

## Report on Standard Exception Classifications

Excerpt from the WCIRB Classification and Rating Committee Minutes  
March 14, 2017

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The WCIRB prepares and presents reports to the WCIRB's Classification and Rating Committee to assist in the formulation of proposed changes to the Insurance Commissioner's regulations. Once adopted by the Classification and Rating Committee, the recommendations contained in the report are provided to the WCIRB Governing Committee and may be included in a WCIRB regulatory filing that is submitted to the Insurance Commissioner for approval.

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## Item III-D Report on Standard Exception Classifications

- 8810(1), *Clerical Office Employees – N.O.C.*
  - 8810(2), *Draftspersons*
  - 8810(3), *Libraries – private – librarians or professional assistants – including Clerical Office Employees*
  - 8810(4), *Libraries – public – librarians or professional assistants – including Clerical Office Employees*
  - 8742(1), *Salespersons – Outside*
  - 8742(2), *Bookbinding Operation – Salespersons – Outside*
  - 8742(3), *Boy and Girl Scout Councils –district executives – office and travel*
  - 8742(4), *Newspaper Publishing or Printing – reporters, advertising or circulation solicitors*
  - 8742(5), *Printing Operation – Salespersons – Outside*
- Section III, *General Classification Procedures*, Rule 4, *Standard Exceptions*.

The Committee reviewed a draft WCIRB report for the Standard Exception classifications and their associated procedures to clarify their application, simplify their administration and provide direction as to how related operations should be classified. The Committee was advised that the WCIRB has received feedback from its members about challenges in administering the Standard Exception classifications. In addition, staff noted that a significant portion of errors detected through the WCIRB California Premium Audit Accuracy Program are Standard Exception classification errors. Further, the *California Workers' Compensation Uniform Statistical Reporting Plan—1995* (USRP) does not explicitly state whether the alternate wordings to Classifications 8810 and 8742 (those classifications other than 8810(1) and 8742(1)) are subject to the procedures in Section III, *General Classification Procedures*, Rule 4, *Standard Exceptions*.

The Committee was provided an overview of the scope of operations assigned to the classifications at issue and the rules applicable to Standard Exception classification assignments. Based on the study results, WCIRB staff recommended:

1. Amend Part 3, Section III, *General Classification Procedures*, Rule 4, *Standard Exceptions*, to (a) clarify its intended application, (b) include an example explaining the classification of outside sales employees when the phraseologies for the classifications applicable to an employer do and do not specifically include outside salespersons, and (c) provide direction for how related operations should be classified, for classifying employees who qualify as Standard Exceptions based on a permanent change in job duties, and for classifying employees who otherwise qualify as Standard Exceptions but perform incidental non-clerical duties that directly relate to their office duties.
2. Amend Classification 8742(1), *Salespersons – Outside*, to clarify its intended application.
3. Eliminate Classification 8742(2), *Bookbinding Operation*, which is part of the *Printing, Publishing and Duplicating* Industry Group, as the operations described by this classification are assignable to Classification 8742, *Salespersons – Outside*.
4. Amend Classification 8742(3), *Boy and Girl Scout Councils*, to establish a unique classification code for these operations to eliminate confusion as to whether this is a Standard Exception classification, clarify its intended application and provide direction as to how related operations should be classified. This new classification would remain combined for ratemaking purposes with Classification 8742, *Salespersons – Outside*, until such time as statistically credible experience in the new classification is available.

