

Shoe Repairing .....	204
Shoe Shining Or Polishing Cloth Mfg. ....	163
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Shoe Store - Wholesale Or Retail .....	916
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Shotcrete Installation (Guniting).....	654
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Showcase Erection And Installation, No Mfg.....	646
Showcase Mfg. - Metal .....	456
Showcase Mfg. - Wood .....	311
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Sign Mfg. - Metal, Shop Only - No Erection .....	454
Sign Or Sign Letter Mfg. - Wood, Shop Only, No Erection .....	309
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Silicon Chip Mfg. ....	472
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Silk Thread Or Yarn Mfg. ....	132
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Silo Building - Concrete, Shop Only .....	511
Silo Building - Metal, Shop Only .....	454
Silo Erection - Concrete .....	654
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Silo Erection - Wood .....	651
Silo Mfg. - Fiberglass, Shop Only.....	227
Silo Mfg. - Wood, Shop Only .....	305
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Skate Mfg. ....	445
Skating Rink - Ice Or Roller - Indoor .....	968
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Ski Mfg. - Wood .....	309
Slag Digging Or Excavation - Including Crushing .....	055
Slaughterhouse - Wholesale, Including Processing.....	111
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Sleeping Bag Mfg. ....	163
Slipcover Installation .....	670
Slipcover Mfg. ....	163
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Slot Machine Gambling .....	981
Slot Machine Mfg. ....	483
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Slurry Blasting Agents Mfg.....	4777
Small Arms Mfg. ....	445
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Smokeless Powder Mfg. ....	4771
Smokestack Or Chimney Lining - Industrial .....	655
Snack And/Or Candy Trays - Sold On The Honor System .....	933
Snack Food Dealer - Wholesale .....	924
Snow Fence Mfg., Cutting Lath From Logs .....	301
Snow Fence Mfg., Wire Twisting .....	457
Snow Plowing Or Removal By Contractor - Road Or Off-Road .....	----
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Snuff Mfg. ....	115
Soap Dispenser Installation And/Or Servicing - Rest Rooms - By Specialist Contractor .....	952
Soap Or Other Detergent Mfg.....	571
Soapstone Products Mfg.....	855
Soccer Player, Coach, Manager Or Sports Official - Professional Or Semiprofessional.....	991
Social Caterer .....	898
Society For Prevention Of Cruelty To Animals .....	959
Sod Farm .....	0006
Soda Bicarbonate Mfg. ....	551
Soda Dispensers - Installation And Repair .....	663

Soda Fountain Mfg.....	456
Soda Fountain Or Counter Installation - Plumbing Or Electrical Wiring To Be Separately Rated .....	646
Sodium Silicate Mfg. ....	535
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Soft Drinks (Carbonated) Mfg. - Bottled Or Canned .....	112
Solar Control Film Installation In Window .....	667
Solar Electric (Photovoltaic) System Installation .....	661
Solar Water Heater Installation - Including Storage Tanks And Solar Panels .....	663
Solvents Dealer .....	924
Sonar Equipment Mfg. ....	485
Sorority/Fraternity House .....	896
Sound Insulation Installation .....	647
Sound Recording Studio .....	936
Sound System Installation .....	660
Soup Kitchen .....	898
Soup Mfg. ....	104
Speaker Mfg. ....	485
Speech Therapy - By Specialist Contractor .....	957
Speedometer Mfg. ....	488
Spice Dealer - Wholesale .....	911
Spice Grinding .....	104
Spice Store - Retail .....	917
Spice, Cutlery Or Wine Racks Mfg. - Wood .....	309
Spike Mfg. ....	445
Spin Casting Foundry - Nonferrous Metals .....	447
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Sponge Rubber And Sponge Rubber Products Mfg. ....	225
Spool Mfg. - Wood .....	306
Sporting Goods - Knapsack Mfg. ....	166
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Sporting Goods Mfg. - Classify By Materials Used .....	----
Sporting Goods Store - Retail .....	928
Sports (e.g., Basketball, Ice Hockey Or Boxing) Amateur Training Facility Not Professional Or Semiprofessional .....	968
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Spring Mfg. - Hot Wound.....	435
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Sprinkler Mfg., Automatic .....	445

Stabilizer Mfg., Hydraulic For Trains .....	445
Stable .....	801
Stadium Operation - Outdoor - By Contractor Or Owner .....	969
Stage Scenery - Theatrical - Curtain And Drapery Mfg.....	163
Stained Glass Mfg.....	535
Stained Glass Products Including Window Mfg. - From Purchased Stained Glass .....	536
Stainless Steel Mfg. ....	404
Stains - Varnish, Oil And Wax, Mfg. ....	563
Stair Building (Wooden) Erection .....	648
Stair Railing Mfg. - Metal .....	413
Staircase Or Stair Mfg. - Wood .....	305
Stamp (Postage) And/Or Coin Dealer - Retail Or Wholesale .....	920
Starch Mfg. - By Wet Corn Milling.....	107
Stationery Dealer - Wholesale .....	924
Stationery Products Mfg. ....	265
Stationery Store - Retail .....	928
Statistical Report Printing By Publisher Or Contractor .....	282
Stave Mfg. - Wood .....	305
Steam Heating Company .....	753
Steam Main Construction - All Work To Completion Except Tunneling .....	617
Steam Packing Mfg. - Classify According To Materials Used.....	---
Steam Pressure Gauge Mfg. ....	488
Steamship Lines Port Employees .....	8726F
Steel Alloy Castings Mfg. ....	421
Steel And Steel Alloy Scrap Dealer (Including Stainless Steel) .....	858
Steel Barrel Or Drum Mfg. ....	454
Steel Curtain Wall Mfg.....	413
Steel Drum Or Barrel Dealer, Secondhand .....	454
Steel Erection, N.O.C. ....	655
Steel Fabrication, Bridge And Structural Shops .....	411
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Steel Frame Structure Erection .....	655
Steel Mfg. ....	404
Steel Or Iron Merchant, New Materials Only .....	857
Steel Pipe And Tube Mfg. ....	407
Steel Rule Die Mfg. ....	441
Steel Spring Mfg. - Except Wire (Cold Wound) Springs .....	435
Steel Structures Painting .....	655
Steel Tank Erector.....	655
Steel Tower Erection For Cross-Country Electric Or Telephone Lines .....	655
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Step Mfg. - Prefabricated Concrete .....	511
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Stereophonic Or High Fidelity Equipment Dealer - Wholesale.....	926
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Stevedoring Containers.....	7327F
Stevedoring Tallymen .....	8709F
Stevedoring, By Hand Or Hand Truck Exclusively .....	7317F
Stevedoring, N.O.C. ....	7309F
Still Mfg. - Pressure Metal Plate.....	415
Stockyard .....	801
Stoker Installation Or Repair .....	663
Stoker Mfg. ....	461
Stone Crushing By Other Than Producer Or Road Contractor .....	059
Stone Crushing, By Road Contractor As Part Of Road Project - Assign Appropriate Quarry Class.....	----
Stone Cutting Or Polishing - Not By A Mine Or Quarry Operator .....	855
Stone Setting - Non-Structural .....	668
Stone Setting - Structural .....	653
Stonework Erection By Contractor .....	653
Stopper Mfg. - Rubber .....	225
Storage - Cold Or General Merchandise .....	813
Storage - Self-Service .....	971
Storage Battery Mfg. ....	475
Storage Warehouse, Public .....	813
Store - Furniture - Wholesale .....	921
Store Businesses - Retail Or Wholesale - Temporary Staff .....	929
Store Counter Mfg. - Wood .....	311
Store, Florist - Fresh Cut Flowers - Retail Or Wholesale .....	919
Store, Furniture - Retail .....	922
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Storm Window Or Storm Door Installation - Wood Or Metal - Residential .....	652
Storm Window Or Storm Door, Installation - Wood Or Metal - Commercial .....	651
Stove Mfg. - Cast Iron .....	425
Stove Mfg. - Sheet Metal, Commercial Or Household .....	456
Stoves, Household Or Commercial, Electric Or Gas - Service Or Repair.....	662
Strap Mfg. - From Leather, Simulated Leather Or Plastic .....	205

Street Or Road Construction Or Maintenance - Scraping, Paving Or Repaving.....	601
Street Or Road Landscape Planting And Maintenance - By Specialist Contractor .....	012
Street Or Road Rock Excavation .....	609
Street Sweeping - By Contractor .....	995
Stringing Of Electric Or Telephone Lines - By Contractor .....	656
Structural Clay Products Mfg. ....	512
Structural Glass Block Installation, Interior .....	653
Structural Members, Laminated Wood - Arches, Trusses, Timbers .....	305
Structural Steel Fabrication.....	411
Stucco Work, Building Interiors .....	669
Stucco Work, Exterior Walls .....	653
Stuffed Toy Mfg. - Cloth .....	163
Stuffing Printed Circuit Boards, Adding Wiring And Chassis By Contractor Per Customer Design .....	471
Stunt Flying.....	7424
Substitute Teachers - Temporary College Or School Staff .....	895
Sub-Surface Work - Road Or Street Construction .....	609
Subway Construction - Use Appropriate Contracting Classes.....	----
Suede Clothing Mfg. ....	161
Sugar Cane Milling.....	107
Sugar Refining .....	107
Sugar Repacking, Mixing, Blending Only.....	104
Suit, Skirt, And Coat Mfg. ....	161
Sulfate Mfg. ....	551
Sulfonated Oil And Assistant Mfg.....	581
Sulfuric Acid Mfg.....	551
Sulky Mfg., Racing.....	413
Summer Camp .....	978
Sump Pump Installation .....	663
Supercharger Mfg. ....	461
Supermarket .....	917
Supplemental Dust Disease Loading - Class 512 .....	0175
Supplemental Radiation Exposure Loading .....	9985
Surfacing Or Resurfacing Of Road Or Street .....	601
Surgical Instrument Mfg. ....	487
Surveying Equipment Mfg. ....	487
Sushi Bar - Assign The Applicable Restaurant Class .....	----
Suspender Mfg. - No Buckles, Webbing Or Leather Parts Mfg.....	161
Sweeping Of Parking Lots - Shopping Areas And Similar Areas, By Specialty Contractor .....	971
Swim Club - Indoor.....	968
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Swimming Pool Cleaning Or Maintenance - By Specialty Contractor.....	971

Swimming Pool Installation - All Types Except Iron Or Steel - All Work To Completion .....	674
Swimming Pool Installation - Iron Or Steel .....	655
Swimming Pool Liner Installation - Vinyl, By Swimming Pool Installation Contractor .....	674
Swimming Pool Liner Installation - Vinyl, By Swimming Pool Maintenance Contractor .....	971
Swimming Pool Plastering - By Specialist Contractor .....	653
Swimming Pool Supply Store .....	925
Swimming Pool Tile Installation - By Specialist Contractor.....	653
Swimming Pool, Public Or Private - Outdoor .....	969
Swiss Screw Machine Shop .....	459
Switch Mfg. - Household.....	473
Switchgear Or Switchboard Apparatus Mfg. ....	474
Switching Locomotive And Parts Mfg. ....	416
Synagogue .....	963
Synthetic Log Mfg. (Wax And Sawdust Combination).....	571
Synthetic Rubber Intermediates Mfg. ....	581
Synthetic Rubber Mfg. ....	581
Syrup Mfg., For Soda Fountains .....	113
Syrup Or Molasses Refining .....	107
Table Cloth Mfg. ....	163
Table Pad Mfg. - From Cardboard And Fabric .....	163
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Tachometer Mfg. ....	488
Tack Mfg. ....	459
Tag Printing .....	281
Tai Chi Instruction .....	884
Tailor Shop - No Dry Cleaning .....	916
Talc Mill .....	059
Tallymen - State Coverage Only .....	709
Tank Building - Wood, Shop Only .....	305
Tank Cleaning - Permanently-Sited - Including Bulk Storage Type By Contractor .....	995
Tank Erection - Steel .....	655
Tank Erection - Wooden .....	651
Tank Freight Car Mfg. ....	416
Tank Installation, Gas Stations .....	675
Tank Mfg. - Pressurized Or Non-Pressurized, Including For Tank Trucks - From Metal Plate.....	415
Tank Painting.....	655
Tank, Seat Or Cabinet Mfg. - Toilet - Wood .....	323
Tanning Extract Mfg. ....	551
Tanning Salon.....	977
Tanning, Leather .....	201
Tape Mfg. - Asbestos .....	509



Tape Mfg. - Mending - Fabric.....	163
Tape Recorder Mfg.....	485
Taping And Seaming Of Wallboard .....	645
Tar Refining .....	551
Tattoo Parlor.....	977
Tattooing, Livestock, By Contractor .....	959
Tavern .....	899
Tavern Supply Dealer (Other Than Beverages, Groceries Or Meat) .....	924
Tax Preparation Service.....	962
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Taximeter Installation Or Repair .....	815
Taximeter Mfg. ....	488
Tea - Blending And Mixing Including Packing Into Teabags .....	104
Tea Dealer - No Blending Or Mixing - Wholesale .....	911
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Telemetering Equipment Mfg. ....	485
Telephone - Coin-Operated - Installation, Service Or Repair By A Specialist Business Or Contractor.....	933
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Telephone Cable Laying With Automatic Equipment - Street To Building - By Specialist Contractor .....	660
Telephone Company .....	757
Telephone Dealer - Wholesale.....	924
Telephone Equipment Or Apparatus Mfg. ....	485
Telephone Line Construction By Contractor .....	656
Telephone Operator.....	953
Telephone Or Radio Installation - Automobile .....	966
Telephone Service Or Repair By Specialist Crew Of A Contractor Or Other Than By Telecommunications Company .....	952
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Television Or Radio Advertisements - Filming Or Video Production Or Recording .....	936
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Television, Cable - Installation Of New Systems, Except Towers .....	759
Television, Radio, Stereophonic Or High Fidelity Equipment Dealer - Wholesale .....	926
Television, Video And/Or Audio Equipment Service Or Repair, Including Installation Of Antenna.....	966
Television, Video And/Or Audio Equipment Store - Retail .....	925
Temporary Apparel Mfg. Staff.....	191
Temporary Automobile, Truck Or Trailer Body Mfg. Staff .....	495

Temporary Battery Mfg. Staff.....	499
Temporary Candy, Chocolate Or Chewing Gum Mfg. Staff .....	187
Temporary Carpentry, N.O.C. Staff.....	693
Temporary Clerical Staff .....	889
Temporary College Or School Staff.....	895
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Temporary Electrical Wiring (Within Buildings) Staff .....	695
Temporary Electronic Component Mfg. Staff .....	497
Temporary Excavation Staff .....	691
Temporary Food Products Mfg., N.O.C. Staff .....	185
Temporary Hardware Store - Wholesale - Staff .....	881
Temporary Marketing Staff .....	949
Temporary Medical Staffing .....	946
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Temporary Paint Or Colors Mfg. Staff .....	587
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Temporary Staff - Construction Or Erection Operations.....	682
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Tennis Club - Outdoor .....	969
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Tennis Racquet Mfg. - Metal .....	456
Tent Installation .....	681
Tent Mfg. ....	166
Termite Control - By Contractor .....	971
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Testing - Non-Destructive - All Kinds - By Specialist Contractor .....	955
Textile Bag Mfg. - Canvas Or Burlap .....	166
Textile Bleaching And Dyeing.....	139
Textile Machinery Installation, Service Or Repair .....	675

Textile Machinery Mfg. ....	464
Textile Mending, Invisible Weaving Of Wearing Apparel.....	161
Textile Mfg. - Asbestos.....	509
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Textile Weaving .....	132
Theater (Including Drive-In).....	967
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Theatrical Scenery - Curtain And Drapery Mfg. ....	163
Therapeutic Riding Center .....	801
Thermocouple Mfg. ....	488
Thermometer Mfg. ....	488
Thermostat Mfg. ....	488
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Thrift Store (Used Clothing, Furniture, Household Items) - Retail .....	928
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Tiffany Lamp Shade Mfg. - From Purchased Stained Glass .....	536
Tile Dealer - Ceramic - Wholesale.....	926
Tile Floor Laying - Ceramic Or Mosaic .....	668
Tile Floor Laying, Not Ceramic Or Mosaic .....	670
Tile Mfg., Decorative .....	513
Tile Mfg., Roofing, Structural Or Terra-Cotta .....	512
Tile Store - Ceramic - Retail .....	925
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Time Clocks, Recording Employee Time - Service Or Repair .....	952
Tin Foil Mfg.....	403
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Tinsel Mfg. ....	259
Tire And Inner Tube Mfg. ....	225
Tire Cord And Fabric Mfg. ....	132
Tire Dealer - Used - For Recycling (May Include Shredding).....	862
Tire Dealer - Wholesale.....	934
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Tissue Paper Products Mfg. - Facial Or Toilet .....	259
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Tobacco Product Dealer - Wholesale .....	924
Tobacco Products Store - Retail .....	928
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Tomato Dealer (Fresh) - Wholesale.....	907
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Toothpick Mfg. ....	309
Topsoil Or Humus Dealer - No Excavation .....	855
Torsion Bar Spring Mfg.....	435
Towel Mfg. - Paper Or Disposable .....	259
Towel Mfg., Textile Fabrics (Except For Disposable Towel Mfg.) .....	163
Towel Or Toilet Supply Dealer - Not Connected With Laundry.....	916
Towel Supply Service Including Laundering .....	141
Tower Bell Installation.....	657
Tower, Transmission, Fabrication .....	411
Towing Company .....	815
Town Employees, N.O.C. ....	980
Toy Mfg. - Rubber .....	225
Toy Mfg. - Stuffed Animals Or Other Cloth Stuffed Toys .....	163
Toy Mfg. - Wood .....	311
Tractor Dealer, Including Servicing And Repair .....	814
Tractor Mfg. ....	463
Trade Journal Printing By Publisher Or Contractor .....	282
Trade School .....	965
Trade School Operated By A Labor Union.....	903
Traffic Control Systems Assembly .....	476
Traffic Light Installation - By Contractor .....	661
Trailer (All Types) Sales, Rental Or Leasing .....	818
Trailer Mfg. ....	451
Training Film Production Company .....	936
Trains, Electric - Toy Or Model Mfg. ....	473
Transdermal Nitroglycerin Patch Mfg. ....	555
Transducer Mfg. ....	472
Transformer Mfg. - Less Than 1 H.P. Used In Electronic Devices .....	472
Transformer Mfg. (1 H.P. Or More).....	474
Transistor Mfg. ....	472

Transmitting, Industrial And Special Purpose Electron Tube Mfg.....	486
Transponder Mfg. ....	485
Transportation Services For The Elderly .....	828
Transportation Services For The Handicapped.....	828
Trash Compactor Mfg. ....	456
Trash Dumpster/Debris Box Rental/Service .....	995
Trash Removal Including Containerized .....	995
Trash Transfer Station - Non-Municipal.....	995
Traveling Amusement Device Operator .....	939
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Tree Pruning, Spraying, Repairing, Trimming Or Fumigating - By Contractor.....	005
Trellis Mfg. - Wood .....	305
Trimming Windows - By Independent Contractor .....	951
Trimmings Mfg., Fancy Trimmings Or Piping, Not Manufacturing Binding, Tape Or Ribbon .....	136
Trophy Store (Including Assembly And Nameplate Inscribing).....	928
Truck Body Mfg. - Including Attaching Manufactured Body To A Customer Supplied Or Purchased Chassis .....	451
Truck Cab Mfg. - Including Attaching Manufactured Body To A Customer Supplied Or Purchased Chassis.....	451
Truck Dealer - New And/Or Used Trucks .....	818
Truck Mfg. ....	463
Truck Rental - Not A Hauling Contractor .....	818
Truck Repair Garage .....	815
Truck Stop .....	----
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Truck Washing Service - Mobile .....	971
Truck Washing Service - Permanently Sited .....	816
Trucking, N.O.C. ....	811
Trunk Mfg. - Wood .....	323
Truss Mfg. - Wood .....	305
Truss Plate Mfg. - Metal .....	415
Tube Mfg. - Iron Or Steel .....	407
Tube Mfg. - Metal, Collapsible .....	445
Tube Mfg. - Nonferrous .....	403
Tube Or Pipe Merchant, Including Cutting, New Materials Only - All Types And Sizes .....	885
Tubes Or Cores Mfg. - Paper .....	259
Tubing - Rubber .....	225
Tuck Pointing.....	653
Tunneling .....	615

Turkeys - Slaughtering, Dressing And Packing For The Trade.....	865
Tutoring Service (Academic Subjects) By Independent Provider .....	965
TV Dinner Type Meals, Cooking, Packing And Freezing .....	104
Twine Mfg., Including Fiber Preparation .....	132
Type Foundry .....	447
Typesetting Machinery Mfg. ....	464
Typewriter Repair - Shop Or Field.....	952
Typewriter Ribbon Mfg. ....	139
Ultrasound Imager Mfg. ....	488
Umbrella Handle Mfg. - Wood .....	306
Umbrella Mfg.....	163
Underpads Mfg. - Bed - Disposable.....	259
Undertaker .....	997
Uniform Mfg. ....	161
Uniform Supply Service Including Laundering.....	141
Union Trade School.....	965
Unit Owners Association (For a Residential Planned Community) .....	888
University .....	965
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Upholstering Car Seats .....	327
Upholstering Shop Only, No Furniture Assembling .....	327
Upholstery Cleaning On Customers' Premises .....	971
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Used Clothing Dealer - Wholesale .....	924
Used Clothing Store - Retail.....	928
Used Motor Oil Collection - By Specialist Contractor .....	809
Used Tire Dealer - For Recycling (May Include Shredding) .....	862
Vacuum Cleaner - Service Or Repair .....	473
Vacuum Cleaner Dealer - Wholesale.....	926
Vacuum Cleaner Mfg. ....	473
Vacuum Cleaner Store (Household) - Retail .....	925
Vacuum Tank Mfg. - Metal Plate .....	415
Vacuum Tube Mfg. ....	486
Valve Actuator Mfg. ....	488
Valve And Pipe Fitting Mfg., Except Cast Plumbers' Brass Goods .....	445
Valve Mfg. ....	445
Valve Mfg. - Miniature .....	459
Van Conversion Or Customizing .....	815
Vanities Assembly - Marble .....	855
Vanities Mfg. - Wood (Architectural Or Bathroom).....	311
Vanity Mfg. - Resin Poured Or Cast Type/Artificial Marble Product .....	222

Varnish Mfg. ....	563
Vat Mfg. - Metal Plate .....	415
Veal Calf Raising.....	0034
Veal Patty Mfg. - Plain Or Breaded .....	119
Vegetable And Fruit Juice - Canned, Bottled Or Bulk .....	113
Vegetable Canning .....	113
Vegetable Dealer - Wholesale.....	907
Vegetable Farm .....	0006
Vegetable Oil Mfg. - All Types .....	551
Vegetable Packing - Not Cannery .....	907
Vegetable Raising, Hot House .....	0011
Vegetable Sauce Mfg. ....	104
Vehicle Chassis Or Frame Mfg. ....	451
Velvet Mfg. ....	132
Vending Machine Dealer - Wholesale .....	924
Vending Machine Installation.....	933
Vending Machine Mfg. ....	483
Vending Or Coin-Operated Amusement Machine - Installation, Service Or Repair .....	933
Veneer Container Mfg. ....	305
Veneer Mfg. ....	305
Veneer Products Mfg., N.O.C. - No Veneer Mfg. ....	309
Venetian Blind Installation, No Mfg. ....	670
Venetian Blind Mfg. - Aluminum .....	456
Venetian Blind Mfg. - Wood .....	323
Ventilating System Installation .....	664
Ventilating Systems Repair Or Service - Cleaning, Oiling Or Adjusting .....	664
Ventilation Equipment Mfg. ....	456
Ventilator Mfg. - Sheet Metal .....	454
Vermiculite Crushing And/Or Processing By Other Than Producer .....	059
Vestment Mfg.....	161
Veterinarian .....	959
Veterinary Hospital .....	959
Video Cassette Recorder And Video Camera Repair .....	966
Video Cassette Recorder Mfg.....	485
Video Game Arcade - Mobile .....	922
Video Game Arcade - Permanently-Sited .....	968
Video Games - Service Or Repair By Vending Machine Operator .....	933
Video Tape Or DVD Store - Rental Or Sale .....	928
Video/Audio Equipment Dealer - Wholesale .....	926
Video/Audio Equipment Service Or Repair .....	966
Video/Audio Equipment Store - Retail .....	925