5. Amend Classification 8742(4), *Newspaper Publishing or Printing – reporters, advertising or circulation solicitors*, which is part of the *Printing, Publishing and Duplicating* Industry Group, to establish a unique classification code for these operations to eliminate confusion as to whether this is a Standard Exception classification and clarify its intended application. This new classification would remain combined for ratemaking purposes with Classification 8742, *Salespersons – Outside*, until such time as statistically credible experience in the new classification is available.
6. Eliminate Classification 8742(5), *Publishing Operation – Salespersons*, which is part of the *Printing, Publishing and Duplicating* Industry Group, as the operations described by this classification are assignable to Classification 8742, *Salespersons – Outside*.
7. Amend Classification 8810(1), *Clerical Office Employees*, to clarify its intended application.
8. Eliminate Classification 8810(2), *Draftspersons*, as the operations described by this classification are assignable to Classification 8810, *Clerical Office Employees*.
9. Amend Classification 8810(3), *Libraries – private – librarians or professional assistants*, to establish a unique classification code for these operations to eliminate confusion as to whether this is a Standard Exception classification and clarify its intended application. This new classification would remain combined for ratemaking purposes with Classification 8810, *Clerical Office Employees*, until such time as statistically credible experience in the new classification is available.
10. Amend Classification 8810(4), *Libraries – public*, which is part of the *Municipal, State or Other Public Agencies* Industry Group, to establish a unique classification code for these operations to eliminate confusion as to whether this is a Standard Exception classification and clarify its intended application and. This new classification would remain combined for ratemaking purposes with Classification 8810, *Clerical Office Employees*, until such time as statistically credible experience in the new classification is available.

The Committee discussed the draft report and proposed changes contained in the Agenda materials at length. The consensus of the Committee was that staff's recommendations were appropriate, but the Committee suggested several refinements to the proposed changes to the USRP, Rule 4, *Standard Exceptions*, to further clarify and simplify the language of the rule.

Following the Committee's discussion, a motion was made and seconded to approve the proposed changes to the USRP, as amended by the Committee, for inclusion in the WCIRB's January 1, 2018 Regulatory Filing. The motion passed unanimously.

## Recommendation

Amend Part 3, Section III, *General Classification Procedures*, Rule 4, *Standard Exceptions*, to (a) clarify its intended application, (b) add an example to clarify classification procedure when the classification phraseologies applicable to an employer do and do not include outside salespersons, (c) clarify classification procedure for employees who qualify as Standard Exception Employees based on a permanent change in job duties and (d) clarify classification procedure when Standard Exception Employees perform incidental non-clerical duties that directly relate to their office duties.

## PROPOSED

### Section III – General Classification Procedures

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#### 4. Standard Exceptions

Employees engaged in the clerical office or outside sales functions described below are referred to as Standard Exception Employees. If a standard classification specifically includes Clerical Office Employees or Outside Salespersons, such employees shall be assigned to the standard classification, regardless of whether the work is conducted at the same or at a separate location. It is not permissible to divide a single employee's payroll, within a single policy period, between a Standard Exception classification and any other classification with the exception of a single permanent job reassignment. Otherwise, the remuneration of Standard Exception Employees is subject to division of payroll in connection with all other classifications in accordance with the following:

a. Classification 8810, Clerical Office Employees

Clerical Office Employees are defined as those employees whose duties are confined to keeping the books, records or cash of the employer; conducting correspondence; using computers; dispatching; recording weights; or who are engaged wholly in general office work or office drafting, having no regular duty of ~~any other~~ a non-clerical nature in the service of the employer. Except as otherwise provided in this Rule 4, ~~the entire payroll of any employee who is engaged in operations performed by~~ Clerical Office Employees and also is exposed (1) to any operative hazard of the business or (2) to any outside selling or collecting work, shall be assigned to the highest rated classification of work to which the employee is so exposed. Supervisors and clerks, such as time, stock, or tally clerks, whose work is necessary, incidental, in connection with or appurtenant related to any operations of the business other than clerical office operations, shall not be considered classified as ~~Clerical Office Employees. The clerical office employee~~ Classification 8810, Clerical Office Employees, shall be applied only to the payroll of persons herein described who work exclusively in areas that are separated from all other work places of the employer by buildings, floors, partitions, railings, or counters and within which no work is performed other than clerical office or drafting duties as defined in this section ~~Rule 4.~~

b. Classification 8742, Salespersons – Outside (Outside Salespersons)

Salespersons – Outside (Outside Salespersons) are defined as those employees who are engaged exclusively in sales, collection or public relations work away from the premises of the employer or who are engaged in such work for any portion of their time and devote the balance of their time to clerical office duties in areas that are separated from all other work places of the employer by buildings, floors, partitions, railings or counters and within which no work is performed other than clerical office or drafting duties as defined in this Rule 4. Except as otherwise provided in this Rule 4, the entire payroll of any employee who is engaged in operations performed by Outside Salespersons and is

also exposed to any operative hazard of the business shall be assigned to the highest rated classification of work to which the employee is so exposed.