Videographer .....	936
Villages Operation.....	980
Vinegar Mfg. - By Fermentation .....	113
Vinegar Mfg. - From Purchased Concentrates Only .....	104
Vineyard .....	0016
Vinyl Asbestos Floor Tile Mfg. ....	509
Vinyl Fence Erection - Commercial or Residential.....	651
Vinyl Sign Letters Mfg. - Electronically Scored - Shop Only .....	281
Vinyl Tile Installation.....	670
Visiting Nurse .....	942
Vital Signs Monitoring Equipment Mfg. ....	488
Vitamin Store - Retail .....	928
Vitreous China Plumbing Fixture Mfg. ....	513
Vitreous China Table And Kitchen Articles Mfg. ....	513
Vitreous Tile Mfg.....	513
Vitriol Mfg. ....	551
Vocational Educational Institution .....	965
Volleyball Mfg. ....	205
Volt Meter Mfg. ....	488
Voting Machine - Service Or Repair .....	952
Voting Machine Mfg. ....	483
Vulcanized Rubber Products Mfg. ....	225
Wafer (Semiconductor) Dicing Machine Mfg. ....	488
Wafer Cleaning Equipment .....	488
Wagon Body Mfg. ....	305
Wagon Repairing .....	815
Walk-In Refrigerator Mfg. ....	311
Wall Or Panel Installation - Precast Concrete .....	654
Wallboard Installation .....	645
Wallet Mfg. ....	205
Wallpaper Dealer - Wholesale.....	924
Wallpaper Hanging .....	667
Wallpaper Mfg. - (Paper Mfg. To Be Separately Rated) .....	259
Wallpaper Store - Retail .....	928
Warehouse - Public, Furniture .....	806
Warehouse - Storage - Self-Service .....	971
Warehouse - Storage, Public .....	813
Warehousing - Other Than Furniture Moving And/Or Storage .....	813
Warehousing - Temporary Staff .....	867
Warm Air Heating System Installation .....	664
Warming Apron Paving, Airport .....	601



Washing Compound Mfg. ....	571
Washing Machine Mfg., Commercial Or Household ....	456
Washing Machines, Household Or Commercial, Electrical - Service Or Repair.....	662
Waste Paper Dealer.....	862
Waste Removal - Industrial And/Or Domestic .....	995
Waste Treatment Plant - Liquid .....	753
Watch Mfg. ....	458
Watch, Clock, And Parts Mfg.....	458
Watchman .....	----
Governing Class	
Water Bottling And/Or Bottled Water Distribution - By A Dealer .....	924
Water Cooler - Installation, Service Or Repair .....	662
Water Hauling - Tank Truck - By Contractor .....	805
Water Ice Mfg. ....	110
Water Ice Store .....	928
Water Main Cleaning (Interiors Of) By Hydraulic Method .....	995
Water Main Construction, All Work To Completion Except Tunneling .....	617
Water Meter Installation - By Contractor .....	663
Water Meter Mfg. ....	488
Water Meter Reader.....	951
Water Paint Mfg. ....	563
Water Softener Installation And Service, Domestic .....	663
Water Supply System - Operated By A Municipality.....	980
Water Supply System, Private.....	753
Water Tank Painting .....	655
Water Well Cleaning .....	663
Water Well Drilling - By Contractor .....	607
Waterproofing Of Buildings .....	653
Waterworks .....	753
Wax Or Wax Products Mfg. ....	571
Wax Remover Mfg. ....	571
Waxed Paper - Coating Paper With Wax - No Paper Mfg. ....	263
Waxing Of Cloth .....	227
Weather Stripping Installation .....	647
Weather Stripping Mfg. - Felt .....	130
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Weaving Of Textile Fibers .....	132
Webbing Mfg. ....	132
Weed Or Brush Spraying - By Contractor - Except Aerial Spraying.....	012
Weighers, Samplers Or Inspectors Of Merchandise On Vessels Or Docks.....	8709F
Welding - Structural Steel .....	655

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Welding Or Cutting Torch Tip Mfg.....	441
Welding Rod Mfg. ....	457
Welding Torch Mfg.....	445
Wet Corn Milling .....	107
Wet Suit Mfg. - Rubber .....	225
Wet Wafer Processing Equipment .....	488
Wharf Building, Timber - State Coverage Only .....	611
Wheel Alignment On Automobiles .....	----
Governing Class	
Wheel Mfg. - Cloth - Buffing And Polishing - No Metal Parts .....	163
Wheelbarrow Mfg. - Metal .....	454
Whiskey Mfg. ....	113
White Lead Mfg. ....	402
Whitewashing, By Contractor .....	665
Whiting Mfg. ....	563
Wholesale Furniture Store - Temporary Staff.....	871
Wholesale Store, N.O.C.....	924
Wig Mfg. - Synthetic Materials .....	163
Willow Ware Mfg. ....	323
Windmill Erection - Metal .....	655
Window (Sheet) Glass Mfg. ....	535
Window Caulking .....	653
Window Caulking - As A Part Of A Weatherization Program .....	647
Window Cleaning .....	971
Window Or Door Distributor .....	855
Window Or Glass Tinting, Except For Auto Glass .....	667
Window Or Window Sash Mfg. - Metal or Vinyl.....	454
Window Screen Or Screen Door Installation - Metal Or Wood - Commercial .....	651
Window Screen Or Screen Door Installation - Metal Or Wood - Residential .....	652
Window Shade Installation .....	670
Window Shade Mfg. - No Roller Mfg. ....	163
Window Shade Roller Mfg. - Wood .....	306
Window Trimming, By Contractor .....	951
Wine Or Liquor Store - Retail .....	928
Wine/Liquor Dealer.....	924
Winery .....	113
Wire Brush Mfg. ....	457
Wire Cloth Weaving (Wire Drawing To Be Separately Rated By Code 406, Rolling Mill, N.O.C.) .....	132
Wire Drawing - Ferrous Metals .....	406
Wire Drawing - Nonferrous Metals .....	403

Wire Fence Mfg. ....	457
Wire Glass Installation.....	666
Wire Glass Mfg. ....	535
Wire Goods Mfg. ....	457
Wire Insulating - Includes Incidental Wire Stranding - Wire Drawing To Be Separately Rated .....	222
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**ENDORSEMENTS****General Information**

**(Regarding standard policy, information page and endorsements)**

*GENERAL ENDORSEMENT NOTES*

1. Insurance carriers may use their own attachment clause and method of execution on each endorsement. The execution clause of endorsements issued subsequent to the policy must include at a minimum the following information: policy number, endorsement, effective date, name of the insurer and insured, and premium (if applicable). Multi-company groups must show the name or the five-digit National Council on Compensation Insurance, Inc. (NCCI) carrier code of the member of the group providing the insurance.
2. THE PAGES WHICH APPEAR HEREIN INCLUDE COPYRIGHTED MATERIAL FROM THE NATIONAL COUNCIL ON COMPENSATION INSURANCE USED WITH ITS PERMISSION. All rights reserved.

DELAWARE FORMS HAVE BEEN COPYRIGHTED BY THE DELAWARE COMPENSATION RATING BUREAU INC.

The license extended to the Delaware Compensation Rating Bureau, Inc. (DCRB) by the NCCI for use of its copyrighted forms permits the DCRB's members to use such forms provided the form carries the legend "Copyright National Council on Compensation Insurance, Inc." (the year to be filled in accordance with the appropriate year of copyright as found in the Forms Manual issued by the NCCI). Any of the standard forms included in this change may be ordered from the National Council on Compensation Insurance, Inc.

The policy and endorsements have been filed on behalf of the members of the DCRB and approved by the Insurance Commissioner. Accordingly, individual filings with the Insurance Department or the Industrial Accident Board are not required if a member carrier uses the standard form filed by the DCRB. Any company which makes other than authorized changes in or additions to such approved DCRB forms must file the forms directly with the Insurance Department, providing a copy of such filing to the Industrial Accident Board and the DCRB. See Endorsements Filing Procedure for specific instructions.

The information page and its notes were also filed and approved as a standard form. The specific form copyrighted by the NCCI. It will be seen that some of the notes require modifications to this form for use in Delaware, while other notes give the carrier many options as to items to be included. Use of an information page which includes the Delaware requirements and the exercise of any of the other specified options will be considered an approved form, subject only to filing with the DCRB. Any omission(s) of required items from an information page will require filing of such information page with the Insurance Department, with a copy of such filing to be forwarded to the DCRB.

3. **Endorsement Filing Procedure**

The provisions of each endorsement applicable in Delaware as developed by the appropriate committees of the DCRB will be filed by the DCRB with the Department, for all members who have furnished the President of the DCRB with a Power of Attorney to so file on their behalf.

Individual filing with the Insurance Department will not be required by any member carrier with respect to the provisions the standard workers compensation policy and endorsements which have been filed by the DCRB and approved by the Insurance Department.

It is important to note that the NCCI has copyrighted the policy form, the information page and all its standard endorsement forms. In addition, the DCRB has copyrighted the Delaware endorsement forms. If any of these documents are used with no modification, they must contain the appropriate copyright legend. If modifications are made to the form and authorized by the appropriate authority, the form must contain the following statement (with the appropriate year of copyright filled in as found in the Forms Manual issued by NCCI):

“Includes material of the (appropriate Bureau name) Copyright 20 used with its permission.”

Following the approval by the Insurance Department of the provisions of endorsements filed by the DCRB, a circular letter will be issued by the DCRB notifying the members of the DCRB.

A new company, which is not yet a member of the DCRB, must submit its policy and information page forms directly to the Insurance Department when it applies for its license to write workers compensation insurance.

A carrier wishing to use any form that varies from the standard in any way must file such form directly with the Insurance Department, with a copy of the filing furnished to the DCRB.

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ENDORSEMENTS

Workers Compensation and Employers Liability Policy Form

Policy Format

The policy consists of a General Section and six Parts.

**Part One** is statutory workers compensation coverage.

**Part Two** is employer’s liability coverage.

**Part Three** provides Other States insurance. This was previously provided by the Other States Endorsement

**Part Four** shows the insured’s duties in event of loss.

**Part Five** consists of all premium provisions, including premium calculation on cancellation.

**Part Six** shows the five Conditions of the policy.

**Standard Policy:** See NCCI Forms Manual **WC 00 00 00 C**

**Information Page:** See NCCI Forms Manual **WC 00 00 01 A**

**Information Page Notes:** See NCCI Forms Manual **W C 00 00 01 C**

The information page notes found in the NCCI Forms Manual apply in **Delaware**. Non-NCCI member can contact the Bureau for details.

**Workers Compensation and Employers Liability Insurance Policy****WC 00 01 01A****DEFENSE BASE ACT COVERAGE ENDORSEMENT**

This endorsement applies only to the work described in the Schedule or described on the Information Page as subject to the Defense Base Act. The policy applies to that work as though the location included in the description of the work were a state named in item 3.A. of the Information Page.

General Section C. **Workers' Compensation Law** is replaced by the following:

**C. Workers' Compensation Law**

Workers' Compensation Law means the workers or workmen's compensation law and occupational disease law of each state or territory named in Item 3.A. of the Information Page and the Defense Base Act (42 USC Sections 1651-1654). It includes any amendments to those laws that are in effect during the policy period. It does not include any other federal workers or workmen's compensation law, other federal occupational disease law or the provisions of any law that provide nonoccupational disability benefits.

Part Two (Employers Liability Insurance), C. Exclusions., exclusion 8, does not apply to work subject to the Defense Base Act.

**Schedule****Description of Work:**

- Note 1:** The Defense Base Act makes the Longshore and Harbor Workers' Compensation Act apply to contractors performing work at overseas military bases, whether in a territory or possession of the United States or in a foreign country, and to various public works contracts performed outside the continental United States.
- Note 2:** Use this endorsement to provide workers compensation insurance and employer's liability insurance for work subject to the Defense Base Act extension of the Longshore and Harbor Workers' Compensation Act.
- Note 3:** The description of the work includes the location where the work is to be performed.

**Workers Compensation and Employers Liability Insurance Policy**

**WC 00 01 02 B**

**FEDERAL MINE SAFETY AND HEALTH ACT COVERAGE ENDORSEMENT**

This endorsement applies only to work in a state shown in the Schedule and subject to the Federal Mine Safety and Health Act (30 U.S.C. Sections 801et seq. and 901-944). Part One (Workers Compensation Insurance) applies to that work as though that state were shown in item 3.A. of the Information Page.

The definition of workers compensation law includes the Federal Mine Safety and Health Act (30 U.S.C. Sections 801et seq. and 901-944) and any amendment to that law that is in effect during the policy period.

Part One (Workers Compensation Insurance), section A.2., How This Insurance Applies, is replaced by the following:

Bodily injury by disease must be caused or aggravated by the conditions of your employment. The employee's last day of last exposure to the conditions causing or aggravating such bodily injury by disease must occur during the policy period or, when the last exposure occurred prior to July 1, 1973, a claim based on that disease must be first filed against you during the policy period shown in item 2 of the Information Page.

**Schedule**

State

**Note 1:** Use this endorsement when the policy is to cover exposures subject to the Federal Mine Safety and Health Act.

**Note 2:** Federal Black Lung workers compensation insurance is provided in a state (including monopolistic state fund states) by naming the state in the Schedule.

**Note 3:** If this endorsement is used with a policy that does not provide any state workers insurance, the insurer may enter the words "no coverage", or "none", or the equivalent, in item 3.A. of the Information Page.

Workers Compensation and Employers Liability Insurance Policy

WC 00 01 04 A

FEDERAL EMPLOYERS' LIABILITY ACT COVERAGE ENDORSEMENT

This endorsement applies only to work subject to the Federal Employers' Liability Act (45 USC Sections 51-60) and any amendment to that Act that is in effect during the policy period.

**G. Limits of Liability** of Part Two (Employers Liability Insurance) is replaced by the following:

**G. Limits of Liability**

Our liability to pay for damages is limited. Our limits of liability are shown in the Schedule. They apply as explained below:

1. Bodily Injury by Accident. The limit shown for "bodily injury by accident-each accident" is the most we will pay for all damages covered by this insurance because of bodily injury to one or more employees in any one accident.

A disease is not bodily injury by accident unless it results directly for bodily injury by accident.

2. Bodily injury by Disease. The limit shown for "bodily injury by disease-aggregate" is the most we will pay for all damages covered by this insurance because of bodily injury by disease to one or more employees. The limit applies separately to bodily injury by disease arising out of work in each state shown in Item 3.A. of the Information Page or in the Schedule.

Bodily injury by disease does not include disease that results directly from bodily injury by accident

3. We will not pay any claims for damages after we have paid the applicable limit of our liability under this insurance.

If any state is named in Item 2 of the Schedule, Part Two (Employers Liability Insurance) applies in that state to work subject to the Federal Employers' Liability Act as though that state were listed in Item 3.A. of the Information Page. Part One (Workers Compensation Insurance) does not apply in a state shown in the Schedule.

Part Two (Employers Liability Insurance), C. Exclusions. Exclusion 9, does not apply to work subject to the Federal Employer's Liability Act.

Schedule

- |    |                           |                        |
|----|---------------------------|------------------------|
| 1. | Limits of liability       | \$ _____ each accident |
|    | Bodily Injury by Accident | \$ _____ aggregate     |
|    | Bodily Injury by Disease  |                        |

2. State

**Note 1:** The federal Employers Liability Act makes an interstate railroad liable for bodily injuries sustained by an employee. That liability of the railroad is insured by Part Two (Employers Liability Insurance) unless specifically excluded by Federal Employers Liability Act Exclusion.

**Note 2:** Use this endorsement when providing Federal Employers Liability Act coverage under Program I or II of Rule XIII of the Basic Manual.

**Note 3:** Item 2 of the Schedule may be used to extend FELA coverage to a state not listed in item 3.A. of the Information Page.

**Workers Compensation and Employers Liability Insurance Policy**

**WC 00 01 06 A**

**LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT  
COVERAGE ENDORSEMENT**

This endorsement applies only to work subject to the Longshore and Harbor Workers' Compensation Act in a state shown in the Schedule. The policy applies to that work as though that state were listed in item 3.A. of the Information Page.

General Section C. **Workers' Compensation Law** is replaced by the following:

**C. Workers' Compensation Law**

Workers' Compensation Law means the workers or workmen's compensation law and occupational disease law of each state or territory named in Item 3.A. of the Information Page and the Longshore and Harbor Workers' Compensation Act (33 USC Sections 901-950). It includes any amendments to those laws that are in effect during the policy period. It does not include any other federal workers or workmen's compensation law, other federal occupational disease law or the provisions of any law that provide nonoccupational disability benefits.

Part Two (Employers Liability Insurance), C. Exclusions., exclusion 8, does not apply to work subject to the Longshore and Harbor Workers' Compensation Act.

This endorsement does not apply to work subject to the Defense Base Act, the Outer Continental Shelf Lands Act, or the Nonappropriated Fund Instrumentalities Act.

**Schedule**

<u>State</u>	<u>Longshore and Harbor Workers'</u>	<u>Compensation Act Coverage</u> <u>Percentage</u>
--------------	--------------------------------------	---

The rates for classifications with code numbers not followed by the letter "F" are rates for work not ordinarily subject to the Longshore and Harbor Workers' Compensation Act. If this policy covers work under such classifications, and if the work is subject to the Longshore and Harbor Workers' Compensation Act, those non-F classification rates will be increased by the Longshore and Harbor Workers' Compensation Act Coverage Percentage shown in the Schedule.

**Workers Compensation and Employers Liability Insurance Policy****WC 00 01 08 A****NONAPPROPRIATED FUND INSTRUMENTALITIES ACT COVERAGE  
ENDORSEMENT**

This endorsement applies only to the work described in the Schedule or described on the Information Page as subject to the Nonappropriated Fund Instrumentalities Act. The policy applies to that work as though the location shown in the Schedule were a state named in item 3.A. of the Information Page.

General Section C. **Workers' Compensation Law** is replaced by the following:

**C. Workers Compensation Law**

Workers' Compensation Law means the workers or workmen's compensation law and occupational disease law of each state or territory named in Item 3.A. of the Information Page and the Nonappropriated Fund Instrumentalities Act (5 USC Sections 8171-8173). It includes any amendments to those laws that are in effect during the policy period. It does not include any other federal workers or workmen's compensation law, other federal occupational disease law or the provisions of any law that provide nonoccupational disability benefits.

Part Two (Employers Liability Insurance), C. Exclusions., exclusion 8, does not apply to work subject to the Nonappropriated Fund Instrumentalities Act.

**Schedule**

Description and Location of Work:

**Workers Compensation and Employers Liability Insurance Policy****WC 00 02 01B****MARITIME COVERAGE ENDORSEMENT**

This endorsement changes how insurance provided by Part Two (Employers Liability Insurance) applies to bodily injury to a master or member of the crew of any vessel.

A. **How This Insurance Applies** is replaced by the following:

A. **How This Insurance Applies**

This insurance applies to bodily injury by accident or bodily injury by disease. Bodily injury includes resulting death.

1. The bodily injury must arise out of and in the course of the injured employee's employment by you.
2. The employment must be necessary or incidental to work described in item 1 of the Schedule of the Maritime Coverage Endorsement.
3. The bodily injury must occur in the territorial limits of, or in the operation of a vessel sailing directly between the ports of the continental United States of America, Alaska, Hawaii or Canada.
4. Bodily injury by accident must occur during the policy period.
5. Bodily injury by disease must be caused or aggravated by the conditions of your employment. The employee's last day of last exposure to the conditions causing or aggravating such bodily injury by disease must occur during the policy period.
6. If you are sued, the original suit and any related legal actions for damages for bodily injury by accident or by disease must be brought in the United States of America, its territories or possessions, or Canada.

C. **Exclusions** are changed by removing exclusion 10 and by adding exclusions 13 and 14.

This insurance does not cover:

13. Bodily injury covered by a Protection and Indemnity Policy or similar policy issued to you or for your benefit. This exclusion applies even if the other policy does not apply because of another insurance clause, deductible or limitation of liability clause, or any similar clause.
14. Your duty or obligation to provide transportation, wages, maintenance and cure. This exclusion does not apply if a premium entry is shown in item 2 of the Schedule, except that punitive damages related to your duty or obligation to provide transportation, wages, maintenance, and cure under any applicable maritime law are excluded even if a premium is paid for transportation, wages, maintenance, and cure coverage.

D. **We Will Defend** is changed by adding the following statement:

We will treat a suit or other action in rem against a vessel owned or chartered by you as a suit against you.

G. **Limits of Liability**

Our liability to pay for damages is limited. Our limits of liability are shown in the Schedule. They apply as explained below.

1. Bodily Injury by Accident. The limit shown for "bodily injury by accident - each accident" is the most we will pay for all damages covered by this insurance because of bodily injury to one or more employees in any one accident.

A disease is not bodily injury by accident unless it results directly from bodily injury by accident.

Workers Compensation and Employers Liability Insurance Policy

WC 00 02 01B  
(continued)

MARITIME COVERAGE ENDORSEMENT

2. Bodily Injury by Disease. The limit shown for "bodily injury by disease - aggregate" is the most we will pay for all damages covered by this insurance because of bodily injury by disease to one or more employees. The limit applies separately to bodily injury by disease arising out of work in each state shown in Item 3.A. of the Information Page. Bodily injury by disease will be deemed to occur in the state of the vessel's home port.  
Bodily injury by disease does not include disease that results directly from a bodily injury by accident.
3. We will not pay any claims for damages after we have paid the applicable limit of our liability under this insurance.

Schedule

1. Description of work:
2. Transportation, Wages, Maintenance and Cure Premium \$

**Exclusion:** This insurance does not cover punitive damages related to your duty or obligation to provide transportation, wages, maintenance, and cure under any applicable maritime law even if a premium is paid for transportation, wages, maintenance, and cure coverage.

3. Limits of Liability  
Bodily Injury by Accident \$ \_\_\_\_\_ each accident  
Bodily Injury by Disease \$ \_\_\_\_\_ aggregate



**Workers Compensation and Employers Liability Insurance Policy**

**WC 00 02 03**

**VOLUNTARY COMPENSATION MARITIME COVERAGE ENDORSEMENT**

This endorsement adds Voluntary Compensation Maritime Insurance to the policy.

**A. How This Insurance Applies**

This insurance applies to bodily injury by accident or bodily injury by disease. Bodily injury includes resulting death.

1. The bodily injury must be sustained by an employee who is a master or member of the crew of a vessel described in the Schedule.
2. The bodily injury must occur in employment that is necessary or incidental to work described in item 2 of the Schedule.
3. The bodily injury must occur in the territorial limits of, or in the operation of a vessel sailing directly between the ports of, the continental United States of America, Alaska, Hawaii or Canada.
4. Bodily injury by accident must occur during the policy period.
5. Bodily injury by disease must be caused or aggravated by the conditions of your employment. The employees' last day of last exposure to the conditions causing or aggravating such bodily injury by disease must occur during the policy period.

**B. We Will Pay**

We will pay an amount equal to the benefits that would be required of you if you and your employees described in the Schedule were subject to the workers compensation law shown in the Schedule. We will pay those amounts to the persons who would be entitled to them under that law.

**C. Exclusions**

This insurance does not cover:

1. any obligation imposed by a workers compensation or occupational disease law, or any similar law.
2. bodily injury intentionally caused or aggravated by you.

**D. Before We Pay**

Before we pay benefits to the persons entitled to them, they must:

1. Release you and us, in writing, of all responsibility for the injury or death.
2. Transfer to us their right to recover from others who may be responsible for the injury or death.
3. Cooperate with us and do everything necessary to enable us to enforce the right to recover from others.

If the persons entitled to the benefits of this insurance fail to do those things, our duty to pay ends at once. If they claim damages from you or from us for the injury or death, our duty to pay ends at once.

**Workers Compensation and Employers Liability Insurance Policy**

**WC 00 03 11A**

**VOLUNTARY COMPENSATION AND EMPLOYERS LIABILITY  
COVERAGE ENDORSEMENT**

This endorsement adds Voluntary Compensation Insurance to the policy.

**A. How This Insurance Applies**

This insurance applies to bodily injury by accident or bodily injury by disease. Bodily injury includes resulting death.

1. The bodily injury must be sustained by an employee included in the group of employees described in the Schedule.
2. The bodily injury must arise out of and in the course of employment necessary or incidental to work in a state listed in the Schedule.
3. The bodily injury must occur in the United States of America, its territories or possessions or Canada, and may occur elsewhere if the employee is a United States or Canadian citizen temporarily away from those places.
4. Bodily injury by accident must occur during the policy period.
5. Bodily injury by disease must be caused or aggravated by the conditions of your employment. The employee's last day of last exposure to the conditions causing or aggravating such bodily injury by disease must occur during the policy period.

**B. We Will Pay**

We will pay an amount equal to the benefits that would be required of you if you and your employees described in the Schedule were subject to the workers compensation law shown in the Schedule. We will pay those amounts to the persons who would be entitled to them under the law.

**C. Exclusions**

This Insurance does not cover:

1. any obligation imposed by a workers compensation or occupational disease law, or any similar law.
2. bodily injury intentionally caused or aggravated by you.

**D. Before We Pay**

Before we pay benefits to the persons entitled to them, they must:

1. Release you and us, in writing, of all responsibility for the injury or death.
2. Transfer to us their right to recover from others who may be responsible for the injury or death.
3. Cooperate with us and do everything necessary to enable us to enforce the right to recover from others.

**Workers Compensation and Employers Liability Insurance Policy**

**WC 00 03 11A  
(continued)**

**VOLUNTARY COMPENSATION AND EMPLOYERS LIABILITY  
COVERAGE ENDORSEMENT**

If the persons entitled to the benefits of this insurance fail to do those things, our duty to pay ends at once. If they claim damages from you or from us for the injury or death, our duty to pay ends at once.

**E. Recovery From Others**

If we make a recovery from others, we will keep an amount equal to our expenses of recovery and the benefits we paid. We will pay the balance to the persons entitled to it. If the persons entitled to the benefits of this insurance make a recovery from others, they must reimburse us for the benefits we paid them.

**F. Employers Liability Insurance**

Part Two (Employers Liability Insurance) applies to bodily injury covered by this endorsement as though the State of employment shown in the Schedule were shown in item 3.A. of the Information Page.

Schedule

Employees

State of Employment

Designated Workers  
Compensation Law

**Workers Compensation and Employers Liability Insurance Policy**

**WC 00 03 13**

**WAIVER OF OUR RIGHT TO RECOVER FROM OTHERS ENDORSEMENT**

We have the right to recover our payments from anyone liable for an injury covered by this policy. We will not enforce our right against the person or organization named in the Schedule. (This agreement applies only to the extent that you perform work under a written contract that requires you to obtain this agreement from us.)

This agreement shall not operate directly or indirectly to benefit any one not named in the Schedule.

**Schedule**

**Note 1:** Use this endorsement to waive the company's right of subrogation against named third parties who may be responsible for an injury.

**Note 2:** The sentence in ( ) is optional with the company. It limits the endorsement to apply only to specific jobs of the insured, and only to the extent that the insured is required to obtain this waiver.

**Workers Compensation and Employers Liability Insurance Policy**

**WC 00 04 03**

**EXPERIENCE RATING MODIFICATION FACTOR ENDORSEMENT**

The premium for the policy will be adjusted by an experience rating modification factor. The factor was not available when the policy was issued. The factor, if any, shown on the Information Page is an estimate. We will issue an endorsement to show the proper factor, if different from the factor shown, when it is calculated.

**Note 1:** This endorsement may be used if the insured's experience rating modification factor is not available when the policy is issued.

**Note 2:** An appropriate typewritten entry may be made in the Information Page instead of using this endorsement.

**Workers Compensation and Employers Liability Insurance Policy**

**WC 00 04 25**

**EXPERIENCE RATING MODIFICATION FACTOR ENDORSEMENT**

This endorsement is added to Part Five—Premium of the policy.

The premium for the policy is adjusted by an experience rating modification factor. The factor shown on the Information Page may be revised and applied to the policy in accordance with our manuals and endorsements. We will issue an endorsement to show the revised factor, if different from the factor shown, when it is calculated.

**Workers Compensation and Employers Liability Insurance Policy**

**WC 00 04 04**

**PENDING RATE CHANGE ENDORSEMENT**

A rate change filing is being considered by the proper regulatory authority. The filing may result in rates different from the rates shown on the policy. If it does, we will issue an endorsement to show the new rates and their effective date.

If only one state is shown in Item 3.A. of the Information Page, this endorsement applies to that state. If more than one state is shown there, this endorsement applies only in the state shown in the Schedule.

Schedule

State

**Note 1:** Use this endorsement if the rates shown in the policy may change because of a rate filing pending when the policy is issued.

**Note 2:** An appropriate typewritten entry may be made on the Information Page instead of using this endorsement.

Workers Compensation and Employers Liability Insurance Policy

WC 00 04 05

POLICY PERIOD ENDORSEMENT

The policy period shown in item 2 of the Information Page consists of the consecutive periods shown in the Schedule. Our Manuals and all provisions of the policy apply separately to each period.

Schedule

From \_\_\_\_\_ to \_\_\_\_\_ 12:01 A.M.

From \_\_\_\_\_ to \_\_\_\_\_ 12:01 A.M.

From \_\_\_\_\_ to \_\_\_\_\_ 12:01 A.M.

**Note 1:** Use this endorsement if the policy period is longer than one year and sixteen days and does not consist of complete twelve month periods.

**Note 2:** Rule III-C of the Basic Manual requires this endorsement to show which period, the first or the last, is to be less than twelve months.



**Workers Compensation and Employers Liability Insurance Policy**

**WC 00 04 06**

**PREMIUM DISCOUNT ENDORSEMENT**

The premium for this policy and the policies, if any, listed in item 3 of the Schedule may be eligible for a discount. This endorsement shows your estimated discount in item 1 or 2 of the Schedule. The Final calculation of premium discount will be determined by our manuals and your premium basis as determined by audit. Premium subject to retrospective rating is not subject to premium discount.

Schedule

1. **State** **Estimated Eligible Premium**

First \$5,000	Next \$95,000	Next \$400,000	Balance
2. Average percent discount: \_\_\_\_\_ %
3. Other policies:
4. If there are no entries in items 1, 2 and 3 of the Schedule see the Premium Discount Endorsement attached to your policy number:

- Note 1:** Use this endorsement to show the application of Manual Rule VII, Premium Discount, or to identify the insured's policy which shows the application of the Discount Rule.
- Note 2:** Do not make entries in items 1, 2 or 3 if a policy number is to be shown in item 4.
- Note 3:** The company has the option of replacing item 1 with the appropriate Table in use by the company.
- Note 4:** Item 2 may be used if all eligible premiums are developed in one or more states using the same discount.
- Note 5:** Item 3 is available to list all policies that are combined under the Discount Rule.
- Note 6:** Use item 4 if premium discount is shown on another policy issued to the insured.

Workers Compensation and Employers Liability Insurance Policy

WC 00 04 07

Rate Change Endorsement

Rate changes that apply to the policy have been approved by the proper regulatory authority. The changes are shown in the Schedule.

Schedule			
State	Date of Change	State Coverage % Change	Longshore and Harbor Workers Act Coverage %

- Note 1:** Use this endorsement to show a change in rates for state coverage.
- Note 2:** Use the first and second columns to show the state and effective date of the change.
- Note 3:** Use the third column if the change is a flat percentage applicable to all classifications.
- Note 4:** Use the fourth Column to show the new percentage, if any, applicable to non-F classifications for work subject to the Longshore and Harbor Workers Compensation Act.
- Note 5:** The company may show a fifth column (Classification Code Number and Rate) in order to show the change on a Schedule of Rate basis.

**Workers Compensation and Employers Liability Insurance Policy**

**WC 00 03 08**

**PARTNERS, OFFICERS AND OTHERS EXCLUSION ENDORSEMENT**

The policy does not cover bodily injury to any person described in the Schedule.

The premium basis for the policy does not include the remuneration of such persons.

You will reimburse us for any payment we must make because of bodily injury to such persons.

Schedule

Partners

Officers

Others

**Notes**

1. Use this endorsement in a state where an individual has elected pursuant to the workers compensation law not to be covered by the law and to exclude employer's liability coverage where the insured is statutorily exempt from workers compensation coverage.
2. Individuals may be designated in this endorsement only when it is proper to do so under the workers compensation law. Individuals may be designated by naming them or by describing them, as, for example:
  - a. all partners;
  - b. all executive officers except the president;
  - c. each person named in Item 4 of the information Page.

**Workers Compensation and Employers Liability Insurance Policy**

**WC 00 03 10**

**SOLE PROPRIETORS, PARTNERS, OFFICERS  
AND OTHERS COVERAGE ENDORSEMENT**

An election was made by on behalf of each person described in the Schedule to be subject to the workers compensation law of the state named in the Schedule. The premium basis for the policy includes the remuneration on such persons.

Schedule

**Persons**

Sole Proprietor:

Partners:

Officers:

Others:

**State**

**Notes:**

1. Individuals may be designated in this endorsement only when it is proper to do so under the workers compensation law. Individuals may be designated by naming them or by describing them, as, for example:
  - a. all partners;
  - b. all executive officers except the president;
  - c. each person named in Item 4 of the Information Page.

**Workers Compensation and Employers Liability Insurance Policy****WC 07 04 01****DEDUCTIBLE ENDORSEMENT — DELAWARE**

In consideration of the reduced premium charged for this policy, the insurance afforded by the policy for death benefits and for medical benefits payable under the Delaware Workers Compensation Law applied only to death and medical reimbursement benefits in excess of the deductible amount shown below. The deductible shall apply separately to each accident, regardless of the number of people who sustain injury by such accident.

The company shall pay the deductible amount to the persons entitled thereto. Upon notice of payments by the company, the insured will promptly reimburse the company for any amounts so paid. Failure of the insured to reimburse the company, within 30 days of statement mailing date, may result in coverage being canceled pro rata upon ten (10) days written notice and any resulting return premium may be applied to the deductible amount due.

The deductible amount is for each occurrence.

The premium is reduced            % in consideration of this deductible.

**Note 1:** Use this Endorsement with the standard policy to provide a death and medical benefits deductible selected in accordance with 19. Del. C. §2372

**Note 2:** The company may use its own attachment clause and method of execution.

**Workers Compensation and Employers Liability Insurance Policy**

**WC 00 03 05**

**JOINT VENTURE AS INSURED ENDORSEMENT**

If the employer named in Item 1 of the Information Page is a joint venture, and if you are one of its members, you are insured, but only in your capacity as an employer of the joint venture's employees.

**Note 1:** Use this endorsement to insure the members of a joint venture named in Item 1 of the Information Page.

**Workers Compensation and Employers Liability Insurance Policy**

**WC 00 03 02**

**Designated Workplaces Exclusion Endorsement**

The policy does not cover work conducted at or from \_\_\_\_\_

**Notes:**

1. Use this endorsement to exclude designated workplaces only when it is proper to do so under the workers compensation law. The use of this endorsement is also limited by Note 2.
2. Use the blank space in the endorsement to carefully describe the work or workplace to be excluded.
  - a. Example excluding an office address:  
(Street, City, State)
  - b. Example excluding a construction site:  
"or in connection with the construction of..." (describe the project, location, contract, etc.)
  - c. Example covering a location and excluding all others within a state:  
"any place in the State of except (Street, City)."
  - d. Example excluding work insured by another policy:  
"any workplace covered by insurance policy number issued by Blank Insurance Company."

**Workers Compensation and Employers Liability Insurance Policy**

**WC 07 03 03**

**AMENDATORY ENDORSEMENT – FARMING OPERATION – DELAWARE**

It is agreed that such insurance as is afforded by the policy by reason of the designation of Delaware in Items 3-A of the Information Page does not apply to injury, including death resulting therefrom, sustained by the wife or any minor child of the insured, if a farm employer, unless such wife or minor child is a bona fide employee of the insured and is named below.

It is further agreed that "remuneration," when used as a premium basis for such insurance, shall not include the remuneration of such wife or child not so named.

Name of Wife

Names of Minor Children

**Note 1:** To be attached to the standard provisions policy affording coverage under the Delaware Workmen's Compensation Law to an individual who is engaged in farming operations in Delaware.

**Note 2:** The company may use its own attachment clause and method of execution.



## Workers Compensation and Employers Liability Insurance Policy

WC 89 06 00A

## POLICY INFORMATION PAGE ENDORSEMENT

The following item(s)

- |   |   |
|---|---|
| <input type="checkbox"/> Insured's Name (WC 89 06 01)                 | <input type="checkbox"/> Item 3.A. States (WC 89 06 11)                       |
| <input type="checkbox"/> Policy Number (WC 89 06 02)                  | <input type="checkbox"/> Item 3.B. Limits (WC 89 06 12)                       |
| <input type="checkbox"/> Effective Date (WC 89 06 03)                 | <input type="checkbox"/> Item 3.C. States (WC 89 06 13)                       |
| <input type="checkbox"/> Expiration Date (WC 89 06 04)                | <input type="checkbox"/> Item 3. D. Endorsement Numbers (WC 89 06 14)         |
| <input type="checkbox"/> Insured's Mailing Address (WC 89 06 05)      | <input type="checkbox"/> Item 4.* Class, Rate, Other (WC 89 04 15)            |
| <input type="checkbox"/> Experience Modification (WC 89 04 06)        | <input type="checkbox"/> Interim Adjustment of Premium (WC 89 04 16)          |
| <input type="checkbox"/> Producer's Name (WC 89 06 07)                | <input type="checkbox"/> Carrier Servicing Office (WC 89 06 17)               |
| <input type="checkbox"/> Change in Workplace of Insured (WC 89 06 08) | <input type="checkbox"/> Interstate/Intrastate Risk I.D. Number (WC 89 06 18) |
| <input type="checkbox"/> Insured's Legal Status (WC 89 06 10)         | <input type="checkbox"/> Carrier Number (WC 89 06 19)                         |

Is changed to read:

\* Item 4. Change To:

Classifications	Code No.	Premium Basis Total Estimated Annual Remuneration	Rate Per \$100 of Remuneration	Estimated Annual Premium

Total Estimated Annual Premium \$

Minimum Premium \$

Deposit Premium \$

All other terms and conditions of this policy remain unchanged.

**Notes:**

1. This endorsement may be used in its present form by placing an X in the applicable block(s), or only the one or more applicable items may be shown.
2. This endorsement may be used in its present form by placing an X in the applicable block(s), or only the one or more applicable items may be shown.
3. The Bureau copy must show the exact title and "W C 89 – –" number for each applicable transaction, e.g., Insured's Name W C 89 06 01.
4. Modification factor changes (W C 89 04 06) or rate changes (W C 89 04 15) do not require premium entries in the Item 4. change section.
5. Make appropriate entries to reflect applicable changes in item 4.
6. This endorsement must not be used for item 4. changes where standard endorsements are available to accomplish the intended purpose, e.g., WC 00 04 07.
7. This endorsement must contain an attachment clause which identifies the company, insured, policy number and effective date of the endorsement.
8. Any premium item changes not specifically identified in the endorsement, e.g., premium for increased limits – Item 3.B., should be inserted and identified in the item 4. section.

Note: Retro Prem. Multiple Lines Endorsement no longer contained within this manual. See NCCI forms manual. Remaining pages renumbered.

**Workers Compensation and Employers Liability Insurance Policy****WC 07 04 09****Premium Determination Endorsement – Former Self-Insurers 1**

- 1.) This endorsement is added to Part 5 (Premium). It determines the premium you will pay for the insurance afforded by this policy with respect to operations in each of the states listed below.
- 2.) The premium for this policy is the sum of:
  - a) the total premium determined by all provisions of this policy;
  - b) the insurance charge; and
  - c) the rating plan losses which are paid from the rating plan deposit.
- 3.) "State standard premium" is the premium, before applying any discounts, for the insurance for each state listed below, as determined by all provisions of the policy other than this endorsement.
- 4.) "Total standard premium" is the sum of the standard premiums.
- 5.) "Insurance charge" is an amount equal to 10% of the total standard premium. It is payable in advance, cannot be refunded to you and is calculated on the basis of the higher of either the average of the last three years' audited payrolls or the last complete year's payroll. Payrolls will be determined consistent with Basic Manual Rules.
- 6.) "Rating plan deposit" is an amount equal to 50% of the total standard premium. It is payable in advance and is calculated on the basis of the higher of either the average of the last three years' audited payrolls or the last complete year's payroll. Payrolls will be determined consistent with Basic Manual Rules.

The rating plan deposit will be posted by you in the form of an irrevocable letter of credit or deposited by you in a trusted account. The form of the letter or the account, and the financial institution with whom the account is held, must be acceptable to us.

We will use the rating plan deposit to pay rating plan losses. Any unused portion of the rating plan deposit will be returned to you no sooner than thirty months after this endorsement is terminated.

- 7.) "Rating plan losses" are incurred losses in excess of the sum of the permissible losses for each state. The permissible losses for each state are determined by multiplying the expected loss ratio by the standard premium for each state. The expected loss ratio is the percentage shown for each state below.

We will calculate rating plan losses upon incurred losses valued as of dates to be determined by the company, but not less frequently than six months after the end of the policy and annually thereafter. The calculations will continue until: a) all claims have been closed; b) it is apparent that the rating plan losses will exceed the rating plan deposit; or c) you and we agree that all incurred losses are final.

- 8.) Incurred losses are the sum of:
  - a) all amounts we pay for losses, including medical;
  - b) reserves we estimate for unpaid losses;
  - c) interest on a judgment as required by law;
  - d) Employers' Liability allocated loss adjustment expenses; and
  - e) expenses incurred in recovering against a third party.
- 9.) If either you or we cancel this policy:
  - a) the insurance charge and rating plan deposit will be based upon the total standard premium the policy would have earned if the policy had not been cancelled;
  - b) the insurance charge will be fully earned and retained by us; and
  - c) the rating plan deposit will remain available to us as provided by this endorsement.

Workers Compensation and Employers Liability Insurance Policy

WC 07 04 09  
(continued)

Premium Determination Endorsement – Former Self-Insurers 1

STATE

LIST OF STATES

EXPECTED LOSS RATIO

**Notes:**

1. This endorsement must be used when insuring employers for exposure which were self-insured within twelve months prior to the application for initial coverage or which were subject to this endorsement on the employer's expiring policy. It applies to assigned risk business only.
2. This endorsement may be used:
  - a) if the employer is involved in coal mine operations;
  - b) if the employer is a self-rated risk, as determined by the applicable workers compensation insurance rating organization's filed experience rating plan;
  - c) on a policy subject to retrospective rating; or
  - d) for more than three consecutive years for the same employer.
3. An employer's newly commenced operations in a state listed above are subject to this endorsement.
4. The company shall audit an insured's operations upon receipt of notice from the Administrative Office and prior to binding coverage.
5. The company may use its own attachment clause and method of execution.

## Workers Compensation and Employers Liability Insurance Policy

WC 00 03 01A

### ALTERNATE EMPLOYER ENDORSEMENT

This endorsement applies only with respect to bodily injury to your employees while in the course of special or temporary employment by the alternate employer in the state named in Item 2 of the Schedule. Part One (Workers Compensation Insurance) and Part Two (Employers Liability Insurance) will apply as though the alternate employer is insured. If an entry is shown in Item 3 of the Schedule the insurance afforded by this endorsement applies only to work you perform under the contract or at the project named in the Schedule.

Under Part One (Workers Compensation Insurance) we will reimburse the alternate employer for the benefits required by the workers compensation law if we are not permitted to pay the benefits directly to the persons entitled to them.

The insurance afforded by this endorsement is not intended to satisfy the alternate employer's duty to secure its obligations under the workers compensation law. We will not file evidence of this insurance on behalf of the alternate employer with any government agency.

We will not ask any other insurer of the alternate employer to share with us a loss covered by this endorsement.

Premium will be charged for your employees while in the course of special or temporary employment by the alternate employer.

The policy may be canceled according to its terms without sending notice to the alternate employer.

Part Four (Your Duties If Injury Occurs) applies to you and the alternate employer. The alternate employer will recognize our right to defend under Parts One and Two and our right to inspect under Part Six.

#### Schedule

1. Alternate Employer Address
2. State of Special or Temporary Employment
3. Contract or Project

This endorsement changes the policy to which it is attached and is effective on the date issued unless otherwise stated.

**(The information below is required only when this endorsement is issued subsequently to preparation of the policy.)**

Endorsement Effective	Policy No.	Endorsement No.
Insured		Premium

Insurance Company

Countersigned by \_\_\_\_\_

**Workers Compensation and Employers Liability Insurance Policy**

**WC 00 03 15**

**DOMESTIC AND AGRICULTURAL WORKERS EXCLUSION ENDORSEMENT**

The policy does not cover bodily injury to any person described in the Schedule.

The premium basis for the policy does not include the remuneration of such persons.

You will reimburse us for any payment we are required to make because of bodily injury to such persons.

Schedule

Farm or Agricultural Workers:

Domestic or Household Workers:

**Notes:**

1. Use this endorsement in a state where the insured has elected pursuant to the workers compensation law not to be responsible for providing benefits for farm or agricultural workers and employees and to exclude employer's liability coverage where the insured is statutorily exempt from workers compensation coverage.
2. Use this endorsement in a state where the insured has elected pursuant to the workers compensation law not to be responsible for providing benefits for domestic or household workers and to exclude employer's liability coverage where the insured is statutorily exempt from workers compensation coverage.
3. Use this endorsement in Connecticut only when the insured is not responsible for providing benefits for domestic or household workers and does not elect pursuant to the workers compensation law to provide such benefits. (Sections 31-275(5) (D), (6) (A) of the Connecticut Workers Compensation Law.)
4. Individuals may be designated by naming them or by describing them, for example:
  - a) all farm or agricultural workers.
  - b) all domestic or household workers.

**Workers Compensation and Employers Liability Insurance Policy**

**WC 00 03 03 C**

**EMPLOYERS LIABILITY COVERAGE ENDORSEMENT**

This endorsement applies only to work in the states shown in the Schedule.

- A. Part One (Workers Compensation Insurance) does not apply to work in the state shown in the Schedule.
- B. Part Two (Employers Liability Insurance) applies to work in states shown in the Schedule as though they were shown in Item 3.A. of the Information Page.
- C. Part Two (Employers Liability Insurance), C. Exclusions is changed by adding these exclusions.

This insurance does not cover:

- D. Bodily injury to an employee when you are deprived of common law defenses or are subject to penalty because of your failure to secure your obligations under the workers compensation law of any state shown in the Schedule or otherwise fail to comply with that law.

Schedule

States

This endorsement changes the policy to which it is attached and is effective on the date issued unless otherwise stated.

**(The information below is required only when this endorsement is issued subsequently to preparation of the policy.)**

Endorsement Effective	Policy No.	Endorsement No.
Insured		Premium \$

Insurance Company

Countersigned by\_\_\_\_\_

**Workers Compensation and Employers Liability Insurance Policy**

**WC 07 06 01**

**DELAWARE NONRENEWAL ENDORSEMENT**

We may elect not to renew the policy. By certified mail we will mail to you, not less than 60 days advance written notice, when the nonrenewal will take effect. Mailing that notice to you at your mailing address, shown in Item 1 of the Information Page, will be sufficient to prove notice.

**Notes:**

1. This endorsement must be attached to a policy showing Delaware in Item 3A of the Information Page.
2. Nonrenewal of the workers compensation and employers liability insurance policy is regulated by House Bill 403.

**Workers Compensation and Employers Liability Insurance Policy**

**WC 07 04 02**

**DELAWARE CONSTRUCTION CLASSIFICATION PREMIUM ADJUSTMENT ENDORSEMENT**

The premium for the policy may be adjusted by a Delaware Construction Classification Premium Adjustment Factor. The factor was not available when the policy was issued. If you qualify, we will issue an endorsement to show the Premium Adjustment Factor after it is calculated.

**Notes:**

1. This endorsement may be used when an insured's Premium Adjustment Factor is not available when the policy is issued.
2. An appropriate typewritten entry may be made on the policy instead of using this endorsement.



**Workers Compensation and Employers Liability Insurance Policy**

**WC 00 01 09 C**

**OUTER CONTINENTAL SHELF LANDS ACT COVERAGE ENDORSEMENT**

This endorsement applies only to the work described in Item 4 of the Information Page or in the Schedule as subject to the Outer Continental Shelf Lands Act. The policy will apply to that work as though the location shown in the Schedule were a state named in Item 3.A. of the Information Page.

General Section C. **Workers Compensation Law** is replaced by the following:

**C. Workers Compensation Law**

Workers' Compensation Law means the workers or workmen's compensation law and occupational disease law of each state or territory named in Item 3.A. of the Information Page and the Outer Continental Shelf Lands Act (43 U.S.C. sections 1331et seq.). It includes any amendments to those laws that are in effect during the policy period. It does not include any other federal workers or workmen's compensation law, other federal occupational disease law or the provisions of any law that provide non-occupational disability benefits.

Part Two (Employers Liability Insurance), C. Exclusions., exclusion 8, does not apply to work subject to the Outer Continental Shelf Lands Act.

**Schedule**

Description and Location of Work

**Workers Compensation and Employers Liability Insurance Policy**

**WC 07 04 08**

**DELAWARE MERIT RATING PLAN ENDORSEMENT**

This endorsement applies to the insurance provided by this policy because Delaware is shown in Item 3.A of the Information page.

The premium for this insurance may be subject to merit rating plan adjustment because your premium may be less than the amount necessary to be eligible for the Uniform Experience Rating Plan.

The following premium discount or surcharge will be applied to your manual premium based on your claims during the most recent three year period for which statistics are available.

1. A 5% credit (discount) will be applied if you had no compensable employee lost-time injuries – **Statistical Code 9885.**
2. No credit or debit will be applied if you had one (1) compensable employee lost-time injury - **Statistical Code 9884.**
3. A 5% debit (surcharge) will be applied if you had two (2) or more compensable employee lost-time injuries - **Statistical Code 9886.**

**Notes:**

1. This endorsement must be attached to a policy showing Delaware in Item 3.A of the Information Page.
2. Show any merit rating discount or surcharges in Item 4 of the Information Page.