~~The statement of payroll shall include the entire remuneration of all Outside Salespersons, including those whose duties take them outside the State of California.~~

When Outside Salespersons are required to pay their own traveling expenses out of their remuneration, not less than two-thirds of such remuneration shall be included as payroll.

c. Standard Exception Classification Procedures

(1) Employees who otherwise qualify for assignment to a Standard Exception classification will not be disqualified from that assignment if they perform certain duties directly related to their clerical office or outside sales work as defined in Rule 4a and 4b. These duties include depositing funds at a bank, picking up or delivering the employer's mail, purchasing office supplies and entering an area exposed to the operative hazards of the business for ingress or egress purposes or for purposes in connection with clerical activities, such as delivering paychecks.

~~(1)~~(2) Where a classification phraseology specifically includes "Clerical Office Employees, Outside Salespersons, or both," such employees shall be assigned to that classification regardless of whether their work is conducted at the same or at a separate location.

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

**Example**

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

~~(2)~~(3) When an employer's clerical office employees staff are engaged in operations incidental to in connection with other operations performed by the employer and such other operations are assigned to two or more classifications, one or more of which includes "Clerical Office Employees" and one or more of which does not include "Clerical Office Employees," the payroll of the clerical office employees staff shall be assigned in accordance with the following:

- (a) Compare the sum of the payroll (other than the payroll of miscellaneous employees) generated by the operations assigned to classifications that do not include "Clerical Office Employees" to the sum of the payroll (other than the payroll of miscellaneous employees) generated by the operations assigned to classifications that include "Clerical Office Employees."
- (b) If the sum of the payroll generated by the classifications that do not include "Clerical Office Employees" exceeds the sum of the payroll generated by the classifications that include "Clerical Office Employees," then the payroll of the clerical office ~~employees staff~~ shall be assigned to Classification 8810~~(4)~~, *Clerical Office Employees*.
- (c) If the sum of the payroll generated by the classifications that include "Clerical Office Employees" equals or exceeds the sum of the payroll generated by the classifications that do not include "Clerical Office Employees," then the payroll of the clerical office ~~employees staff~~ shall be assigned to the classification that includes "Clerical Office Employees."

~~e~~Employees. When there is more than one such classification, the clerical office employ-  
ees staff shall be assigned to the ~~one~~classification that generates the most payroll.

(d) The procedures stated above for classifying an employer's clerical office staff shall also apply when classifying an employer's outside sales staff (see example below).

**Example**

At location 1, an employer operates an ~~pediatric medical office—outpatient clinic~~ assigned to Classification 8834, *Physicians' Practices and Outpatient Clinics – all employees – including Clerical Office Employees*. At location 2, the same employer operates a convalescent nursing facility —assigned to Classification 8829(2), *Convalescent Nursing Facilities – including supervisors and receptionists*. ~~At a third location~~In an area that is separate from all other work places, the employer maintains a clerical and administrative office staff to conduct payroll and billing activities in support of both the ~~pediatric medical office~~outpatient clinic and the convalescent nursing facility. Under ~~s~~Scenario A (below), the convalescent nursing facility assigned to Classification 8829 (which does not ~~contemplate the inclusion of~~specifically include ~~e~~Clerical Office ~~e~~Employees) generates more payroll than the ~~medical office~~outpatient clinic and, therefore, the clerical ~~em-~~ployees office staff working in support of both operations are assignable to Classification 8810(4). Under ~~s~~Scenario B, since the ~~medical office~~outpatient clinic generates more payroll than the convalescent nursing facility, the clerical ~~employees~~office staff working in support of both operations are assignable to Classification 8834. In both scenarios, regardless of which operation generates more payroll, the clerical office staff working exclusively in support of the convalescent nursing facility are assignable to Classification 8810, and the clerical office staff working exclusively in support of the outpatient clinic are assignable to Classification 8834.