**Workers Compensation and Employers Liability Insurance Policy**

**WC 00 03 26A**

**RESIDUAL MARKET LIMITED OTHER STATES INSURANCE ENDORSEMENT**

"Part Three - Other States Insurance" of the policy is replaced by the following:

**PART THREE OTHER STATES INSURANCE**

**A. How This Insurance Applies**

1. We will pay promptly when due the benefits required of you by the workers compensation law of any state not listed in Item 3.A. of the Information Page if all of the following conditions are met:
  - a. The employee claiming benefits was either hired under a contract of employment made in a state listed in Item 3.A. of the Information Page or was, at the time of injury principally employed in a state listed in Item 3.A. of the Information Page; and
  - b. The employee claiming benefits is not claiming benefits in a state where, at the time of injury, (i) you have other workers compensation insurance coverage, or (ii) you were, by virtue of the nature of your operations in that state, required by that state's law to have obtained separate workers compensation insurance coverage, or (iii) you are an authorized self-insurer or participant in a self-insured group plan; and
  - c. The duration of the work being performed by the employee claiming benefits in the state for which that employee is claiming benefits is temporary.
2. If we are not permitted to pay the benefits directly to persons entitled to them and all of the above conditions are met, we will reimburse you for the benefits required to be paid.
3. This insurance does not apply to fines or penalties arising out of your failure to comply with the requirements of the workers compensation law.

**IMPORTANT NOTICE!**

**If you hire any employees outside those states listed in Item 3.A. on the Information Page or begin operations in any such state, you should do whatever may be required under that state's law, as this endorsement does not satisfy the requirements of that state's workers compensation law.**

**AGREEMENT BY EXECUTIVE OFFICER(S)/LLC MEMBER(S) NOT TO BE SUBJECT TO THE DELAWARE WORKERS' COMPENSATION LAW**

Executive officers of corporations and members of Limited Liability Companies (LLCs) are covered under the Delaware Workers' Compensation Law. However, up to eight (8) executive officers who are stockholders of a corporation or up to four (4) members of an LLC may elect not to be subject to Delaware Workers' Compensation Law by completing this agreement with their corporation/LLC. **SPECIAL NOTE:** - CONSTRUCTION corporations/ LLCs subject to Title 30, Chapter 25 of the Delaware Code may elect to exclude up to four (4) executive officers who are stockholders of a corporation or up to four (4) members of an LLC. Executive Officers are the president, any vice president, secretary, treasurer or any other executive officer(s) elected by the board of directors in accordance with the charter and the regularly adopted by-laws of the corporation. This Executive Officer/LLC member Exclusion Procedure must be repeated each time a corporation/LLC wishes to change the status of any executive officer/LLC member and/or secures coverage from a different carrier group.

Name of business \_\_\_\_\_

Address of business \_\_\_\_\_

Street/Road/PO Box \_\_\_\_\_ Town/City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Federal Employer Identification Number \_\_\_\_\_

--	--	--	--	--	--	--	--	--

Business has employee(s) (other than those listed below) - please check here \_\_\_\_\_Business does not have employee(s) (other than those listed below) - please check here \_\_\_\_\_**Please check type of business**

- ☐ **Corporation** Not Subject to Title 30, Chapter 25 (non construction) – *Maximum 8 exclusions*  
☐ **Corporation** Subject to Title 30, Chapter 25 (construction) – *Maximum 4 exclusions*  
☐ **Limited Liability Company (LLC)** – *Maximum 4 exclusions*

Signature of Representative of Corporation or LLC \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

Named below are the executive officer(s)/LLC member(s) electing not to be subject to the Delaware Workers Compensation Law:

NAME(s)

MEMBER

STOCKHOLDER

(Print name)

TITLE

OFFICER(S) SIGNATURE

YES/NO

DATE



**IMPORTANT:** If you have workers compensation insurance, you must submit the original of this completed form to your insurance carrier, together (in the case of a corporation) with the shareholders resolution(s), shareholders agreement(s), and/or shareholders written consent(s) evidencing the executive officer status of the electing executive officer(s), or together (in the case of an LLC) with the operating agreement and/or certificate of formation evidencing the member status of the electing member(s). If you are a subcontractor, you must also provide a copy of the same documents to each general contractor by whom you are hired.

**Workers Compensation and Employers Liability Insurance Policy**

**WC 00 03 04**

**INSURANCE COMPANY AS INSURED ENDORSEMENT**

The policy does not cover your obligations as a workers compensation reinsurer or insurer of other employers.

Note1: Use this endorsement if the insured is licensed to write workers compensation insurance or reinsurance.

**Workers Compensation and Employers Liability Insurance Policy**

**WC 00 03 09**

**RURAL ELECTRIFICATION ADMINISTRATION ENDORSEMENT**

1. We will submit our policy and endorsement forms to the Rural Electrification Agency prior to using them.
2. We will mail to the Rural Electrification Agency at least ten days advance notice of the termination of the policy.
3. If you are immune from tort liability, we will not use that immunity as a defense unless you so request us. You agree that waiving the defense of immunity will not make us liable for any payment in excess of the limits of liability stated in the policy.

Note 1: Use this endorsement if the insured is a rural electrification cooperative and this endorsement is required by the R.E.A.

**Workers Compensation and Employers Liability Insurance Policy**

**WC 00 04 19**

**PREMIUM DUE DATE ENDORSEMENT**

Section D of Part Five of the policy is replaced by this provision:

**PART FIVE  
PREMIUM**

D. Premium is amended to read:

You will pay all premium when due. You will pay the premium even if part or all of a workers compensation law is not valid. The due date for audit and retrospective premiums is the date of the billing.

**WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE POLICY**

**WC 00 04 21 E**

**CATASTROPHE (OTHER THAN CERTIFIED ACTS OF TERRORISM) PREMIUM ENDORSEMENT**

This endorsement is notification that your insurance carrier is charging premium to cover the losses that may occur in the event of a Catastrophe (Other Than Certified Acts of Terrorism) as that term is defined below. Your policy provides coverage for workers compensation losses caused by a Catastrophe (Other Than Certified Acts of Terrorism). This premium charge does not provide funding for Certified Acts of Terrorism contemplated under the Terrorism Risk Insurance Program Reauthorization Act Disclosure Endorsement (W C 00 04 22 C), attached to this policy.

For purposes of this endorsement, the following definitions apply:

- Catastrophe (Other Than Certified Acts of Terrorism): Any single event, resulting from an Earthquake, Noncertified Act of Terrorism, or Catastrophic Industrial Accident, which results in aggregate workers compensation losses in excess of \$50 million.
- Earthquake: The shaking and vibration at the surface of the earth resulting from underground movement along a fault plane or from volcanic activity.
- Noncertified Act of Terrorism: An event that is not certified as an Act of Terrorism by the Secretary of the Treasury pursuant to the Terrorism Risk Insurance Act of 2002 (as amended) but that meets all of the following criteria:
  - a. It is an act that is violent or dangerous to human life, property, or infrastructure;
  - b. The act results in damage within the United States, or outside of the United States in the case of the premises of United States missions or air carriers or vessels as those terms are defined in the Terrorism Risk Insurance Act of 2002 (as amended); and
  - c. It is an act that has been committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.
- Catastrophic Industrial Accident: A chemical release, large explosion, or small blast that is localized in nature and affects workers in a small perimeter the size of a building.

The premium charge for the coverage your policy provides for workers compensation losses caused by a Catastrophe (Other Than Certified Acts of Terrorism) is shown in Item 4 of the Information Page or in the Schedule below:

Schedule		
State	Rate	Premium



**WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE POLICY**

WC 00 04 22 C

**TERRORISM RISK INSURANCE PROGRAM REAUTHORIZATION ACT DISCLOSURE ENDORSEMENT**

This endorsement addresses the requirements of the Terrorism Risk Insurance Act of 2002 as amended and extended by the Terrorism Risk Insurance Program Reauthorization Act of 2019. It serves to notify you of certain limitations under the Act, and that your insurance carrier is charging premium for losses that may occur in the event of an Act of Terrorism.

Your policy provides coverage for workers compensation losses caused by Acts of Terrorism, including workers compensation benefit obligations dictated by state law. Coverage for such losses is still subject to all terms, definitions, exclusions, and conditions in your policy, and any applicable federal and/or state laws, rules, or regulations.

**Definitions**

The definitions provided in this endorsement are based on and have the same meaning as the definitions in the Act. If words or phrases not defined in this endorsement are defined in the Act, the definitions in the Act will apply.

"Act" means the Terrorism Risk Insurance Act of 2002, which took effect on November 26, 2002, and any amendments thereto, including any amendments resulting from the Terrorism Risk Insurance Program Reauthorization Act of 2019.

"Act of Terrorism" means any act that is certified by the Secretary of the Treasury, in consultation with the Secretary of Homeland Security, and the Attorney General of the United States as meeting all of the following requirements:

- a. The act is an act of terrorism.
- b. The act is violent or dangerous to human life, property or infrastructure.
- c. The act resulted in damage within the United States, or outside of the United States in the case of the premises of United States missions or certain air carriers or vessels.
- d. The act has been committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

"Insured Loss" means any loss resulting from an act of terrorism (and, except for Pennsylvania, including an act of war, in the case of workers compensation) that is covered by primary or excess property and casualty insurance issued by an insurer if the loss occurs in the United States or at the premises of United States missions or to certain air carriers or vessels.

"Insurer Deductible" means, for the period beginning January 1, 2021 and ending on December 31, 2027, an amount equal to 20% of our direct earned premiums, during the immediately preceding calendar year.

**Limitation of Liability**

The Act limits our liability to you under this policy. If aggregate Insured Losses exceed \$100,000,000,000 in a calendar year and if we have met our Insurer Deductible, we are not liable for the payment of any portion of the amount of Insured Losses that exceeds \$100,000,000,000; and for aggregate Insured Losses up to \$100,000,000,000, we will pay only a pro rata share of such Insured Losses as determined by the Secretary of the Treasury.

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WC 00 04 22 C  
(continued)

TERRORISM RISK INSURANCE PROGRAM REAUTHORIZATION ACT DISCLOSURE ENDORSEMENT

Policyholder Disclosure Notice

- 1. Insured Losses would be partially reimbursed by the United States Government. If the aggregate industry Insured Losses occurring in any calendar year exceed \$200,000,000 the United States Government would pay 80% of our Insured Losses that exceed our Insurer Deductible:
- 2. Notwithstanding item 1 above, the United States Government will not make any payment under the Act for any portion of Insured Losses that exceed \$100,000,000,000.
- 3. Notwithstanding item 1 above, the United States Government will not make any payment under the Act for any portion of Insured Losses that exceed \$100,000,000,000.

Schedule		
State	Rate	Premium

**Workers Compensation and Employers Liability Insurance Policy**

**WC 00 04 24**

**AUDIT NONCOMPLIANCE CHARGE ENDORSEMENT**

Part Five – Premium, Section G. (Audit) of the Workers Compensation and Employers Liability Insurance Policy is revised by adding the following:

If you do not allow us to examine and audit all of your records that relate to this policy, and/or do not provide audit information as requested, we may apply an Audit Noncompliance Charge. The method for determining the Audit Noncompliance Charge by state, where applicable, is shown in the Schedule below.

If you allow us to examine and audit all of your records after we have applied an Audit Noncompliance Charge, we will revise your premium in accordance with our manuals and Part 5 – Premium, E. (Final Premium) of this policy.

Failure to cooperate with this policy provision may result in the cancellation of your insurance coverage as specified under the policy.

Schedule		
State(s)	Basis of Audit Noncompliance Charge	Maximum Audit Noncompliance Charge Multiplier
<p><b>Note 1:</b> For coverage under state-approved workers compensation assigned risk plans, failure to cooperate with this policy provision may affect your eligibility for coverage.</p> <p><b>Note 2:</b> The Audit Noncompliance Charge Endorsement must be attached to the policy at inception of the policy term being audited.</p>		

**WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE POLICY**

**WC 00 04 14 A**

**90-DAY REPORTING REQUIREMENT –NOTIFICATION OF CHANGE IN OWNERSHIP ENDORSEMENT**

You must report any change in ownership to us in writing within 90 days of the date of the change. Change in ownership includes sales, purchases, other transfers, mergers, consolidations, dissolutions, formations of a new entity, and other changes provided for in the applicable experience rating plan. Experience rating is mandatory for all eligible insureds. The experience rating modification factor, if any, applicable to this policy, may change if there is a change in your ownership or in that of one or more of the entities eligible to be combined with you for experience rating purposes.

Failure to report any change in ownership, regardless of whether the change is reported within 90 days of such change, may result in revision of the experience rating modification factor used to determine your premium.

This reporting requirement applies regardless of whether an experience rating modification is currently applicable to this policy.

**SECTION 4 -  
RULES AND PROCEDURE GOVERNING THE APPLICATION OF THE RETROSPECTIVE  
RATING PLANS - DELAWARE**

**PART ONE  
DESCRIPTION OF THE PLAN**

**I. INTRODUCTION**

The rules contained in this manual apply only to Workers Compensation and Employers Liability Insurance when written either alone or in combination with other commercial casualty insurance. Refer to the Retrospective Rating Plan issued by the Insurance Services Office for rules that govern the other commercial casualty insurance.

**A. GENERAL EXPLANATIONS**

**1. PLAN IS OPTIONAL**

The application of this Plan is optional and may be used only upon election by the insured and acceptance by the insurance carrier.

**2. OBJECT OF THE PLAN**

This plan adjusts the premium for the insurance to which it applies on the basis of losses incurred during the period covered by that insurance. The intent is to charge a premium which reflects those losses. Within the principle of insurance, retrospective rating establishes the reasonable cost of insurance by using losses incurred during the term of that insurance and adding the insurance carrier's expenses and the taxes on premiums.

**3. LOSS CONTROL INCENTIVE IN USE OF THE PLAN**

The Plan provides an incentive to the insured to control and reduce losses because the retrospective premium will be the result of losses during the rating period. To the extent that the insured controls losses, there is a reward through lower premiums. The Plan also dispels any concerns the insured may have that its premium depends mostly upon losses incurred by other risks because the greatest part of the retrospective premium is used to pay for the insured's own losses.

**4. COST-PLUS FEATURE OF THE PLAN**

The cost-plus characteristics of this plan exist because the retrospective premium for a rating period is based on the incurred losses during that period, so that it is in the nature of a dollar for dollar cost method. Premium under the Plan is the direct result of such incurred losses because the Plan reflects the cost of losses plus the insurance carrier's expenses in providing the insurance.

**5. EXPERIENCE RATING PLAN MANUAL**

Retrospective rating is an independent option and it is not a substitute for experience rating. Retrospective rating is superimposed upon the premium resulting from experience rating.

**6. RISKS NOT SUBJECT TO EXPERIENCE RATING**

For risks not subject to experience rating, retrospective rating premium is based on the premium determined by application of Manual or other authorized rates.

**7. RISKS OPERATING IN MORE THAN ONE STATE**

This Plan may be applied on an intrastate or interstate basis.

## **8. PREMIUM DISCOUNT**

Any standard premium under this Plan is not subject to the premium discount provided in Rule VII of the Basic Manual for Workers Compensation and Employers Liability Insurance. The reason is that premium discount recognizes variations in issuing and servicing expenses whereas retrospective rating incorporates those elements by means of the factors used to compute premium under this Plan.

## **9. SCHEDULE (Y) AND SCHEDULE (X) EXPENSE RATIO TABLES**

The Plan includes tables of expense ratio to be used by each company in accordance with the expense table adopted by the company. They are in Part Four. Such tables are required only for Rating Option V described in Part Two-II-"Retrospective Rating Options". The purpose of the Schedule (Y) and Schedule (X) expense tables is to indicate the amount of premium for company expenses, profit or contingencies, but not taxes. The total amount for such expense is determined by multiplying the standard premium of the risk by the factor for that size premium in the Table of Expense Ratios.

**NOTE:** Schedule (Y) and Schedule (X) expense ratio tables are often referred to as representing the stock and non-stock systems of company expenses respectively.

## **10. INCREASED LIMITS FOR EMPLOYERS LIABILITY**

If the policy provides increased limits for Part Two, such premium and incurred losses may be subject to the Plan.

# **II. DEFINITIONS**

## **A. EMPLOYER**

Employer may be an individual, partnership, joint venture, corporation, association, a fiduciary such as a trustee, receiver or executor, or other legal entity.

## **B. INSURED**

Insured means the employer designated in Item I of the Information Page of the policy or policies to which this Plan is applied by the carrier which issued such insurance. Insured may be two or more legal entities if the same person, or group of persons, owns the majority interest in such entities. The Experience Rating Plan Manual defines majority interest. It usually means:

1. Majority of voting stock, or
2. Majority of members or directors if there is no voting stock, or
3. Majority participation of general partners in profits of a partnership.

## **C. RISK**

Risk means the insured to which this Plan is applied.

## **D. RATES**

1. Manual rate means either:
  - a. the manual rate that has been established by the DCRB if no deviation or schedule rating

exists.

- b. the manual rate that has been established by the DCRB modified by an approved schedule rating adjustment.
- c. Carrier Manual Rate if an insurance company has had a deviation from DCRB Manual Rate stamped "Filed" by the Insurance Commissioner.

- 2. DCRB Manual Rate means the rate shown after the classification code number on the rate pages in Section 2 of the Basic Manual for Workers Compensation and Employers Liability Insurance.

#### **E. STANDARD PREMIUM**

For the purpose of this Plan, standard premium means the premium for the risk determined on the basis of carrier rating values, any experience rating modification, loss constant where applicable, and minimum premiums. Determination of standard premium shall exclude:

- 1. Premium Discount
- 2. The Expense Constant
- 3. Premium resulting from non-ratable elements in the manual rates and non-ratable supplemental loads.
- 4. Premium developed by the passenger seat surcharge under Code **9108** Private Aircraft - passenger capacity.
- 5. Premium developed by the occupational disease rates for risks subject to the Federal Coal Mine Health and Safety Act.
- 6. Premium developed by the charge for Terrorism.
- 7. Premium developed by the charge Catastrophe (other than Certified acts of Terrorism) provision located in the Basic Manual.

#### **F. INCURRED LOSSES**

Incurred losses used in the rating formula for determining premium under this Plan are those reported under the rules of the Unit Statistical Plan Manual adopted by the rating organization. Generally, incurred losses are the actual losses paid and outstanding, interest on judgments, expenses incurred in obtaining third party recoveries, and allocated loss adjustment expenses for employers liability losses.

Incurred losses resulting from an accident or exposure provided for via a non-ratable element or a non-ratable supplemental load shall be excluded.

The rating formula shall not include losses involving passenger employees resulting from the crash of an aircraft under classification code **9108**.

For complete details on instructions which shall be followed regarding incurred losses, refer to the Unit Statistical Plan Manual.

#### **G. RATING ORGANIZATION**

Rating organization means the Delaware Compensation Rating DCRB.

**H. ANNIVERSARY RATING DATE****1. SINGLE POLICY RISK**

The anniversary rating date for application of this Plan is the effective month and day of the policy in effect.

**2. MULTIPLE POLICY RISK**

If the risk subject to the Plan includes more than one policy with different effective dates, the anniversary rating date shall be determined by the rating organization.

**NOTE:** The Plan applies for the period of the policy or policies subject to the Plan. If the period for the application of the Plan is changed, refer to Part Three.

**I. LONG TERM CONSTRUCTION PROJECT**

A long term construction project means a construction or erection project expected to require more than 1 year for completion and let under one contract or more than one concurrent or consecutive contracts. Such a project may be insured under 1 year policies or policies issued for any period not longer than 3 years.

**J. WRAP-UP CONSTRUCTION PROJECT**

A wrap-up construction project is a construction, erection or demolition project for which policies have been issued by one or more insurance carriers under the same management to insure two or more legal entities engaged in such a project. The entities insured shall be limited to the general contractor (including any owner or principal acting as a general contractor) and subcontractors performing work under contracts let on an ex-insurance basis. If the contract between the owner or principal and such general contractor is on an ex-insurance basis, the owner or principal is an eligible entity for the combination.

The project must be confined to operations at a single location. In connection with building roadways, tunnels, waterways or surface or underground conduits, the entire job is considered a single location if the construction is performed by a single general contractor for a single owner or principal. The project must be of definite duration involving work to be performed continuously to completion.

**III. ELIGIBILITY FOR THE PLAN****A. ONE YEAR PLAN**

A risk is eligible for a one year plan if the estimated Standard Premium is at least \$25,000.

**B. THREE YEAR PLAN**

1. A risk is eligible for a three-year plan if the estimated Standard Premium for 3 years is at least \$75,000.

- C. A Long-Term Construction Project is eligible for Rating Option V if the estimated Standard Premium is an average of \$75,000 or more per year. For such a project, the retrospective rating premium shall be based on the entire period required for completion of the project.

- D. Two or more policies on a Wrap-Up Construction Project may be combined for the purpose of retrospective rating. If the estimated total Standard Premium for the project to be done by such combined entities is \$500,000 or more, a Wrap-Up Construction Project may be treated as a Long Term Construction Project.



**PART TWO**  
**OPERATION OF THE PLAN**

**I. HOW PREMIUM IS DETERMINED UNDER THE PLAN**

Retrospective premium is computed on the basis of the formulas in IA and D of this Section of the Plan.

**A. DEFINITIONS OF TERMS USED FOR THE FORMULA**

**1. STANDARD PREMIUM**

Standard Premium is defined in Part One of this Plan. Refer to Part One-II-E.

**2. BASIC PREMIUM**

The Basic Premium is a percentage of the Standard Premium. It is determined by multiplying the Standard Premium by a Basic Premium Factor. Basic Premium factors are based on the Table of Expense Ratios, the Table of Insurance Charges and the individual loss limitation if selected. Refer to Part Four-Premium Computation Tables.

The Basic Premium provides: insurance carrier expenses such as for acquiring and servicing the insured's account; loss control services, premium audit and general administration of the insurance; an adjustment for limiting the retrospective premium between the minimum retrospective premium and the maximum retrospective premium; and an allowance for the insurance carrier's possible profit or contingencies.

The Basic Premium does not cover premium taxes nor claim adjustment expenses. The latter elements are usually provided by the Tax Multiplier and the Loss Conversion Factor.

**3. CONVERTED LOSSES**

Converted Losses are based on the Incurred Losses of the risk during the period of the policy or policies to which this Plan is applied. A Loss Conversion Factor is applied to such losses to produce the Converted Losses. Refer to No. 4 below. Incurred losses are defined in Part One-II-F.

**4. LOSS CONVERSION FACTOR**

The Loss Conversion Factor usually covers claim adjustment expenses and the cost of the insurance carrier's claim services such as investigation of claims and filing claim reports.

**5. TAX MULTIPLIER**

The Tax Multiplier covers licenses, fees, assessments and taxes which the insurance carrier must pay on the premium which it collects.

**6. MINIMUM RETROSPECTIVE PREMIUM**

The Minimum Retrospective Premium is a percentage of the Standard Premium. It is the least amount of premium to be paid by the risk subject to this Plan.

The Minimum Retrospective Premium Factor is established by agreement between the risk and the insurance carrier. Refer to II-B-2.

**7. MAXIMUM RETROSPECTIVE PREMIUM**

The Maximum Retrospective Premium is a percentage of the Standard Premium. It is the greatest

amount of premium to be paid by the risk subject to this Plan. It has the effect of placing a limit on the impact of incurred losses on the retrospective premium.

The Maximum Retrospective Premium Factor is established by agreement between the risk and the insurance carrier. Refer to II-B-2.

## **B. ADDITIONAL ELECTIVE ELEMENTS FOR THE RETROSPECTIVE PREMIUM FORMULA**

The insured and the insurance carrier may agree that either or both of the following additional elective premium elements will be included in the Retrospective Premium Formula:

1. Excess Loss Premium
2. Retrospective Development Premium

**NOTE:** These elective elements are subject to the Tax Multiplier as shown in the Retrospective Premium Formula in D.

### **a. EXCESS LOSS PREMIUM**

This elective premium element is permitted only if the total Standard Premium subject to the Plan is at least \$100,000. The use of this elective element is intended to avoid the possibility that high cost losses will have too great an impact on the retrospective premium. Election of a loss limitation places a limit on the amount of incurred loss arising out of any one accident, which will be included in the retrospective premium formula. Excess Loss Premium is the premium charge for such limitation on losses used in computing the retrospective premium. The loss limitations arising out of any one accident which may be used by agreement follow:

- i. \$25,000 per accident for a risk with total Standard Premium of at least \$100,000.
- ii. Higher than \$25,000 for a risk with total Standard Premium over \$100,000 provided such higher accident loss limitation does not exceed 50% of the Standard Premium.

For all risks, the insurance carrier pays all incurred losses regardless of any retrospective rating loss limitation.

Excess Loss Premium is computed as shown below:

Standard Premium x Excess Loss Premium Factor x Loss Conversion Factor.

The Excess Loss Factors and the Tables of Excess Loss Adjustment Amounts are shown in Part Four of this Manual. Use the Table of Classifications by Hazard Group in Part Four of this Manual to determine proper excess loss factor.

A loss limitation may be changed, or included, or excluded after this plan has been applied to a risk provided the new agreement is not retroactive.

### **b. RETROSPECTIVE DEVELOPMENT PREMIUM**

The purpose of this elective premium element is to stabilize premium adjustments for risks subject to this Plan. Refer to Part Three – Administration of Plan – Rule 111-3 for premium adjustment rules. Retrospective development premium anticipates future increases in loss costs. The Retrospective Development Premium is included only in the first three adjustments of the retrospective premium and is not included in any later premium computations.

Retrospective Development Premium is computed as shown below:

Standard Premium x Retrospective Development Factor x Loss Conversion Factor

The Retrospective Development Factors are shown in the State Special Rating Values – Delaware.

**C. THE RETROSPECTIVE PREMIUM WHEN ADDITIONAL ELECTIVE PREMIUM ELEMENTS ARE INCLUDED**

The retrospective premium for a risk which has elected either or both of the additional elective premium elements is determined by the following formula:

Retrospective Premium =

1. Basic Premium  
Plus
2. Converted Losses  
Plus
3. Excess Loss Premium  
Plus
4. Retrospective Development Premium
5. Multiply the sum of 1 + 2 + 3 + 4 by the Tax Multiplier

**NOTE:** Include item 3 or 4 or both in the formula depending on whether such elective premium elements are in the retrospective agreement.

The result of this calculation is the retrospective premium when the risk has elected one or both of the elective premium elements. The retrospective premium shall not be less than the Minimum Retrospective Premium nor more than the Maximum Retrospective Premium.

**I. RETROSPECTIVE RATING SELECTION OF FACTORS**

**A. EXPLANATION**

The Basic Premium is determined by using the Table of Expense Ratios to determine the insurance carrier expenses and the Tables of Insurance Charges for the remainder of the Basic Premium. The Loss Conversion Factor and Minimum and Maximum Retrospective Premium are subject to agreement between the insured and the insurance carrier. The Tax Multiplier, Excess Loss Premium and Retrospective Development Premium are determined on the basis of the state or states included in this option.

- (a) Retrospective Rating may be applied to any of the following types of insurance alone or to any combination of such insurance:

Workers Compensation and Employers Liability

Third Party Liability Insurance for Commercial Lines

Commercial Automobile Physical Damage

Other Types of Insurance specified in the Retrospective Rating Plan issued by the Insurance Services Office.

For illustrations and examples of combinations, refer to the Retrospective Rating Plan issued by the Insurance Services Office.

**NOTE:** When the plan includes Workers Compensation and other commercial casualty insurance, the total retrospective premium, including the minimum and maximum retrospective premium, is determined on the basis of all insurance in the plan.

- (b) For an interstate risk, an average of the specified state tax multipliers weighted by the state standard premiums shall be used. For computing the Basic Premium Factor, the standard average tax multiplier may be applied.

Refer to Appendix for explanations and examples.

#### **B. THREE YEAR PLAN OPTIONAL**

1. Retrospective Rating may also be applied to a risk for a period of three years. Follow the procedure and examples cited in B-2 above, but determine the insurance carrier expenses on the basis of the annual Standard Premium and the remainder of the Basic Premium by use of the Standard Premium for the 3 year period of the Plan.

#### **C. LONG TERM OR WRAP-UP CONSTRUCTION PROJECTS**

1. Retrospective Rating may be applied to such projects in the following manner:
  - a. The project may be insured under a series of 1 year policies. Use Rule II-B above.
  - b. The project may be insured under a series of 3 year policies. Use Rule II-C above.
  - c. The Plan shall apply to such projects so that the Retrospective Premium is computed on the basis of the Standard Premium for the entire duration of the project.

**NOTE:** For determining retrospective premium for plans applied on a three year basis, or Long Term or Wrap Up Construction Projects, any revision in Tax Multipliers and Excess Loss Premium Factors shall be applied to policies as of the first normal anniversary date of the risk, which is on or after the date of such revision, unless the revision is authorized for application to outstanding policies.

### **III. CANCELLATION OF POLICY**

#### **A. EXPLANATION**

While the Cancellation Condition of the Standard Policy permits cancellation by the insured or insurance carrier, the premium determination for a cancelled policy is controlled by Rule X-Cancellation in the Basic Manual for Workers Compensation and Employers Liability Insurance.

#### **B. RETROSPECTIVE PREMIUM DETERMINATION UPON CANCELLATION**

1. Cancellation By the Insurance Carrier, except for non-payment of premium.
2. Cancellation By the Insured When Retiring From Business provided:
  - a. All work covered by the policy has been completed, or
  - b. All interest in any business covered by the policy has been sold, or
  - c. The insured has retired from all business covered by the policy.

3. If the reason for the cancellation is No. 1 or 2 above, Retrospective Premium for the cancelled policy shall be computed as follows:

**EXCEPTION FOR NON-PAYMENT OF PREMIUM:**

If the cancellation by the insurance carrier is because of non-payment of premium by the insured, the Maximum Retrospective Premium shall be based on a Standard Premium which shall be the premium for the cancelled policy (under Basic Manual Rule X-C) extended pro-rata to an annual basis.

4. Cancellation By the Insured, Except When Retiring From Business For the Reasons Stated in B-2 Above. Determine the Retrospective Premium as follows:
- a. The premium for the cancelled policy is to be calculated on a short rate basis under Basic Manual Rule X-E.
  - b. Use the Retrospective Premium Formula in this Section of the Plan to establish the Retrospective Premium as shown below:
    - i. Basic Premium and if applicable, Excess Loss Premium and Retrospective Development Premium shall be computed by using the short rate premium in 4a above as the Standard Premium.
    - ii. Minimum Retrospective Premium shall be the short rate premium in 4a above.
    - iii. Maximum Retrospective Premium shall be based on a Standard Premium which shall be calculated by using the actual payroll for the period the policy was in effect, extending that payroll pro-rata to an annual basis and then multiplying such extended payroll by the authorized rates and experience rating modification.

**EXAMPLE:**

**CALCULATION OF MAXIMUM RETROSPECTIVE PREMIUM UNDER RULE 4b.**

**ASSUME:**

<b>POLICY IN EFFECT:</b>	185 days
<b>MANUAL RATE (PER \$100) PAYROLL</b>	\$5.00
<b>ACTUAL PAYROLL FOR 185 DAYS</b>	\$555,000
<b>EXPERIENCE RATING MODIFICATION</b>	1.00
<b>MAXIMUM RETROSPECTIVE PREMIUM FACTOR</b>	1.60

- (a) Payroll extended to an annual basis:

$$\frac{\$555,000 \times 365 \text{ days}}{185 \text{ days}} = \$1,095,000$$

- (b) Annual Standard Premium = \$1,095,000 x 5.00 (per \$100) x 1.00 = \$54,750

- (c) Maximum Retrospective Premium: \$54,750 x 1.60 = \$87,600

**5. Cancellation of Three Year Plan**

If a policy for a Three Year Retrospective Rating is cancelled, the Retrospective Premium shall be computed as follows:

- a.** Determine premium for the cancelled policy in accordance with Manual rules X-C or X-E depending on the reason for the cancellation. If the Plan was applied to a 3 year policy, each 12 month unit within such a policy is treated as a separate policy. Refer to Basic Manual rule III-C-3.
- b.** A short rate factor does not apply to any premium for completed 12 month policy units. Apply the short rate factor under Basic Manual rule X-E only to the premium for the 12 month unit cancelled by the insured when not retiring from the business.
- c.** If the reason for the cancellation of the Three year Plan is No. 1 or 2 in Rule B of this Section, the Total Standard Premium is the sum of the pro-rata premium under Rule B and the Standard Premium for each completed 12 month unit. Use this total Standard Premium to establish the Basic Premium, and if applicable, Excess Loss Premium and Retrospective Development Premium.
- d.** If the cancellation by the carrier is caused by non-payment of premium by the insured, the Maximum Retrospective Premium shall be based on a Total Standard Premium which shall be the sum of the premium, extended pro rata to an annual basis, for the cancelled 12 month unit of the policy (under Manual Rule X-C) and the standard premium for each completed 12 month unit, such sum then extended pro rata to a 3 year basis
- e.** If the reason for the cancellation of the Three Year Plan is No. 4 in Rule B of this Section, the Total Standard Premium shall be the sum of the short rate premium for the in completed 12 month unit (under Manual Rule X-E) and the standard premium for each completed 12 month unit. This total Standard Premium is the Minimum Retrospective Premium and also shall be used to determine the Basic Premium, and if applicable, Excess Loss Premium and Retrospective Development Premium. The Maximum Retrospective Premium shall be based on a Total Standard Premium which is the sum of the premium, extended pro-rata to an annual basis, for the cancelled 12 month unit of the policy (under Manual Rule X-C) and the Standard Premium for each completed 12 month unit, such sum then extended pro-rata to a 3 year basis.

**EXAMPLE: I RETROSPECTIVE PREMIUM CALCULATION ON THREE YEAR POLICY CANCELLED BY THE INSURED AFTER 185 DAYS**

<b>ACTUAL PAYROLL FOR 185 DAYS</b>	<b>\$555,000</b>
<b>MANUAL RATE (PER \$100 PAYROLL)</b>	<b>\$5.00</b>
<b>EXPERIENCE RATING MODIFICATION</b>	<b>1.00</b>
<b>MAXIMUM RETROSPECTIVE PREMIUM FACTOR</b>	<b>1.60</b>

- (a) Payroll extended to an annual basis:

$$\$555,000 \times \frac{365 \text{ days}}{185 \text{ days}} = \$1,095,000$$

- (b) Annual Standard Premium = \$1,095,000 x 5.00 (per \$100) x 1.00 = \$54,750

- (c) Short rate percentage for 185 days — Refer to Basic Manual Rule X-F 61%

- (d) Short Rate Premium for cancelled policy = \$54,750 x .61 = \$33,398

- (e) Standard Premium — Short Rate Basis = \$33,398

- (f) Minimum Retrospective Premium TT \$33,398

Standard Premium is the Minimum Retrospective Premium and also is used to determine the Basic Premium, and if applicable, Excess Loss Premium and Retrospective Development Premium.

- (g) Maximum Retrospective Premium Explanation: The Maximum Retrospective Premium is based on the Standard Premium without short rate factor, extended pro-rata to a 3 year basis.

**CALCULATION**

- (i) Standard Premium for 185 days (not short rate) = \$555,000 x 5.00 (per \$100) x 1.00 = \$27,750

- (ii) Standard Premium without short rate factor extended to a 3 year basis = \$164,250

$$\$27,750 \times \frac{1095 \text{ days}}{185 \text{ days}} =$$

- (iii) Maximum Retrospective Premium = \$164,250 x 1.60 = \$262,800

**EXAMPLE: II RETROSPECTIVE PREMIUM CALCULATION ON THREE YEAR POLICY CANCELLED BY THE INSURED AFTER 1 YEAR AND 185 DAYS**

<b>STANDARD PREMIUM FOR FIRST 12 MONTH UNIT</b>	<b>\$50,000</b>
<b>ACTUAL PAYROLL FOR 185 DAYS OF SECOND 12 MONTH UNIT</b>	<b>\$555,000</b>
<b>MANUAL RATE (PER \$100 OF PAYROLL)</b>	<b>5.00</b>
<b>EXPERIENCE MODIFICATION — USE EXPERIENCE RATING MODIFICATION APPLICABLE TO EACH 12 MONTH UNIT</b>	<b>1.00</b>
<b>MAXIMUM RETROSPECTIVE PREMIUM FACTOR</b>	<b>1.60</b>
<b>(a) Actual payroll extended to an annual basis:</b>	
$\$555,000 \times \frac{365 \text{ days}}{185 \text{ days}} =$	<b>\$1,095,000</b>
<b>(b) Annual Premium for second 12 month unit = \$1,095,000 x 5.00 (per \$100) x 1.00 =</b>	<b>\$54,750</b>
<b>(c) Short rate percentage for 185 days — Refer to Basic Manual Rule X-F</b>	<b>61%</b>
<b>(d) Short Rate Premium for incomplete 12 month unit = \$54,750 x .61 =</b>	<b>\$33,398</b>
<b>(e) Total Standard Premium = \$50,000 + \$33,398</b>	<b>\$83,398</b>
<b>(f) Minimum Retrospective Premium</b>	<b>\$83,398</b>
Total Standard Premium is the Minimum Retrospective Premium and also is used to determine the Basic Premium, and if applicable, Excess Loss Premium and Retrospective Development Premium.	
<b>(g) Maximum Retrospective Premium Explanation: The Maximum Retrospective Premium is based on the Total Standard Premium without short rate factor, extended pro-rata to a 3 year basis. Calculation</b>	
<b>(i) Standard Premium for completed 12 month unit</b>	<b>\$50,000</b>
<b>(ii) Standard Premium for 185 days = \$555,000 x 5.00 (per \$100) x 1.00 =</b>	<b>\$27,750</b>
<b>(iii) Standard Premium for 185 days extended pro-rata to annual basis =</b>	
$\$27,750 \times \frac{365 \text{ days}}{185 \text{ days}} =$	<b>\$54,750</b>
<b>(iv) Total Standard Premium \$50,000 + 54,750 =</b>	<b>\$104,750</b>
<b>(v) Total Standard Premium extended pro-rata to a 3 year basis =</b>	
$\$104,750 \times \frac{3}{2} =$	<b>\$157,125</b>
<b>(vi) Maximum Retrospective Premium = \$157,125 x 1.60 =</b>	<b>\$251,400</b>



**C. VALUATION OF LOSSES**

If the policy is cancelled by the insured or insurance carrier, the first determination of retrospective premium shall be based upon incurred losses valued six months after the termination date.

**PART THREE  
ADMINISTRATION OF THE PLAN****I. ELECTION OF INSURED TO BE SUBJECT TO RETROSPECTIVE RATING****A. HOW THE INSURED ELECTS TO BE SUBJECT TO THE PLAN**

1. The insured elects to be subject to this Plan by notifying the insurance carrier that it has agreed to application of the Plan. This notification shall be executed in writing.
2. Any form of election is acceptable provided it includes the information shown in C below.

**B. HOW CARRIER ACCEPTS ELECTION OF THE INSURED**

1. The carrier agrees to the election of the insured to be subject to the Plan by accepting the insured's written notification.
2. After the carrier accepts the insured's election to be subject to this Plan, notification of coverage shall be sent to the DCRB not later than 60 days after the effective date of the Plan indicated on that form.

**NOTE:** The DCRB must be notified by the carrier if they and the insured agree to shorten or lengthen the period of the Plan's application, up to a maximum of 60 days.

**C. INFORMATION IN ELECTION OF THE INSURED**

The following information is required in the election signed by the insured:

1. Name of Insured.
2. Effective date of plan.
3. Minimum retrospective premium factor.
4. Maximum retrospective premium factor.
5. Loss conversion factor.
6. Loss limitation option and loss elimination ratio (LER), if applicable.
7. Retrospective Development Premium Option, if applicable.
8. One or Three Year application of the Plan.
9. Long Term Construction Project-Details, if applicable.
10. Wrap Up Construction Project-Details, if applicable.
11. Any special conditions affecting the Plan, such as the inclusion of other commercial casualty insurance.
12. Signature by the insured, for example, proprietor, partner or duly authorized officer of corporation.

The following and any other additional information may also be included:

1. Address of insured.
2. A statement that the insured understands the terms and obligations of this Plan, including the method of premium computation, payments and penalties for cancellations.

**D. STATES IN WHICH SELECTED PLAN APPLIES**

1. If the risk operates in only one state, designate this state on the notification of coverage.
2. If the risk operates in more than one state, list the states to which the selected rating option will apply.
3. One or more additional states may be included in the plan applicable to a risk after plan effective date.

**II. REPORTS OF PREMIUMS AND LOSSES UNDER THE PLAN****1. PREMIUMS**

The standard premiums used as the basis of the Retrospective Premium are those reported in accordance with the Unit Statistical Plan Manual.

**2. INCURRED LOSSES**

The incurred losses used for determining the Retrospective Premium are those reported under the Unit Statistical Plan Manual.

**NOTE:** For complete details on instructions which shall be followed for Nos. 1 and 2 above, refer to the Unit Statistical Plan Manual.

**3. VERIFICATION OF DATA**

All data reported to, and accepted by the DCRB under the Unit Statistical Plan Manual shall be accepted as verified data for computation of the Retrospective Premium.

**III. FILING REQUIREMENTS****1. NOTIFICATION OF COVERAGE**

Send one copy of Notification of Coverage to this DCRB for all plans, both intrastate and interstate, which apply in this jurisdiction.

**2. FACTORS FOR RETROSPECTIVE RATING OPTION V**

- a. Two copies of an "Application for Approval of Proposed Retrospective Rating Values" shall be filed for approval with the DCRB.
- b. A revised calculation of the Basic Premium Factor if any change results in an increase or decrease beyond the lowest or highest original estimated standard premium sizes selected. A new "Application for Approval of Proposed Retrospective Rating Values" shall be filed if the Basic Premium Factor changes.

**IV. COMPUTATION OF RETROSPECTIVE PREMIUM****GENERAL EXPLANATION**

Under this Plan, retrospective premiums always are computed initially by the carrier, using premium and loss data which have been reported under the Unit Statistical Plan Manual. On a specific request basis, the retrospective premium calculated by the carrier may then be reported to the rating organization for verification. This is achieved by the rating organization use of the duplicate copies of the Unit Statistical Plan reports which must be submitted with the retrospective premium calculation.

**1. FIRST COMPUTATION OF RETROSPECTIVE PREMIUM**

Under the Unit Statistical Plan Manual, the reports of losses and premiums are submitted to the rating organization. For complete details, refer to that Manual. As soon as practicable after data have been prepared in accordance with the Unit Statistical Plan, the first retrospective premium computation shall be made by the insurance carrier.

On a specific request basis, this computation may be sent to the rating organization for verification before transmittal to the insured. The carrier shall notify the insured and return premium if the retrospective premium is less than premium previously paid. The insured shall pay any premium greater than premium previously paid.

If the insured and carrier agree, the first computation of retrospective premium shall be the final adjustment of premium under this Plan. In the absence of such an agreement, additional retrospective premium computations shall be made by the carrier in accordance with rule 2 below.

For plans applied on a three year basis, or Long Term or Wrap Up Construction Projects, interim tentative adjustments of premium may be made.

**NOTE:** In certain cases, the carrier may make an early computation of retrospective premium. Such cases include bankruptcy, liquidation, reorganization, receivership, assignment for benefit of creditors, or other similar situations.

**2. RETROSPECTIVE PREMIUM ADJUSTMENT AFTER FIRST COMPUTATION**

- a. If the first or any other retrospective premium computation is not final, a subsequent computation and adjustment of premium subject to this Plan shall be made by the carrier 12 months after the previous computation. The procedure for such later computations shall be the same as in rule 1 above except that such premium calculations shall be based upon the latest Unit Statistical Reports required. If the insured and carrier agree, the latest computation shall be the final retrospective premium. Unless such an agreement has been made, the carrier shall continue to make such additional retrospective premium computations at intervals of 12 months.
- b. If a subsequent computation of retrospective premium results in no change from the previous computation, the insurance carrier shall notify the insured that there is no change in the premium payment and that subsequent computations of retrospective premium will be made in accordance with Rule 3a below.

**3. FINAL COMPUTATION OF RETROSPECTIVE PREMIUM**

- a. Subsequent computations of retrospective premium shall be issued by the carrier in accordance with Rule 2 above until both the carrier and insured agree that the latest computation shall be the final retrospective premium under this Plan.
- b. When the carrier and insured have agreed to the final retrospective premium calculation, a revision of that premium adjustment is not permitted except for clerical error.

## TABLE OF INSURANCE CHARGES/TABLE M

*Not published herein. (Refer to National Council on Compensation Insurance Retrospective Rating Plan Manual.)*

### APPENDIX EXPLANATIONS AND ILLUSTRATIONS OF RETROSPECTIVE RATING OPTION V AND HOW TO USE THE TABLE OF INSURANCE CHARGES

#### GENERAL EXPLANATION

The negotiating process between the insured and the insurance carrier is the basis on which retrospective rating provides flexibility so that the Plan may be designed to meet the needs and characteristics of a risk. As a result of this negotiation, minimum and maximum retrospective premium factors are established, as well as the loss conversion factor. Such selections are necessary for the determination of the other factors essential to the operation of retrospective rating. After these elements have been settled, the basic premium factor may be calculated and applied to the Standard Premium to produce the Basic Premium. The Basic Premium is the sum of certain insurance carrier expenses and a premium charge which reflects the selected premium limitations, the carrier's loss potential and possible profit or contingency.

The key to establishing the Basic Premium Factor for retrospective rating is the Table of Insurance Charges in Part Four of this Plan. It indicates, by expected loss groups, the factors to establish the premium charge which is vital to the determination of the basic premium factor.

The use of the Table of Insurance Charges is accounted for in the following explanations and illustrations of how to determine the factors and other elements which are needed for the operation of The Plan.

**NOTE:** The procedures described in this Appendix are designed exclusively for workers compensation insurance. Rules for the application of retrospective rating to a combination of workers' compensation insurance and other lines of casualty insurance are in the Retrospective Rating Plan issued by the Insurance Services Office.

#### A. MINIMUM RETROSPECTIVE PREMIUM FACTOR / MAXIMUM RETROSPECTIVE PREMIUM FACTOR

These are established by negotiations between the insured and insurance carrier.

#### B. LOSS CONVERSION FACTOR

This is also established by negotiations.

#### C. STANDARD PREMIUM

The estimated Standard Premium is determined according to the definition of Standard Premium in Rule II-E of Part One of this Plan.

#### D. ADDITIONAL PREMIUM SIZES

1. Calculate factors for 50%, 100% and 150% of the estimated Standard Premium, and for any lower or higher premium sizes selected by agreement. The reason for determining such supplementary factors is the probability that the earned Standard Premium will be more or less than the estimated Standard Premium. If the earned Standard Premium is between the selected premium sizes, the Basic Premium Factor for the retrospective premium is based on straight line interpolation between the Basic Premium Factors calculated on the estimated Standard Premiums.

2. If the earned standard premium is beyond the lowest or highest selected premium sizes, the Basic Premium Factors shall be recalculated.

#### **E. EXPECTED LOSSES**

Determine expected losses by multiplying the estimated Standard Premium for this state by the expected loss factor shown in the State Special Rating Values - Delaware. Total expected losses are the sum of the expected losses for the states where the Plan applies.

#### **F. EXPENSE ALLOWANCE – EXCLUDING TAXES**

The Expense Allowance varies on the basis of the annual Standard Premium. Use the Table of Expense Ratios in Part Four –Premium Computation Tables as follows:

##### **1. ONE YEAR PLAN**

Multiply the Standard Premium by the corresponding expense ratio for that premium size.

##### **2. THREE YEAR PLAN**

Determine the estimated annual Standard Premium for each of the Three Years and multiply each annual Standard Premium by the expense ratio corresponding to that premium size. The sum of the three products is the total expenses.

##### **3. PREMIUM SIZES OTHER THAN 100% OF STANDARD PREMIUM**

The expense allowance is based on the percentage of Standard Premium represented by the premium size other than 100% of Standard Premium.

#### **G. TAX MULTIPLIER**

Tax multipliers are shown in the State Special Rating Values – **Delaware**. For an interstate risk, an average of the specified state tax multipliers weighted by the state standard premiums shall be used.

#### **H. THE TABLE OF INSURANCE CHARGES**

The Table of Insurance Charges is a fundamental table in the computation of factors for Retrospective Rating. This table shows by expected loss group:

1. A percentage of Standard Premium representing the premium charge for providing insurance against the probability that the losses of the risk may produce a premium greater than the selected maximum retrospective premium.
2. A percentage of the Standard Premium representing a premium saving to recognize the probability that the losses of the risk may produce a premium less than the selected minimum retrospective premium.

Determination of the proper charge and saving for application of The Plan depends on a testing process which is explained in the example which follows in this Appendix.

#### **I. TOTAL EXPECTED LOSS RATIO**

Divide the total expected losses by the total Standard Premium to determine total expected loss ratio. Refer to C above.

**J. EXPECTED LIMITED LOSS RATIO**

Determine expected limited loss ratio by subtracting the excess loss factor from the expected loss ratio.

**K. BASIC PREMIUM FACTOR**

The Basic Premium Factor is the sum of the following two elements:

1. The expense in basic factor. This is the Expense Ratio (Refer to F above) reduced by the provision for expense in the Loss Conversion Factor. This reduction is illustrated by No. 7 in the example below.
2. The net insurance charge. Determine the difference between the insurance charge for the limitation of the Plan premium to the maximum retrospective premium and the premium saving for limiting the Plan premium to the minimum retrospective premium. Then multiply this difference by the product of the expected loss ratio and the Loss Conversion Factor. This last calculation uses the probability of loss indicated in the Table of Insurance Charges to produce a factor applicable to standard premium as an element of the Basic Premium Factor.

Any other calculation may be used to determine the Basic Premium Factor provided the selected factor is not over .005 different from the factor produced by the sum of 1 and 2 above.

For risks on a One Year Plan, the insurance charges and savings used in obtaining the Basic Premium Factor are based on the annual estimated Standard Premium. For risks on a Three Year Plan, the charges and savings are based on the estimated Standard Premium for three years. To determine factors for premium sizes other than 100% of Standard Premium as provided in D above, use the percentage of annual Standard Premium represented by the premium size other than 100% of Standard Premium.

**L. EXCESS LOSS FACTOR**

Excess Loss Premium is an additional elective element in the retrospective premium formula and is determined in accordance with Part Two-I-C of this Plan.

**M. LOSS ELIMINATION RATIO (LER)**

Divide the Excess Loss Factor by Expected Loss Ratio to determine the Loss Elimination Ratio.

**N. STATE AND HAZARD GROUP DIFFERENTIAL**

State and Hazard Group Differentials are found on the state retrospective rating pages. This differential is applied to the expected losses prior to selection of the Expected Loss Group. It reflects the effect of variation in loss severity on the insurance charge.

**O. LOSS GROUP ADJUSTMENT FACTOR**

This factor is applied to the expected losses prior to selection of the Expected Loss Group. It is an adjustment reflecting selected loss limitations. This factor is determined by the following calculation:  $1 + .8LER/1-LER$ .

**AN EXAMPLE OF BASIC PREMIUM FACTOR DETERMINATION**

The following example illustrates a generally accepted method of determining the Basic Premium Factor. Note the statement, in K above, regarding different methods that may be used to determine the Basic Premium Factor.

**ASSUME THE PLAN AGREEMENT PROVIDES**

<b>A. MINIMUM RETROSPECTIVE PREMIUM FACTOR</b>	60%
<b>B. MAXIMUM RETROSPECTIVE PREMIUM FACTOR</b>	130%
<b>C. LOSS CONVERSION FACTOR</b>	1.120
<b>D. TAX MULTIPLIER</b>	1.075
<b>E. EXCESS LOSS FACTOR FOR \$50,000 LIMIT</b>	.305
<b>F. STATE HAZARD GROUP DIFFERENTIAL</b>	.993
<b>G. EXPENSES FROM EXPENSE RATIO TABLE</b>	.205
1. ESTIMATED STANDARD PREMIUM	\$500,000
2. EXPECTED LOSSES	\$306,000
3. EXPECTED LOSS RATIO	612
4. EXPECTED LIMITED LOSS RATIO ((3)-(E))	307
5. EXPENSE AND PROFIT OR CONTINGENCY (EXCLUDING TAXES) ((1) x (G))	\$102,500
6. EXPECTED LOSS & EXPENSE RATIO	817
$\frac{((2) + (5))}{(1)}$	
7. LOSS & EXPENSE IN CONVERTED LOSSES ((3) x (C)) ABOVE	.685
8. EXPENSE & CONTINGENCY IN BASIC PREMIUM FACTOR (6)- (7)	132
9. MINIMUM RETROSPECTIVE PREMIUM FACTOR (EXCLUDING TAXES) ((A) + (D))	558
10. MAXIMUM RETROSPECTIVE PREMIUM FACTOR (EXCLUDING TAXES) ((B) ÷ (D))	1.209
11. TABLE OF INSURANCE CHARGES VALUE DIFFERENCE	7.53
$\frac{((6) - (9))}{(C) \times (4)}$	
12. TABLE OF INSURANCE CHARGES ENTRY DIFFERENCE	1.89
$\frac{((10) - (9))}{(C) \times (4)}$	
13. RATIO OF LOSSES FOR MIN. RETRO PREMIUM TO EXPECTED LIMITED LOSSES	.18
14. RATIO OF LOSSES FOR MAX. RETRO PREMIUM TO EXPECTED LIMITED LOSSES	2.07
15. TABLE OF INSURANCE CHARGES – PREMIUM CHARGE FOR (14)	069
16. TABLE OF INSURANCE CHARGES – PREMIUM CHARGE FOR (13)	001
17. NET PREMIUM CHARGE ((15)- (16)) X (4) X (C)	023
18. BASIC PREMIUM FACTOR (8) + (17)	155

**NOTE:** The above calculations are based on the 1988 Table of Insurance Charges in Part Four of the Plan.

The procedure for establishing the values and factors in the above example follows:

**1. ESTIMATED STANDARD PREMIUM:**

This is the annual or three year standard premium. Refer to Rule II-E of Part One of this Plan.

**2. EXPECTED LOSSES:**

The expected losses equal the estimated standard premium multiplied by the expected loss ratio which is found in the State Special Rating Values – Delaware. Refer to Part Four for Table of Expected Loss Ranges. For an interstate risk, the expected losses equal the sum of the products of the estimated standard premium for each state and the corresponding expected loss ratio for each state. For the purposes of this example, it has been assumed that the risk is intrastate with an expected loss ratio of .612, which produces expected losses of 306,000 (500,000 x .612).

**3. TOTAL EXPECTED LOSS RATIO:**

This is the expected loss ratio for the risk obtained by dividing the total expected losses for all states covered by the Plan by the total standard premium.

**4. EXPECTED LOSS LIMITED RATIO (ELLR):**

This ratio is determined by subtracting the excess loss factor from the expected loss ratio.

**5. EXPENSE AND PROFIT OR CONTINGENCY – EXCLUDING TAXES:**

The expense and profit or contingency (excluding taxes) is determined, for One Year Plans by multiplying the standard premium by the expense ratio found in either the Stock or Non-Stock "Tables of Compensation Expense Ratios – Excluding Taxes, including profit or contingencies." Refer to Part Four – Premium Computation Tables. For Three Year Plans, values are determined similarly for each of the years based on each annual estimated Standard Premium, and the sum of these values is the provision for expense and profit or contingency. The value for expenses shown in this example is equal to \$102,500 x \$500,000 x .205. Note that the Tables of Expense Ratios, and other factors used in the calculations, are subject to revision in accordance with modifications adopted by this DCRB. Therefore, care should be taken to use current ratios and factors when preparing a plan calculation.

**6. EXPECTED LOSS AND EXPENSE RATIO:**

This ratio is obtained by dividing the expected losses plus the expenses and profit or contingency (excluding taxes) by the Standard Premium.

**7. LOSS AND EXPENSE IN CONVERTED LOSSES:**

This factor, which expresses the ratio of expected losses and expense to estimated Standard Premium, is the product of the expected loss factor and the loss conversion factor.

**8. EXPENSE AND PROFIT OR CONTINGENCY IN BASIC PREMIUM:**

The difference between the factor in Item 6, representing the total net premium provision for the risk under the Plan, and the factor in Item 7, representing expected losses and loss adjustment expense associated with insuring the risk, is the expense and contingency amount which must be included in the basic premium.

**9. MINIMUM RETROSPECTIVE PREMIUM FACTOR – EXCLUDING TAXES**



**10. MAXIMUM RETROSPECTIVE PREMIUM FACTOR – EXCLUDING TAXES****11. TABLE OF INSURANCE CHARGES – VALUE DIFFERENCE****12. TABLE OF INSURANCE CHARGES – ENTRY DIFFERENCE**

These four items are determined in a way designed to facilitate the testing process by which the Basic Premium Factor is established. The factors entered for these items are obtained as indicated in the above example.

Item (10), Table of Insurance Charges Value Difference, equals the difference between the Table charge for the entry ratio from which the savings is taken and the Table charge for the entry ratio from which the charge is taken. Item (11), Table of Insurance Charges Entry Difference, equals the difference between the entry ratios that determine the savings and charge for the risk.

To use the Table of Insurance Charges, find the loss group in the Expected Loss Ranges in the Table containing the expected loss value.

The adjusted expected loss value is Item (2) multiplied by State and Hazard Group Differential times the Loss Group Adjustment Factor.

The Loss Group Adjustment factor (F) applies when an individual loss limit is selected. The factor is:

$$F = \frac{1 + (.8)(LER)}{1 - LER}$$

where the LER = ELF ÷ Item (3) = .498

$$F = \frac{1 + (.8)(.498)}{1 - (.498)} = 2.786$$

S/H Differential = .993

The loss group is 26 (group that contains 846,548 (= 306,000 x 2.786 x .993)).

Then choose two "Entry Ratios" from the Expected Loss Group in the table with a difference equal to Item 12. Make this choice so that the difference in the charges for the Expected Loss Group and for the selected entries most closely approximates Item 11.

To illustrate this testing procedure; several entry ratios and their corresponding charges in group 26 have been reproduced from the Table:

Entry	Charges (Group 28)
.17	.831
.18	.821
.19	.811

**SAVINGS**

Entry	Charges (Group 26)
2.06	.069
2.07	.069
2.08	.068

Choose and list pairs of entry ratios with a difference equal to item (12), in this case 1.89, and note the respective difference in these charges:

(2.06 - .17)	=	1.89
(2.07 - .18)	=	1.89
(2.08 - .19)	=	1.89
(.831 - .069)	=	.762
(.821 - .069)	=	.752
(.811 - .068)	=	.752

The pair of entry ratios whose charge difference most closely approximates item (11) is recorded under items (12) and (13).

**13. RATIO OF LOSSES PRODUCING MAXIMUM RETROSPECTIVE PREMIUM TO EXPECTED LOSSES**

**14. RATIO OF LOSSES PRODUCING MINIMUM RETROSPECTIVE PREMIUM TO EXPECTED LOSSES**

These Items are the pair of Table entry ratio values determined by the process outlined previously.

**15. PREMIUM CHARGE FOR (14)**

This is the premium charge for losses in excess of those provided by the maximum retrospective premium. It is obtained by reading from the table as shown under item (12).

**16. PREMIUM SAVING FOR 13**

This is the premium saving for losses less than those which would produce the minimum retrospective premium. The values for premium savings are listed directly beneath the charge values in the Table of Insurance Charges. In this example, the saving of .001 for entry ratio .18 (Item 13) in group 26 is found directly beneath the charge value of .821.

**17. NET PREMIUM CHARGE**

The net premium charge is determined by calculating the difference between the charge for possible losses which might produce more than the maximum retrospective premium and the saving for losses which might produce less than the minimum retrospective premium, and then multiplying that difference by the product of the expected loss ratio and the loss conversion factor.

**18. BASIC PREMIUM FACTOR**

The Basic Premium Factor is the sum of the net premium charge and the expenses and profit or contingencies in the Basic Premium expressed as a percentage of the Standard Premium. The Standard Premium multiplied by the Basic Premium Factor produces the Basic Premium used in computing the Retrospective Premium.

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**GENERAL RULES SECTION I  
INSTRUCTIONS**

1. The Experience Rating Plan is intended to determine whether a specific risk presents a hazard for future insurance which is better or worse than the hazard of the average risk in the classification to which the risk has been assigned.
2. The rules of this Plan shall govern the experience rating procedure to be followed in connection with Workers Compensation and Employers' Liability Insurance.

These rules have been prepared as applicable to policies written or issued for a period not in excess of one year. When, however, policies are written for periods of more than one year, such policies shall be considered as consisting of consecutive units of twelve months, or if the period of coverage is not a multiple of twelve months the first or last unit shall be considered as though it were a short term policy. If, however, coverage is written for a period that is more than one year but not more than one year and sixteen days, such entire period shall be considered as a unit of coverage. Each unit as defined above shall be subject separately to all of the rules and procedures specified in the Plan to the same degree as if it actually constituted a separate policy.

In the event the policy period for a long term policy is more than one year and sixteen days, and is not made up of complete twelve-month periods, an endorsement shall be attached to the policy specifying whether the first or last unit shall be considered as though it were a short term policy.

3. This Plan and all amendments thereto, unless otherwise specifically provided, shall be applied as of the first rating effective date of the risk, as established by the DCRB, which is on or after the effective date of any change in the rules or rating values of this Plan, but shall not otherwise be available to outstanding ratings.
4. A policy cannot be cancelled, rewritten or extended for purposes of enabling a risk to qualify for, or avoid application of, this Plan.
5. **Appeals.** Any determination or decision of the DCRB for an individual risk under the Delaware Experience Rating Plan may be appealed pursuant to Rule XVI, APPEALS FROM APPLICATION OF THE RATING SYSTEM PROCEDURE, Section 1 of this Manual.

**SECTION II – DEFINITIONS**

1. **Risk.** The term "risk" as used in this Plan shall mean
  - (a) A single legal entity.
  - (b) Two or more affiliates which qualify for combination under the rules of Section III of this Plan.
2. **Legal Entity.** The term "legal entity" or "entity" shall mean an individual, partnership, corporation, unincorporated association or fiduciary (e.g., trustee, receiver, executor or administrator).
3. **Affiliate.** The term "affiliate" shall mean entities in each of which the same entity or group of entities own a majority interest.
4. **Experience.** For the purpose of this Plan experience shall mean the record established by a risk under Workers Compensation and Employers' Liability Insurance, as disclosed by the losses incurred by the insurance carrier or carriers and the payrolls or other exposures segregated according to classification of operations. Losses incurred shall be on a gross basis, before the application of the deductible when such coverage is provided.

If the classification assigned to a risk is revised or modified, for the purpose of this Plan the DCRB shall similarly reassign the classification of the experience period except that, if the revision is due to a change in operations, no part of the experience period prior to such operations change shall be affected.

5. **Rating Effective Date (RED).** Is the earliest date that a specific experience modification is applied to a policy.

**Note:** For special provisions applicable to self-insurers' data see Rule 6 of Section III.

**SECTION III – GENERAL PROVISIONS**

1. **Eligibility Requirements.** A risk shall qualify for rating under this Plan if the premium developed by the audited payrolls or other exposures of the policy terminating two (2) years prior to the date for which the modification is to be established, extended at current **Residual Market Rates**, is **\$3,161 or more**.
  - (a) Eligibility requirements will be determined without consideration of Maritime Liability, Liability under the Federal Employers' Liability Act, Excess Limits and Additional Medical Coverage, the non-ratable element for Explosives Manufacturing, and Atomic Energy Projects.
  - (b) Risks shall be disqualified by a lapse of insurance of two years or more until they again qualify for experience rating following the lapse.
  - (c) The RED may differ from a risk's policy effective date for reasons including, but not limited to:
    - ☐ Short-term policies
    - ☐ Cancellations
    - ☐ Gaps in Coverage
    - ☐ Changes in ownership or combinability status
    - ☐ Multiple policy effective dates
    - ☐ A policy that is longer than one year and 16 days
    - ☐ Late receipt of current policy information by the DCRB

To determine a risk's RED, the DCRB will review the most recent full-term policies and unit statistical data. For purposes of this rule, a full-term policy is written for 12 months and is not cancelled prior to its expiration date.

The application of Rules 2 and 3 of this section is subject to the provisions of Section V "Tabulation of Experience" of this Plan.

2. **Experience Period.** The experience period, except as otherwise provided in Rules 3 and 4 of this Section, shall be not more than three (3) years, commencing four (4) years prior and terminating one (1) year prior to the date for which an experience modification is to be established, but in no event shall be less than the one policy year (twelve months) commencing two (2) years prior and terminating one (1) year prior to the date for which an experience modification is to be established. Completed policy periods only shall be used and all such periods wholly within the experience period shall be used.
3. **Experience Period Extension.** If for any reason a part of the earliest policy period falls outside of the normal three (3) year maximum period, such earliest policy period shall be retained in full provided the entire experience period does not then exceed three and three-quarters ( $3\frac{3}{4}$ ) years, and shall be rejected in full if its retention serves to increase the experience period beyond three and three-quarters ( $3\frac{3}{4}$ ) years.

If the policy period immediately preceding the earliest policy period completely within the normal three year experience period is less than a twelve month period and has been used in only two previous ratings, then such short term policy period shall be retained in full provided the entire experience period does not then exceed three and three-quarters ( $3\frac{3}{4}$ ) years, and shall be rejected in full if its retention serves to increase the experience period beyond three and three-quarters ( $3\frac{3}{4}$ ) years.

4. **Multiple Policy Experience.** If the experience used in rating a risk involves two or more policies varying in expiration date, the experience period shall be determined for each entity separately in accordance with the foregoing rules, except that the experience for each non-controlling entity shall close with the completed policy period beginning more than one year and terminating not less than six months prior to the date for which an experience modification is to be established.

5. **Experience to be Used.** The entire experience of the risk (except as otherwise provided in Rule 1 of Section V of this Plan) incurred within the experience period on all its operations, whether such operations are normal to the business or otherwise, shall be reported and used in determining the experience modification. The DCRB may, at its discretion, verify any or all the data from which the experience modification is to be determined.
6. **Self-Insurers' Data.** The experience of self-insurers may be accepted by the DCRB provided the experience on self-insured operations is submitted on the approved form, giving the required information with respect to payrolls and losses. Such statement shall be secured, verified and submitted by an interested carrier.

Self-insured experience shall not be used in rating a risk unless the operations that produced such experience are to be insured under a Standard Workmen's Compensation and Employers' Liability Policy.

7. **Administration of Property (Fiduciary and Non-Fiduciary).** Ownership interest shall be deemed to be vested in a fiduciary when a fiduciary is involved. However, "Fiduciary" shall not include a debtor in possession or a trustee under a revocable trust or a franchisor. Ownership interest held by an entity in a fiduciary capacity and ownership interest held by the same entity in a non-fiduciary capacity shall be deemed to be ownership by the same entity.

8. **Combination of Entities.**

- (a) Affiliates shall not be combined for rating purposes if: provided, however, that combination shall be made as respects entities in each of which the same person, or group of persons, or corporation owns a majority interest and
- (i) The affiliates involved constitute the component parts of an enterprise performing a continuous and/or integrated process or operation, or
  - (ii) There is interchange of employment (other than office and salesmen) between two or more of the affiliates involved in the combination.
- Separate policies may not be issued to affiliates, which are required to be combined under this Rule.
- (b) Affiliates which are not required to be combined under Rule 8(a) may be combined upon the mutual agreement of the risk and the carrier(s) involved. If such combination is agreed to, insurance may be provided either by a single policy insuring all affiliates, or by separate policies for each affiliate issued by one or more insurance carriers. In the latter case, the experience modification established for the entire risk shall apply on each policy to each affiliate. If all affiliates are not combined, then each affiliate not otherwise subject to Rule 8(a) shall be insured under a separate policy and rated on its own experience, providing it meets the qualifications for experience rating as specified in Rule 1 of this Section.
- (c) When one or more mandatory combinations of affiliates under Rule 8(a) exist, insurance for each such combination may be provided by a single policy. Each mandatory combination and any other affiliates which are not required to be a part of any mandatory combination pursuant to Rule 8(a) may be separately rated and separately insured. Exception: If any one or more affiliates not required to be combined under Rule 8(a) or mandatory combinations voluntarily choose to be insured under a single policy, then all affiliates shall be insured under a single policy and the experience modification established for the entire risk shall apply to each affiliate.

**Example**

Five legal entities are commonly owned. Company A and Company B have an interchange of employees. Company C and Company D have a continuity of operations. Company E is unrelated except through ownership.

By Rule 8(a), Company A and Company B must be combined for rating and must be covered by a single policy. Similarly, by Rule 8(a), Company C and Company D must be combined for rating and must be covered by a single policy. Company E may be separately rated and covered by a separate policy.

<u>Company</u>	<u>Rating</u>	<u>Policy #</u>
Company A	Combined	Combined
Company B	A & B	Policy 1
Company C	Combined	Combined
Company D	C & D	Policy 2
Company E	Separate	Policy 3

If any combination of these separate policy coverages is elected, then all commonly owned entities must be combined for rating and must be covered by a single policy. Thus, if Companies A and B desire to be combined with Company E, they must also combine with Companies C and D, and all must be covered by a single policy.

- (d) If an entity owns a majority interest in another entity which, in turn, owns the majority interest in another entity, all entities so related shall be considered as being under the same ownership for the purposes of this rule, regardless of the number of entities in succession.
- (e) Separate legal entities organized for religious purposes within the same religious denomination shall not be combined for rating purposes; provided, however, that combination may be made as respects all such entities in each of which the same central authority appoints or controls the appointment of the board of trustees or similar body and exercises direct, complete and active control over the finances, properties, operations and activities.

In the term "majority interest," as used in this rule, "majority" shall mean more than 50%.

If an entity other than a partnership

- i. has issued voting stock, majority interest shall mean a majority of the issued voting stock;
- ii. has not issued voting stock, majority interest shall mean a majority of the members;
- iii. has not issued voting stock and has no members, majority interest shall mean a majority of the board of directors or comparable governing body.

If an entity is a partnership, majority interest shall be determined in accordance with the participation of each general partner in the profits of the partnership.

**Note:** If a combination of entities is required or has been elected, and if two or more different combinations are possible in accordance with the provisions of this rule, the combination involving the greatest number of entities shall be made. The experience of any entity used in such a combination shall not otherwise be used in combination with any other entity.

The experience to be used in a rating combination shall be subject to the provisions of the rule "Change of Ownership" of this Section.

- (f) Affiliates combined for rating voluntarily (i.e., not a mandatory combination), which wish to change their rating option and have each affiliate separately rated based on its individual experience, may petition the DCRB to do so. Upon DCRB approval, separate policies must be issued for each affiliate. Unless the DCRB is provided with the segregated experience needed to produce separate ratings for each affiliate in an acceptable format, each affiliate will continue to be rated using combined experience for any policy period(s) for which segregated experience is not available and its own separately reported experience for policy period(s) subsequent to the separation.



**9. Ownership Changes.**

- (a) For purposes of this Plan, a change in ownership includes any of the following:
- (i) sale, transfer or conveyance of all or a portion of an entity's ownership interest
  - (ii) sale, transfer or conveyance of an entity's physical assets to a purchasing entity which takes over the operation of the selling entity and wherein the selling entity
    - (a) becomes entirely inactive with no employees or
    - (b) retains a few employees for the purpose of closing out its affairs prior to dissolution as a legal entity or
    - (c) retains a few clerical employees for the purpose of carrying on operations in connection with investment of its financial assets
  - (iii) merger or consolidation of two or more entities
  - (iv) formation of a new entity subsequent to the dissolution or non-operative capacity of an entity
  - (v) voluntary or court mandated establishment of a trustee or receiver, excluding a debtor in possession, a trustee under a revocable trust or franchisor.
- (b) **Reporting Requirement.** When an ownership change occurs, 90 Day Reporting Requirement – Notification of Change in Ownership Endorsement (WC 00 04 14 A) requires any change in ownership and/or combinability status be reported in writing by the employer to its carrier within ninety (90) days of the date of the change. This can be accomplished by submitting a completed Confidential Request for Information Form (ERM-14 form) or by providing the information in narrative form on the letterhead of the insured, signed by an officer of the entity.
- (c) Failure to report changes in ownership in line with Endorsement W C 00 04 14 A may be considered modification evasion. See Section III, 9-h.
- (d) **Continuation of Experience.** Unless excluded under paragraph (e), the experience for any entity undergoing a change in ownership shall be transferred to the experience of the acquiring, surviving or new entity. The date of revision will be the later of the following two dates: 1) the effective date of the policy in effect at the time the DCRB receives a completed ERM-14 form outlining the ownership change or 2) the date on which the change in ownership occurred.
- (i) **Partial Sale:** If an entity disposes of a part of its assets or operations but otherwise continues to operate its business, all experience incurred prior to the sale shall be used in future ratings of the entity.
- NOTE:** Future experience ratings of a risk shall retain all experience for any part of its operations which may have been discontinued or self-insured.
- (e) **Exclusion of Experience.** The experience of any entity undergoing a change in ownership shall be retained and used in future experience ratings unless one or both of the following requirements (i) and (ii) are met at the same time of the ownership change:
- (i) A change in majority interest occurs and the change in majority interest is accompanied by a complete change in operation and function sufficient to result in a change of governing classification and the change in majority interest is accompanied by a change in the process and hazard of the operation
  - (ii) A change in majority interest occurs and the change in majority interest is accompanied by a

change in employees such that all or a substantial portion of the employees of the new ownership are not retained from the prior ownership.

- (f) If the experience of an entity undergoing a change in ownership is to be excluded from future experience ratings for the entity, the experience modification no longer applies as of the date of the ownership change unless the entity is acquired by another entity which has an existing experience modification. In that case, the modification of the acquiring entity shall apply.
- (g) **Multiple Entities.** When two entities under substantially the same ownership have been insured under a single policy, and the ownership of one or both of them is changed so that there is no longer any connection between them, the procedure shall be as follows:
  - (i) If the experience of the entities has been combined for rating purposes during the entire experience period, the experience incurred prior to the change shall not be used for future ratings, unless
    - (a) the insurance carrier or carriers request that new modifications be established, and
    - (b) the DCRB is furnished with the experience required for the calculation of such modifications submitted in an acceptable format.
  - (ii) If the experience of the entities has been combined for less than two years at the time of the change, so that the experience for each entity is available during the period they were separately insured, the experience for each entity shall be used for the purpose of calculating new experience modifications.

When three or more entities under substantially the same ownership have been insured under a single policy, and the ownership of one of the entities has been changed so that there is no longer any connection between it and the remaining entities, the existing experience modification shall continue to apply to the entities whose ownership has not changed. The entity whose ownership has changed shall not be subject to experience modification unless it has been purchased by an entity which has an applicable experience modification.

When three or more entities under substantially the same ownership have been insured under a single policy and the ownership of two or more of the entities has been changed so that common ownership no longer is present, the experience incurred prior to the date of the change shall not be used for future ratings, unless

- (i) the insurance carrier or carriers request that new modifications be established, and
  - (ii) the DCRB is furnished with the experience required for the calculation of such modifications submitted in an acceptable format.
- (h) **Evasion of Experience Rating Modification.**
  - (i) **Actions.** Employers, or their representatives, at times take actions for the purpose of avoiding an experience rating modification. They may also take actions for otherwise legitimate business reasons that nonetheless result in the improper application of an experience rating modification. Regardless of intent, any action resulting in the miscalculation, misapplication or omission of an experience rating modification determined in accordance with this Plan is prohibited. These actions can include, but are not limited to:
    - (a) Failure to report changes in accordance with Endorsement WC 00 04 14
    - (b) A change in ownership
    - (c) A change in combinability status

- (d) Creation of a new entity
- (e) Misrepresentation on audits or failure to cooperate with an audit
- (ii) **DCRB Response.** In such circumstances the DCRB may obtain information that indicates evasion or improper calculation, application or omission of experience rating modifications due to actions included, but not limited to, those listed above. The DCRB will act to ensure the proper calculation and application of experience rating modifications impacted by these actions. This may include, but is not limited to the:
  - (a) Combination of experience that would otherwise not be combinable
  - (b) Separation of experience that would otherwise be combinable
  - (c) Exclusion of experience that would otherwise be included
  - (d) Continuation of experience that would otherwise be withdrawn
  - (e) Issuance of experience rating modifications that were not originally issued
  - (f) Revision and/or retraction of experience rating modifications

**10. Joint Ventures.** When two or more risks associate for the purpose of undertaking one or more projects as a joint venture, the premium for the operation involved shall not be subject to experience modification until such time as the joint venture qualifies for experience rating in accordance with the provisions of Rule 1 of this Section, subject, however, to the following conditions:

- (1) The contracts shall be awarded in the name of the associated risks as a joint venture.
- (2) The joint ventures shall share responsibility for, and participate in the control, direction and supervision of all work undertaken.
- (3) The joint ventures shall maintain a common bank account, payroll and business records.
- (4) When the joint venture becomes subject to experience rating, all applicable experience modifications shall be based exclusively on the experience of the joint venture. The experience developed under a joint venture shall be excluded from the future rating of the individual ventures.

#### SECTION IV APPLICATION OF EXPERIENCE MODIFICATION

1. **Experience Modification.** An experience modification for a qualified risk shall be determined annually (except as provided in Rules 3 and 4 of this Section) and shall be effective as of the (RED) of the risk. No more than one experience modification shall apply to a risk at the same time. Subject to the exceptions noted below, the experience modification shall be applied to the premium developed by the use of carrier rates in force on the effective date of the policy.

EXCEPTION (a):

Classifications with Non-Ratable Elements:

Only the ratable portion of the manual rate is eligible for experience modification. The ratable portion is equal to the manual rate less the non-ratable element.

EXCEPTIONS:

Premiums Not Subject to Experience Rating:

The following are not subject to experience rating:

- i. Expense Constants.
- ii. The policy minimum premium.
- iii. Premium under the National Defense Projects Rating Plan.
- iv. Premium under Rule 1 of the Atomic Energy Procedure.
- v. The surcharge premium under Rule 2 of the Atomic Energy Procedure.
- vi. Premium developed under Code 9740 - Terrorism.
- vii. Premium developed under Code 9741 - Catastrophe (other than Certified Acts of Terrorism).

2. **Period and Operations Affected.** The experience modification shall be effective for a period of twelve months (except as provided in Rules 3 and 4 of this Section) and shall apply to all the operations of the risk, regardless of whether the current or any new operations are assigned to the same classifications as were used in establishing such modification.
3. **Single Policy Risk.** If a risk is covered by a single policy, the following procedure shall apply:
- (a) The experience modification effective as of the (RED) shall apply for the full term of the policy which becomes effective on such date and also for the full term of any policy which becomes effective within three months after such date.
  - (b) If a policy is written for a period of one year, but is extended for a period of not more than 16 days, the experience modification in effect as of the original termination date shall remain in effect until the termination date of the extended policy. The experience modification which would have become effective as of the (RED) shall apply for a period of one year from the effective date of the new policy.
  - (c) If a policy becomes effective on a date more than three months after the (RED):
    - i. the outstanding experience modification shall apply to the new policy for the period corresponding to the unexpired term of the rating.
    - ii. a new experience modification then shall apply for the unexpired term of the outstanding policy.
    - iii. thereafter, a new modification shall apply annually as of a new (RED). The new (RED) shall be the date twelve months after the effective date of the new policy.

- 4. Multiple Policy Risk.** If a risk is covered by several policies (as provided in Rule 8 of Section III of this Plan) which differ as to inception dates, the following procedure shall apply:

A single experience modification shall be computed to be effective for a period of twelve months beginning on the (RED) to be established by the DCRB. The DCRB may, however, authorize the application of an existing experience modification for a period not to exceed fifteen months or a new experience modification for a period greater than three months and less than twelve months for the purpose of establishing a new (RED). Any policy effective prior to the new (RED) established by the DCRB shall be cancelled as of such date and rewritten for a period of twelve months. Any policy effective subsequent to the new (RED) established by the DCRB shall be written to expire concurrently with the next ensuing (RED) or shall be cancelled as of that date.

Any policies subject to this rule which are extended beyond the new period of twelve months shall be subject to the provisions of Rules 3(b) and 3(c) of this Section.

## SECTION V TABULATION OF EXPERIENCE

1. **Experience Used for Rating.** The experience used for rating purposes shall be the individual risk experience valued at least three months prior to the rating date and reported in accordance with the provisions of the Delaware Workers' Compensation Statistical Plan. It shall include Voluntary Compensation insurance, but shall exclude Maritime Employments and Employments under the Federal Employers' Liability Act.
2. **Rating Forms.** To determine the experience modification the prescribed experience shall be tabulated by the DCRB on approved rating forms.
3. **Payrolls.** The audited payrolls or other exposures for each classification for the experience period.
4. **Losses.** Incurred losses shall be tabulated by policy years in the manner indicated below.
  - (a) Losses as reported (indemnity, medical and total) shall be shown for each policy year. Losses incurred shall be on a gross basis, before the application of the deductible when such coverage is provided.
  - (b) Losses which are subject to average or limiting values, as provided in Rule 5 of this Section, shall be listed individually, showing the total cost of each case as reported and as used for rating purposes. Multiple injury accidents shall be identified in the appropriate column of the rating form.

**Exception:** All claims reported with Catastrophe Code No. 48 shall be excluded from experience rating calculations. Refer to Delaware Workers Compensation Statistical Plan Manual, Section 2, C. 11. for definition of losses included under Catastrophe Code No. 48.

**Exception:** All claims reported with Catastrophe Code No. 12 shall be excluded from experience rating calculations. Refer to the Delaware Statistical Plan Manual, Section 2, C.11 for the definition of losses included under Catastrophe Code No.12.

5. **Limitation on Total Losses Employed in a Rating.** To prevent unreasonable increases in rate for accidents whose occurrence or severity is a matter of chance, a scale of values has been determined and is to be used in place of the actual cost of such accidents when the actual cost exceeds the limiting value. No single accident, whether to one or more persons, shall be used for rating purposes at a value greater than that shown in Table B, column (3).
6. **Moral Responsibility.** No loss shall be excluded from the experience of a risk on the ground that the employer was not morally responsible for the accident that caused such loss.
7. **Revision of Losses.** It shall not be permissible to revise values because of department or judicial decision or because of developments in the nature of injury between two valuation dates, except in cases:
  - (a) where loss values are included or excluded through mistake other than error of judgment, or
  - (b) where a claim is declared non-compensable, (see note below), or
  - (c) where the claimant or carrier has recovered in an action against a third party, or
  - (d) where a claim should have been reported with Catastrophe Code No. 48, or
  - (e) where a claim or portion of a claim is ruled or officially declared fraudulent, or
  - (f) where a claim should have been reported with Catastrophe Code No.12.

It shall be permissible to submit a revised reporting requesting adjustment of the affected ratings or ratings, provided such request is made within 24 months of the expiration of the period to which the experience modification applied.

If a case is expected to be open longer than 24 months, upon written application, properly filed with the DCRB by the insured, a further extension of 24 months may be granted, provided such request is made within 24 months of the expiration of the period to which the experience modification applied. Such application shall give notice to the DCRB that one of the allowable conditions (see above) for loss revision is still pending a final decision. In this event, the DCRB files for the risk involved will be preserved.

**Note:** For purposes of this rule, the term "non-compensable" refers to:

- i. an official ruling specifically holding that a claimant is not entitled to benefits under the provisions of the Delaware Workers' Compensation Law.
- ii. a case where no claim was filed during the period of limitation provided by the Delaware Workers' Compensation Law for the filing of such claim and the carrier therefore closes the case.
- iii. a case where the carrier contends, prior to the valuation date, that a claimant is not entitled to benefits under the Delaware Workers' Compensation Law and the claim is officially closed because of the claimant's failure to prosecute his claim.

## 8. Third Party Cases.

- (a) Pending Cases. When a negligence claim or suit has been instituted by a claimant against a third party, the procedure shall be as follows:

If the claim or suit against the third party has not been settled or finally adjudicated, the incurred loss shall be included in the rating, since failure to recover against a third party is no bar to compensation and the insurance carrier may eventually be obliged to indemnify the claimant in whole or in part for the loss sustained.

- (b) Settled Cases. In cases where the carrier has received reimbursement under subrogation rights, or where the injured employee or his dependents have recovered from a third party, the procedure shall be as follows:

In cases where the total incurred cost prior to recovery is less than the accident limitation value shown in Table B, column (3), only the net loss shall be used in the rating. In cases where the total incurred cost prior to recovery exceeds the accident limitation value shown in Table B, column (3), the amount to be used in the rating shall be such proportion of the limiting value as the net loss bears to the total incurred cost prior to recovery.

SECTION VI  
RATING PROCEDURE

1. **Actual Losses.** Actual Losses (A), as tabulated in accordance with the provisions of Rules 4 and 5 of Section V, shall be used in the rating.
2. **Expected Losses.** Expected Losses (E) shall be determined from the application of the appropriate Expected Loss Factors, shown in Table A, to the payrolls or other exposures for each classification for the experience period.
3. **Credibility.** The Credibility (C) of the experience of the risk shall correspond to Expected Losses (E), as shown in Table B.
4. **Maximum Value Charge.** A limitation charge (L) reflecting the loss dollars eliminated by the Maximum Value placed on One Accident, shall be included in calculating the modification. The Charge times Credibility, or  $L \times C$ , shall be determined by entering Table B at the level of Expected Losses for the experience period.
5. **Experience Modification.** The Experience Modification (M) shall be determined from the formula:

$$M = \frac{AC + ELC + \frac{E(1.000 - C)}{E}}$$

The experience modification shall be rounded to three decimal places.



Approved Effective: December 1, 2020

Table B

## DELAWARE EXPERIENCE RATING PLAN

Expected Losses		Credibility "C"	Maximum Value of one Accident	Weighted Maximum Value Charge "L" * "C"
(1)		(2)	(3)	(4)
5,605	or less	0.0500	26,615	0.032
5,606	6,171	0.0550	26,768	0.035
6,172	6,744	0.0600	26,908	0.038
6,745	7,323	0.0650	27,054	0.041
7,324	7,908	0.0700	27,200	0.045
7,909	8,499	0.0750	27,347	0.048
8,500	9,096	0.0800	27,494	0.051
9,097	9,701	0.0850	27,644	0.054
9,702	10,312	0.0900	27,797	0.057
10,313	10,929	0.0950	27,950	0.060
10,930	11,554	0.1000	28,105	0.063
11,555	12,185	0.1050	28,262	0.066
12,186	12,824	0.1100	28,420	0.069
12,825	13,470	0.1150	28,583	0.072
13,471	14,123	0.1200	28,744	0.075
14,124	14,784	0.1250	28,908	0.078
14,785	15,452	0.1300	29,075	0.081
15,453	16,128	0.1350	29,243	0.084
16,129	16,812	0.1400	29,413	0.087
16,813	17,504	0.1450	29,584	0.090
17,505	18,205	0.1500	29,758	0.093
18,206	18,913	0.1550	29,935	0.096
18,914	19,630	0.1600	30,113	0.099
19,631	20,356	0.1650	30,294	0.102
20,357	21,090	0.1700	30,476	0.104
21,091	21,833	0.1750	30,660	0.107
21,834	22,585	0.1800	30,847	0.110
22,586	23,347	0.1850	31,036	0.113
23,348	24,118	0.1900	31,228	0.116
24,119	24,899	0.1950	31,422	0.119
24,900	25,689	0.2000	31,619	0.121
25,690	26,490	0.2050	31,817	0.124
26,491	27,300	0.2100	32,019	0.127
27,301	28,121	0.2150	32,222	0.130
28,122	28,953	0.2200	32,430	0.132
28,954	29,795	0.2250	32,639	0.135
29,796	30,648	0.2300	32,850	0.138
30,649	31,513	0.2350	33,065	0.140
31,514	32,388	0.2400	33,282	0.143

Approved Effective: December 1, 2020  
Table B  
DELAWARE EXPERIENCE RATING PLAN

Expected Losses	Credibility "C"	Maximum Value of one Accident	Weighted Maximum Value Charge "L" * "C"
(1)	(2)	(3)	(4)
32,389	33,276	0.2450	33,503
33,277	34,175	0.2500	33,726
34,176	35,087	0.2550	33,953
35,088	36,010	0.2600	34,182
36,011	36,947	0.2650	34,414
36,948	37,896	0.2700	34,650
37,897	38,859	0.2750	34,889
38,860	39,834	0.2800	35,131
39,835	40,824	0.2850	35,377
40,825	41,828	0.2900	35,627
41,829	42,845	0.2950	35,879
42,846	43,878	0.3000	36,135
43,879	44,925	0.3050	36,395
44,926	45,988	0.3100	36,659
45,989	47,066	0.3150	36,927
47,067	48,160	0.3200	37,198
48,161	49,270	0.3250	37,474
49,271	50,397	0.3300	37,753
50,398	51,541	0.3350	38,037
51,542	52,702	0.3400	38,325
52,703	53,881	0.3450	38,617
53,882	55,079	0.3500	38,915
55,080	56,295	0.3550	39,217
56,296	57,530	0.3600	39,523
57,531	58,784	0.3650	39,834
58,785	60,059	0.3700	40,150
60,060	61,354	0.3750	40,471
61,355	62,670	0.3800	40,798
62,671	64,008	0.3850	41,130
64,009	65,367	0.3900	41,467
65,368	66,749	0.3950	41,809
66,750	68,155	0.4000	42,158
68,156	69,583	0.4050	42,512
69,584	71,037	0.4100	42,873
71,038	72,515	0.4150	43,239
72,516	74,019	0.4200	43,612
74,020	75,549	0.4250	43,991
75,550	77,106	0.4300	44,377
77,107	78,691	0.4350	44,770
78,692	80,304	0.4400	45,169
80,305	81,946	0.4450	45,576

Approved Effective: December 1, 2020  
Table B  
DELAWARE EXPERIENCE RATING PLAN

Expected Losses		Credibility "C"	Maximum Value of one Accident	Weighted Maximum Value Charge "L" * "C"
(1)		(2)	(3)	(4)
81,947	83,619	0.4500	45,991	0.237
83,620	85,322	0.4550	46,413	0.238
85,323	87,057	0.4600	46,842	0.240
87,058	88,824	0.4650	47,280	0.242
88,825	90,625	0.4700	47,726	0.243
90,626	92,460	0.4750	48,181	0.245
92,461	94,331	0.4800	48,644	0.246
94,332	96,239	0.4850	49,116	0.248
96,240	98,184	0.4900	49,598	0.249
98,185	100,167	0.4950	50,089	0.251
100,168	102,191	0.5000	50,590	0.252
102,192	104,255	0.5050	51,101	0.254
104,256	106,362	0.5100	51,622	0.255
106,363	108,513	0.5150	52,154	0.256
108,514	110,709	0.5200	52,698	0.257
110,710	112,951	0.5250	53,253	0.259
112,952	115,241	0.5300	53,819	0.260
115,242	117,581	0.5350	54,398	0.261
117,582	119,972	0.5400	54,989	0.262
119,973	122,415	0.5450	55,594	0.263
122,416	124,913	0.5500	56,211	0.264
124,914	127,468	0.5550	56,843	0.265
127,469	130,081	0.5600	57,489	0.266
130,082	132,755	0.5650	58,150	0.267
132,756	135,491	0.5700	58,826	0.268
135,492	138,291	0.5750	59,518	0.269
138,292	141,159	0.5800	60,227	0.269
141,160	144,097	0.5850	60,953	0.270
144,098	147,106	0.5900	61,696	0.271
147,107	150,190	0.5950	62,458	0.272
150,191	153,352	0.6000	63,238	0.272
153,353	156,595	0.6050	64,039	0.273
156,596	159,921	0.6100	64,860	0.273
159,922	163,334	0.6150	65,702	0.274
163,335	166,837	0.6200	66,567	0.274
166,838	170,435	0.6250	67,455	0.274
170,436	174,130	0.6300	68,366	0.275
174,131	177,927	0.6350	69,303	0.275
177,928	181,831	0.6400	70,266	0.275
181,832	185,845	0.6450	71,255	0.275
185,846	189,975	0.6500	72,273	0.275

Approved Effective: December 1, 2020  
Table B  
DELAWARE EXPERIENCE RATING PLAN

Expected Losses		Credibility "C"	Maximum Value of one Accident	Weighted Maximum Value Charge "L" * "C"
(1)	(2)	(3)	(4)	
189,976	194,225	0.6550	73,321	0.275
194,226	198,602	0.6600	74,399	0.275
198,603	203,110	0.6650	75,510	0.275
203,111	207,755	0.6700	76,654	0.274
207,756	212,545	0.6750	77,834	0.274
212,546	217,485	0.6800	79,050	0.274
217,486	222,584	0.6850	80,305	0.273
222,585	227,848	0.6900	81,600	0.273
227,849	233,287	0.6950	82,938	0.272
233,288	238,908	0.7000	84,321	0.271
238,909	244,721	0.7050	85,750	0.271
244,722	250,737	0.7100	87,229	0.270
250,738	256,966	0.7150	88,759	0.269
256,967	263,419	0.7200	90,345	0.269
263,420	270,108	0.7250	91,988	0.268
270,109	277,048	0.7300	93,691	0.267
277,049	284,253	0.7350	95,460	0.266
284,254	291,737	0.7400	97,296	0.264
291,738	299,517	0.7450	99,204	0.263
299,518	307,612	0.7500	101,188	0.262
307,613	316,040	0.7550	103,254	0.261
316,041	324,824	0.7600	105,406	0.259
324,825	333,985	0.7650	107,649	0.258
333,986	343,549	0.7700	109,990	0.256
343,550	353,543	0.7750	112,435	0.254
353,544	363,996	0.7800	114,990	0.252
363,997	374,942	0.7850	117,666	0.250
374,943	386,414	0.7900	120,468	0.248
386,415	398,454	0.7950	123,407	0.246
398,455	411,102	0.8000	126,493	0.244
411,103	424,408	0.8050	129,738	0.241
424,409	438,424	0.8100	133,153	0.239
438,425	453,208	0.8150	136,754	0.236
453,209	468,824	0.8200	140,554	0.233
468,825	485,346	0.8250	144,572	0.230
485,347	502,854	0.8300	148,826	0.227
502,855	521,439	0.8350	153,337	0.224
521,440	541,205	0.8400	158,132	0.221
541,206	562,267	0.8450	163,236	0.217
562,268	584,756	0.8500	168,680	0.213
584,757	608,824	0.8550	174,500	0.209

Approved Effective: December 1, 2020

Table B

## DELAWARE EXPERIENCE RATING PLAN

Expected Losses		Credibility "C"	Maximum Value of one Accident	Weighted Maximum Value Charge "L" * "C"
(1)		(2)	(3)	(4)
608,825	634,642	0.8600	180,737	0.205
634,643	662,409	0.8650	187,435	0.200
662,410	692,353	0.8700	194,650	0.196
692,354	724,742	0.8750	202,442	0.192
724,743	759,888	0.8800	210,885	0.187
759,889	798,157	0.8850	220,063	0.183
798,158	839,987	0.8900	230,077	0.178
839,988	885,897	0.8950	241,046	0.174
885,898	936,516	0.9000	253,113	0.169
936,517	992,608	0.9050	266,454	0.164
992,609	1,055,110	0.9100	281,280	0.159
1,055,111	1,125,188	0.9150	297,855	0.155
1,125,189	1,204,308	0.9200	316,508	0.150
1,204,309	1,294,341	0.9250	337,655	0.145
1,294,342	1,397,713	0.9300	361,835	0.141
1,397,714	1,517,624	0.9350	389,751	0.136
1,517,625	1,658,389	0.9400	422,342	0.131
1,658,390	1,825,967	0.9450	460,894	0.126
1,825,968	2,028,824	0.9500	507,209	0.121
2,028,825	2,279,412	0.9550	534,000	0.119
2,279,413	2,596,824	0.9600	534,000	0.120
2,596,825	3,008,954	0.9650	534,000	0.121
3,008,955	3,481,607	0.9700	534,000	0.121
3,481,608	3,999,571	0.9750	534,000	0.122
3,999,572	4,579,084	0.9800	534,000	0.122
4,579,085	5,249,282	0.9850	534,000	0.123
5,249,283	6,073,800	0.9900	534,000	0.124
6,073,801	7,271,356	0.9950	534,000	0.124
7,271,357	and over	1.0000	534,000	0.125

**SECTION 6 - MERIT RATING PLAN****GENERAL RULES SECTION I****INSTRUCTIONS**

1. The Merit Rating Plan is intended to grant premium discounts or assess premium surcharges to employers which do not qualify under the uniform Experience Rating Plan. Premium discounts or surcharges under this Plan shall be based on the number of compensable employee lost-time injuries incurred by each risk during the Merit Rating Plan experience period as defined in Section III - General Provisions. Claims to be counted under this Plan are defined in Section V - Tabulation of Experience.
2. The rules of this Plan shall govern the merit rating procedure to be followed in connection with workers compensation and employers' liability insurance. These rules have been prepared as applicable to policies written or issued for a period not in excess of one year. When, however, policies are written for periods of more than one year, such policies shall be considered as consisting of consecutive units of 12 months, or, if the period of coverage is not a multiple of 12 months, the first or last unit shall be considered as though it were a short term policy. If, however, coverage is written for a period that is more than one year but not more than one year and 16 days, such entire period shall be considered as a unit of coverage. Each unit as defined above shall be subject separately to all of the rules and procedures specified in the Plan to the same degree as if it actually constituted a separate policy.

In the event the policy period for a long-term policy is more than one year and 16 days and is not made up of complete 12-month periods, an endorsement shall be attached to the policy specifying whether the first or last unit shall be considered as though it were a short term policy.

3. This Plan and all amendments thereto, unless otherwise specifically provided, shall be applied as of the first (RED) of the risk, as established by the DCRB, which is on or after the effective date of any change in the rules or rating values of this Plan but shall not otherwise be available to outstanding ratings.
4. It shall not be permissible by cancellation or rewriting or by the extension of the policy term to alter an existing policy for the purpose of enabling the risk to qualify for or avoid application of this Plan.
5. **Appeals.** Any determination or decision of the DCRB for an individual risk under the Delaware Merit Rating Plan may be appealed pursuant to Rule XVI, APPEALS FROM APPLICATION OF THE RATING SYSTEM PROCEDURE, Section 1 of this Manual.

## SECTION II – DEFINITIONS

1. Risk. The term “risk” as used in this Plan shall mean
  - (a) A single legal entity.
  - (b) Two or more affiliates which qualify for combination under the rules of Section III of this Plan.
2. **Legal Entity.** The term “legal entity” or “entity” shall mean an individual, partnership, corporation, unincorporated association or fiduciary (e.g., trustee, receiver, executor or administrator). Divisions or similar units of a legal entity do not qualify as separate entities.
3. **Affiliate.** The term “affiliate” shall mean entities in each of which the same entity or group of entities owns a majority interest.
4. **Experience.** For the purpose of this Plan experience shall mean the record established by a risk under Workers Compensation and Employers' Liability Insurance, as disclosed by the losses incurred by the insurance carrier or carriers and the payrolls or other exposures segregated according to classification of operations. If the classification assigned to a risk is revised or modified, for the purpose of this Plan the DCRB shall similarly reassign the classification of the experience period except that, if the revision is due to a change in operations, no part of the experience period prior to such operations change shall be affected.
5. **Compensable Employee Lost-Time Injury.** The term “compensable employee lost-time injury” for purposes of this Plan shall mean any claim having either an indemnity benefit payment or a case reserve for future indemnity benefit payments.

All claims reported with Catastrophe Code No. 48 shall be excluded from merit rating calculations.

All claims reported with Catastrophe Code No.12 shall be excluded from merit rating calculations.
6. Rating Effective Date. (RED) is the earliest date that a specific merit rating adjustment is applied to a policy.
7. **Merit Rating Plan Discount.** The term “Merit Rating Plan discount” for purposes of this Plan shall mean a reduction in the subject premium developed by the use of the carrier rates in force on the (RED) applicable to the policy to which the Merit Rating Plan is applied.
8. **Merit Rating Plan Surcharge.** The term “Merit Rating Plan surcharge” for purposes of this Plan shall mean an increase in the subject premium developed by the use of the carrier rates in force on the (RED) applicable to the policy to which the Merit Rating Plan is applied.
9. **Merit Rating Plan Adjustment.** The term “Merit Rating Plan adjustment” for purposes of this Plan shall mean either a Merit Rating Plan discount or a Merit Rating Plan surcharge.
10. **Subject Premium.** The term “subject premium” for purposes of this Plan shall mean the premium developed by the use of carrier rates in force on the (RED) of the policy to which the Merit Rating Plan is applied, exclusive of exceptions listed in Section IV, Paragraph 1.

Note: For special provisions applicable to self-insurers' data see Rule 5 of Section III.

**SECTION III – GENERAL PROVISIONS**

1. **Eligibility Requirements.** A risk shall qualify for application of the Merit Rating Plan if BOTH of the following conditions are met:
  - (a) The risk does not qualify for experience rating, and
  - (b) The risk has exposure greater than zero during each year of the Merit Rating Plan experience period as defined herein.
    - (i) Eligibility requirements will be determined without consideration of maritime liability, liability under the Federal Employers' Liability Act, excess limits and additional medical coverage, the non-rateable element for explosives manufacturing, and atomic energy projects.
    - (ii) Risks shall be disqualified by a lapse of insurance of two years or more until they again qualify for merit rating following the lapse.

The application of Rules 2 and 3 of this section is subject to the provisions of Section V "Tabulation of Experience" of this Plan.

2. **Merit Rating Plan Experience Period.** The experience period for purposes of the Merit Rating Plan shall be not more than three (3) years, commencing four (4) years prior and terminating one (1) year prior to the date for which a Merit Rating Plan adjustment is to be established but in no event shall be less than one policy year (12 months) commencing three (3) years prior and terminating one (1) year prior to the date for which merit rating is to be established. Completed policy periods only shall be used, and all such periods wholly within the experience period shall be used.
3. **Multiple Policy Experience.** If the experience used in rating a risk involves two or more policies varying in expiration date, the experience period shall be determined for each entity separately in accordance with the foregoing rules, except that the experience for each non-controlling entity shall close with the completed policy period beginning more than one year and terminating not less than six months prior to the date for which a Merit Rating Plan adjustment is to be established.
4. **Experience to be Used.** The entire experience of the risk (except as otherwise provided in Rule I of Section V of this Plan) incurred within the experience period on all its operations, whether such operations are normal to the business or otherwise, shall be reported and used in determining the Merit Rating Plan adjustment. The DCRB may, at its discretion, verify any or all the data from which the Merit Rating Plan adjustment is to be determined.
5. **Self-Insurers' Data.** The experience of self-insurers may be accepted by the DCRB provided the experience on self-insured operations is submitted on the approved form, giving the required information with respect to payrolls and losses. Such statement shall be secured, verified and submitted by an interested carrier.

Self-insured experience shall not be used in applying the Merit Rating Plan to a risk unless the operations that produced such experience are to be insured under a Standard Workers Compensation and Employers' Liability Policy.

6. **Administration of Property (Fiduciary and Non-Fiduciary).** Ownership interest shall be deemed to be vested in a fiduciary when a fiduciary is involved. However, "Fiduciary" shall not include a debtor in possession or a trustee under a revocable trust or a franchisor. Ownership interest held by an entity in a fiduciary capacity and ownership interest held by the same entity in a non-fiduciary capacity shall be deemed to be ownership by the same entity.



## COMBINATIONS OR CHANGES OF STATUS

### 7. Combination of Entities

(a) Affiliates shall be combined for merit rating purposes if:

- (i) The affiliates involved constitute the component parts of an enterprise performing a continuous and/or integrated process or operation, or
- (ii) There is interchange of employment (other than office and salesmen) between two or more of the affiliates.

Separate policies may not be issued to affiliates which are required to be combined under this rule.

- (b) Affiliates which are not required to be combined under Rule 7. (a) may be combined upon the mutual agreement of the risk and the carrier(s) involved. If such combination is agreed to, insurance may be provided either by a single policy insuring all affiliates or by separate policies for each affiliate issued by one or more insurance carriers. In the latter case the Merit Rating Plan adjustment established for the entire risk shall apply on each policy to each affiliate. If all affiliates are not combined, then each affiliate not otherwise subject to Rule 7 (a) shall be insured under a separate policy and merit-rated based on its own experience, providing it meets the qualification for merit rating as specified in Rule 1 of this section.
- (c) When one or more mandatory combinations of affiliates under Rule 7. (a) exist, insurance for each such combination may be provided by a single policy. Each mandatory combination and any other affiliates which are not required to be a part of any mandatory combination pursuant to Rule 7. (a) may be separately merit- rated and separately insured. Exception: If any one or more affiliates not required to be combined under Rule 7. (a) or mandatory combinations voluntarily choose to be insured under a single policy, then all affiliates shall be insured under a single policy and the Merit Rating Plan adjustment established for the entire risk shall apply to each affiliate.

### Example

Five legal entities are commonly owned. Company A and Company B have an interchange of employees. Company C and Company D have a continuity of operations. Company E is unrelated except through ownership.

By Rule 7. (a) Company A and Company B must be combined for merit rating and must be covered by a single policy. Similarly, by Rule 7. (a) Company C and Company D must be combined for merit rating and must be covered by a single policy. Company E may be separately merit-rated and covered by a separate policy.

<u>Company</u>	<u>Merit Rating</u>	<u>Policy</u>
Company A	Combined	Combined
Company B	A & B	Policy 1
Company C	Combined	Combined
Company D	C & D	Policy 2
Company E	Separate	Policy 3

If any combination of these separate policy coverages is elected, then all commonly-owned entities must be combined for merit rating and must be covered by a single policy. Thus, if Companies A and B desire to be combined with Company E, they must also combine with Companies C and D, and all must be covered by a single policy.

- (d) If an entity owns a majority interest in another entity which, in turn, owns the majority interest in another entity, all entities so related shall be considered as being under the same ownership for the purposes

of this rule, regardless of the number of entities in succession.

- (e) Separate legal entities organized for religious purposes within the same religious denomination shall not be combined for merit rating purposes, provided, however, that combination may be made as respects all such entities in each of which the same central authority appoints or controls the appointment of the board of trustees or similar body and exercises direct, complete and active control over the finances, properties, operations and activities.

In the term "majority interest," as used in this rule, "majority" shall mean more than 50 percent.

If an entity other than a partnership

- (i) has issued voting stock, majority interest shall mean a majority of the issued voting stock.
- (ii) has not issued voting stock, majority interest shall mean a majority of the members.
- (iii) has not issued voting stock and has no members, majority interest shall mean a majority of the board of directors or comparable governing body.

If an entity is a partnership, majority interest shall be determined in accordance with the participation of each general partner in the profits of the partnership.

**Note:** If a combination of entities is required or has been elected and if two or more different combinations are possible in accordance with the provisions of this rule, the combination involving the greatest number of entities shall be made. The experience of any entity used in such a combination shall not be used in combination with any other entity. The experience to be used in any combination for purposes of the Merit Rating Plan shall be subject to the provisions of the Rule 8, "Ownership Changes," of this section.

- (f) Affiliates, combined for purposes of merit rating voluntarily (i.e., not a mandatory combination), which wish to change their merit rating option and have each affiliate separately merit-rated based on its individual experience, may petition the DCRB to do so. Upon DCRB approval, separate policies must be issued for each affiliate. Unless the DCRB is provided with the segregated experience needed to produce separate Merit Rating Plan adjustments for each affiliate in an acceptable format, each affiliate will continue to be subject to the Merit Rating Plan using combined experience for any policy period(s) for which segregated experience is not available and its own separately reported experience for policy period(s) subsequent to the separation.

## 8. Ownership Changes.

- (a) For purposes of this Plan a change in ownership includes any of the following:
  - (i) sale, transfer or conveyance of all or a portion of an entity's ownership interest.
  - (ii) sale, transfer or conveyance of an entity's physical assets to a purchasing entity which takes over the operation of the selling entity and wherein the selling entity
    - a) becomes entirely inactive with no employees or
    - b) retains a few employees for the purpose of closing out its affairs prior to dissolution as a legal entity or
    - c) retains a few clerical employees for the purpose of carrying on operations in connection with investment of its financial assets.
  - (iii) merger or consolidation of two or more entities.
  - (iv) formation of a new entity subsequent to the dissolution or non-operative capacity of an entity

- (v) voluntary or court-mandated establishment of a trustee or receiver, excluding a debtor in possession, a trustee under a revocable trust or franchiser.
- (b) *Continuation of Experience.* Unless excluded under paragraph (c), the experience for any entity undergoing a change in ownership shall be transferred to the experience of the acquiring, surviving or new entity. The date of revision will be the later of the following two dates: 1) the effective date of the policy in effect at the time the DCRB receives a completed ERM-14 form outlining the ownership change or 2) the date on which the change in ownership occurred.
  - (i) *Partial Sale.* If an entity disposes of a part of its assets or operations but otherwise continues to operate its business, all experience incurred prior to the sale shall be used in future Merit Rating Plan adjustments of the entity.
- Note:** Future Merit Rating Plan adjustments of a risk shall retain all experience for any part of its operations which may have been discontinued or self-insured.
- (c) *Exclusion of Experience.* The experience of any entity undergoing a change in ownership shall be retained and used in future Merit Rating Plan adjustments unless one or both of the following requirements (i) and (ii) are met at the same time of the ownership change.
  - (i) A change in majority interest occurs, and the change in majority interest is accompanied by a complete change in operation and function sufficient to result in a change of governing classification, and the change in majority interest is accompanied by a change in the process and hazard of the operation.
  - (ii) A change in majority interest occurs, and the change in majority interest is accompanied by a change in employees such that all or a substantial portion of the employees of the new ownership are not retained from the prior ownership.
- (d) If the experience of an entity undergoing a change in ownership is to be excluded from future Merit Rating Plan adjustments for the entity, the Merit Rating Plan adjustment no longer applies as of the date of the ownership change unless the entity is acquired by another entity which has an existing Merit Rating Plan adjustment. In that case the Merit Rating Plan adjustments of the acquiring entity shall apply.
- (e) *Multiple Entities.* When two entities under substantially the same ownership have been insured under a single policy and the ownership of one or both of them is changed so that there is no longer any connection between them, the merit rating procedure shall be as follows:
  - (i) If the experience of the entities has been combined for merit rating purposes during the entire experience period, the experience incurred prior to the change shall not be used for future merit rating plan adjustment, unless
    - a) the insurance carrier or carriers request that a new Merit Rating Plan adjustment be established, and
    - b) the DCRB is furnished with the experience required for the calculation of a Merit Rating Plan adjustment submitted in an acceptance format.
  - (ii) If the experience of the entities has been combined for less than two years at the time of the change, so that the experience for each entity is available during the period they were separately insured, the experience for each entity shall be used for the purpose of calculating a new Merit Rating Plan adjustment.

When three or more entities under substantially the same ownership have been insured under a single policy and the ownership of one of the entities has been changed so that there is no

longer any connection between it and the remaining entities, the existing Merit Rating Plan adjustment shall continue to apply to the entities whose ownership has not changed. The entity whose ownership has changed shall not be subject to merit rating unless it has been purchased by an entity which has an applicable Merit Rating plan adjustment.

When three or more entries under substantially the same ownership have been insured under a single policy and the ownership of two or more of the entities has been changed so that common ownership is no longer present, the experience incurred prior to the date of the change shall not be used for future Merit Rating Plan adjustments, unless

- a) the insurance carrier or carriers request that a new Merit Rating Plan adjustment be established, and
- b) the DCRB is furnished with the experience required for the calculation of a Merit Rating Plan adjustment submitted in an acceptable format.

9. **Joint Ventures.** When two or more risks associate for the purpose of undertaking one or more projects as a joint venture, the premium for the operation involved shall not be subject to merit rating until such time as the joint venture qualifies in accordance with the provisions of Rule 1 of this section, subject, however, to the following conditions:

- (a) The contracts shall be awarded in the name of the associated risks as a joint venture.
- (b) The joint ventures shall share responsibility for and participate in the control, direction and supervision of all work undertaken.
- (c) The joint ventures shall maintain a common bank account, payroll and business records.
- (d) When the joint venture becomes subject to merit rating, all applicable Merit Rating Plan adjustments shall be based exclusively on the experience of the joint venture. The experience developed under a joint venture shall be excluded from the future Merit Rating Plan adjustments of the individual ventures.

#### SECTION IV APPLICATION OF MERIT RATING PLAN ADJUSTMENT

1. **Merit Rating Plan Adjustment.** A Merit Rating Plan adjustment for a qualified risk shall be determined annually (except as provided in Rules 3 and 4 of this section) and shall be effective as of the (RED) of the risk. No more than one Merit Rating Plan adjustment shall apply to a risk at the same time. Subject to the exceptions noted below, the Merit Rating Plan adjustment shall be applied to the premium developed by the use of carrier rates in force on the effective date of the policy.

##### EXCEPTIONS:

- (a) Premiums Not Subject to the Merit Rating Plan:

The following are not subject to the Merit Rating Plan:

- (i) Expense constants
- (ii) The policy minimum premium
- (iii) Premium under the National Defense Projects Rating Plan
- (iv) Premium under Rule 1 of the Atomic Energy Procedure
- (v) The surcharge premium under Rule 2 of the Atomic Energy Procedure
- (vi) Premium developed under Code 9740 - Terrorism.
- (vii) Premium developed under Code 9741 - Catastrophe (other than Certified Acts of Terrorism).

2. **Period and Operations Affected.** The Merit Rating Plan adjustment shall be effective for a period of 12 months (except as provided in Rules 3 and 4 of this section) and shall apply to all the operations of the risk, regardless of whether the current or any new operations are assigned to the same classifications as were used in establishing the Merit Rating Plan adjustment.
3. **Single Policy Risk.** If a risk is covered by a single policy, the following procedure shall apply:
  - (a) The Merit Rating Plan adjustment effective as of the (RED) shall apply for the full term of the policy which becomes effective on such date and also for the full term of any policy which becomes effective within three months after such date.
  - (b) If a policy is written for a period of one year but is extended for a period of not more than 16 days, the carrier rates and Merit Rating Plan adjustment in effect as of the original termination date shall remain in effect until the termination date of the extended policy. The carrier rates and Merit Rating Plan adjustment which would have become effective as of the (RED) shall apply for a period of one year from the effective date of the new policy.
  - (c) If a policy becomes effective on a date more than three months after the (RED),
    - (i) the outstanding Merit Rating Plan adjustment shall apply to the new policy for the period corresponding to the unexpired term of the rating.
    - (ii) a new Merit Rating Plan adjustment then shall apply for the unexpired term of the outstanding policy.
    - (iii) thereafter, a new Merit Rating Plan adjustment shall apply annually as of a new (RED). The new (RED) shall be the date 12 months after the effective date of the new policy
4. **Multiple Policy Risk.** If a risk is covered by several policies (as provided in Rule 8. of Section III of this Plan) which differ as to inception dates, the following procedure shall apply:

A single Merit Rating Plan adjustment shall be computed to be effective for a period of 12 months beginning on the (RED) to be established by the DCRB. The DCRB may, however, authorize the application of an

existing Merit Rating Plan adjustment for a period not to exceed 15 months or a new Merit Rating Plan adjustment for a period greater than three months and less than 12 months for the purpose of establishing a new (RED). Any policy effective prior to the new (RED) established by the DCRB shall be canceled as of such date and rewritten for a period of 12 months. Any policy effective subsequent to the new (RED) established by the DCRB shall be written to expire concurrently with the next ensuing (RED) or shall be canceled as of that date. Any policies subject to this rule which are extended beyond the new period of 12 months shall be subject to the provisions of Rules 3(b) and 3(c) of this section.

**SECTION V  
TABULATION OF EXPERIENCE**

1. **Experience Used for the Merit Rating Plan.** The experience used for purposes of the Merit Rating Plan shall be the individual risk experience valued at least three months prior to the (RED) and reported in accordance with the provisions of the Delaware Workers' Compensation Statistical Plan. It shall include voluntary compensation insurance but shall exclude maritime employments and employments under the Federal Employees' Liability Act.
2. **Merit Rating Plan Forms.** To determine the Merit Rating Plan adjustment the prescribed experience shall be tabulated by the DCRB on approved Merit Rating Plan forms.
3. **Payrolls.** The audited payrolls or other exposures for each classification for the experience period shall be tabulated by policy years.
4. **Losses.** Incurred losses or claims reported for all policy periods considered in qualifying a risk for the Merit Rating Plan shall be tabulated in the following manner:
  - (a) Claims having no indemnity benefit payment or case reserve for indemnity benefit payment shall be excluded from the experience tabulation for purposes of the Merit Rating Plan. Losses as reported (indemnity, medical and total) shall be shown for each policy year. Losses incurred shall be on a gross basis, before the application of the deductible when such coverage is provided.
  - (b) All claims not excluded from the experience tabulation for purposes of the Merit Rating Plan by virtue of sections (a) above shall be listed in the experience tabulation with the following information:
    - ☐ Policy number
    - ☐ Policy effective date
    - ☐ Claim number or number of claims
    - ☐ Indemnity loss amount
    - ☐ Date of loss

All claims reported with Catastrophe Code No. 48 shall be excluded from merit rating calculations.

All claims reported with Catastrophe Code No. 12 shall be excluded from merit rating calculations.

5. **Moral Responsibility.** No loss shall be excluded from the experience of a risk on the ground that the employer was not morally responsible for the accident that caused such loss.
6. **Revision of Losses.** It shall not be permissible to revise values because of department or judicial decision or because of developments in the nature of injury between two valuation dates, except in cases:
  - (a) where loss values are included or excluded through mistake other than error of judgment, or
  - (b) where a claim is declared non-compensable (see note below), or
  - (c) where the claimant or carrier has recovered in an action against a third party, or
  - (d) where a claim should have been reported with Catastrophe Code No. 48, or
  - (e) where a claim or portion of a claim is ruled or officially declared fraudulent, or
  - (f) where a claim should have been reported with Catastrophe No. 12.

it shall be permissible to submit a revised reporting requesting adjustment of the affected Merit

Rating Plan adjustment or adjustments, provided such request is made within 24 months of the expiration of the period to which the merit rating applied.

If a case is expected to be open longer than 24 months upon written application, properly filed with the DCRB by the insured, a further extension of 24 months may be granted, provided such request is made within 24 months of the expiration of the period to which the merit rating applied. Such application shall give notice to the DCRB that one of the allowable conditions (see above) for loss revision is still pending a final decision. In this event, the DCRB files for the risk involved will be preserved.

**Note:** For purposes of this rule, the term "non-compensable" refers to:

- (i) an official ruling specifically holding that a claim is not entitled to benefits under the provisions of the Delaware Workers Compensation Law.
- (ii) a case where no claim was filed during the period of limitation provided by the Delaware Workers Compensation Law for the filing of such claim and the carrier therefore closes the case.
- (iii) a case where the carrier contends prior to the evaluation date that a claimant is not entitled to benefits under the Delaware Workers Compensation or Law and the claim is officially closed because of the claimant's failure to prosecute his claim.



**SECTION VI  
MERIT RATING PLAN PROCEDURE**

1. **Merit Rating Plan Adjustments.** For each risk qualified under Section III of the Merit Rating Plan claims listed in the experience tabulation under Section V, Paragraph 4 of the Merit Rating Plan shall be counted. Merit Rating Plan adjustments shall apply based on the following criteria:

- (a) No compensable employee lost-time injuries > 5 percent (5.0%) discount.
- (b) One (1) compensable employee lost-time injury > No discount or surcharge.
- (c) Two (2) or more compensable employee lost-time injuries > 5 percent (5.0%) surcharge.

The DCRB will determine the appropriate Merit Rating Plan adjustment factors and notify the carrier.

The DCRB's electronic Manual highlights all changes from previous language. For changes previously announced by DCRB circular, highlighted language in the electronic Manual provides a link(s) to the pertinent DCRB circular announcement(s). No circular announcement accompanied the change linked to this message.



April 20, 2021

**DCRB CIRCULAR NO. 996**

To All Members of the DCRB:

**RE: APPROVAL OF DCRB FILING NO. 2101**  
**DCRB RESIDUAL MARKET WAIVER OF SUBROGATION CHARGE**  
**EFFECTIVE APRIL 1, 2021**

The Delaware Insurance Commissioner has approved DCRB Filing No. 2101 which establishes a rate and minimum premium for the use of the Waiver of Our Right to Recover From Others (WC 00 03 13) endorsement for the Delaware Insurance Plan (DIP) residual market policies only. There are no changes to the filed and approved Waiver Of Our Right to Recover From Others endorsement. The charge and minimum premium are approved for policies applicable to policies with effective dates as of 12:01 a.m., April 1, 2021 or later.

Currently, it is permissible for a carrier to waive subrogation rights against anyone liable for any injury covered by the workers compensation policy. The Waiver of Our Right to Recover From Others Endorsement is available if required by the employer's contract. The charge is reflected in the calculation of the employer's premium and assigned to Code 0930 or 9115. The applicable charge and/or minimum premium associated with the waiver of subrogation codes is filed by the carrier or carrier group subject to approval by the Delaware Department of Insurance.

The Delaware Compensation Rating Bureau is the Plan Administrator designated by the Delaware Insurance Department for the DIP. To ensure that all carriers writing coverage in the Plan are using the same rate and minimum premium and to maintain equality amongst all Plan participants, DCRB filed a waiver of subrogation charge on residual market policies of 5 percent of the manual premium developed in conjunction with the work for which the waiver is provided, subject to a \$250 minimum premium charge per waiver. The approved minimum premium charge and the type of waiver is consistent with charges used by the approved DCRB member carriers who act as servicing carrier participants of the National Workers Compensation Reinsurance Pool (NWCRP). DCRB data supports that over 60 percent of the residual market policies with waivers received the minimum premium charge. Given that the Delaware residual market is part of the National Pool, using the 5percent additional premium charge for consistency with other state pools was also reasonable.

Waivers offered to Plan policies will be limited to specific waivers only. The specific waiver limitation is consistent with countrywide residual market plans. The charge and premium associated for the waiver shall be assigned to Code 0930.

The changes associated with this circular are noted on the Basic Manual pages provided below. Both manuals will be updated on the DCRB's website at a later date. Please refer to Filing No. 2101, available on the DCRB's website ([www.dcrb.com](http://www.dcrb.com)) under the "Filings" tab, for additional details and information on this revision. Please contact Delisa Fairley, Vice President – Underwriting Services at 215-320-4411 or at [dfairley@dcrb.com](mailto:dfairley@dcrb.com) for any questions on this Circular.

William V. Taylor  
President

WVT/DF/dn

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

*Approved Effective April 01, 2021*

**INFORMATION PAGE remains unchanged.**

**PREFACE remains unchanged.**

**SECTION 1 – UNDERWRITING RULES**

**SECTION 1 – UNDERWRITING RULES-RULE I (GENERAL) through RULE VIII (LIMITS OF LIABILITY)  
remains unchanged.**

**RULE IX – SPECIAL CONDITIONS OR OPERATIONS AFFECTING COVERAGE AND PREMIUM**

**ITEMS A. through H. remain unchanged.**

**I. WAIVER OF SUBROGATION (WAIVER OF OUR RIGHTS TO RECOVER FROM OTHERS)**

- 1.** For policies where the carrier waives subrogation rights, ~~the premium charge associated with such waiver shall be assigned to Code 0930.~~ the Waiver Our Right to Recover From Others endorsement (WC 00 03 13) must be attached to the policy. the premium charge associated with such waiver shall be assigned to Code 0930. For policies where a flat charge has been levied for a waiver of subrogation rights, the amount shall be assigned to Code 9115. Code 9115 – Flat Charge Waiver of Subrogation is not included in Total Standard Premium.
- 2.** The premium for the waiver endorsement is based on a pricing value and charged determined by the carrier.
- 3.** Voluntary market carriers must file the pricing value and premium charge with the Delaware Department of Insurance. The premium charge associated with the waiver shall be assigned to Code 0930. For policies where a flat charge has been levied for a waiver of subrogation rights, the amount shall be assigned to Code 9115. Code 9115 – Flat Charge Waiver of Subrogation is not included in the Total Standard Premium.
- 4.** Residual market carriers must use the values established by the DCRB in the annual residual market rate filing.
  - a.** Blanket waivers are not permitted in the residual market.
  - b.** The additional premium charge for residual market (assigned risk) policies is 5% of the total manual premium developed in conjunction with the work for which the waiver is provided, subject to a \$250 minimum premium charge per waiver.
  - c.** The residual market premium charge associated with the waiver shall be assigned to Code 0930.

**SECTION 1 – RULE X (CANCELLATION) through RULE XVII (MEMBER CARRIER DISPUTES (DISPUTE RESOLUTION CONFERENCE) remain unchanged.**

**DELAWARE WORKERS COMPENSATION MANUAL OF RULES, CLASSIFICATIONS AND RATING VALUES  
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