Scenario	Location 1: <del>Pediatric Medical Office</del> <u>Outpatient Clinic</u> Payroll	Location 2: Convalescent Nursing Facility Payroll	<del>Assigned Classification for Clerical Employees Working in Support of Both the</del> <u>Medical Office</u> <del>Outpatient Clinic and the Convalescent Nursing Facility</del>
A	\$200,000	\$655,000	8810(4), <i>Clerical Office Employees</i>
B	\$750,000	\$655,000	8834, <i>Physicians' Practices and Outpatient Clinics – all employees – including Clerical Office Employees</i>

~~b. Salespersons – Outside (Outside Salespersons)~~

~~Salespersons – Outside (Outside Salespersons) are defined as those employees who are engaged exclusively in sales, collection or public relations work away from the premises of the employer or who are engaged in such work for any portion of their time and devote the balance of their time to clerical office duties. The statement of payroll shall include the entire remuneration of all Outside Salespersons, including those whose duties take them outside the State of California.~~

~~When salespersons are required to pay their own traveling expenses out of their remuneration, not less than two-thirds of such remuneration shall be included as payroll.~~

**Example**

An employer operates an automobile and truck parts store, assignable to Classification 8046, *Stores – automobile or truck parts or accessories – wholesale or retail – including Inside Salespersons or Outside Salespersons*. This employer also maintains a department for the repair of automobiles or trucks on a fee basis, and employees engaged in these operations are assignable to Classification 8389, *Automobile or Truck Repair Facilities*. The employer maintains outside sales staff to conduct marketing and outside sales operations in support of the automobile and

truck parts store and promote the service and repair operations. Under Scenario C (below), the vehicle repair operations assigned to Classification 8389 (which do not specifically include Outside Salespersons) generate more payroll than the auto parts store operations assigned to Classification 8046 and, therefore, the outside sales staff working in support of both operations are assignable to Classification 8742. Under Scenario D, since the auto parts store operations generate more payroll than the vehicle repair operations, the outside sales staff working in support of both operations are assignable to Classification 8046. In both scenarios, regardless of which operation generates more payroll, outside sales staff working exclusively in support of the repair operations are assignable to Classification 8742, and outside sales staff working exclusively in support of the auto parts store operations are assignable to Classification 8046.

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

\* \* \* \* \*

**Recommendation**

Amend Classification 8742(1), *Salespersons – Outside*, to clarify its intended application.

PROPOSED

**SALESPERSONS – Outside**

**8742(1)**

Assignment of this classification is subject to the ~~provisions of the rules for~~ Standard Exceptions rule. See Section III, *General Classification Procedures, Rule 4, Standard Exceptions*.

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**Recommendation**

Eliminate Classification 8742(2), *Bookbinding Operation*, which is part of the *Printing, Publishing and Duplicating* Industry Group, as the operations described by this classification are assignable to Classification 8742, *Salespersons – Outside*.

PROPOSED

**~~PRINTING, PUBLISHING AND DUPLICATING~~**

**~~BOOKBINDING OPERATION – Salespersons – Outside~~**

**~~8742(2)~~**

~~This classification applies to employees engaged in sales, collection or public relations work in support of bookbinding operations.~~

~~Assignment of this classification is subject to the provisions of the rules for Standard Exceptions.~~

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**Recommendation**

Eliminate the cross-reference to Classification 8742(2), *Bookbinding Operation – Salespersons – Outside*, for consistency.

PROPOSED

**~~BOOKBINDING OPERATION – Salespersons – Outside~~**

~~See Printing, Publishing and Duplicating.~~

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**Recommendation**

Amend Classification 8742(3), *Boy and Girl Scout Councils*, to establish a unique classification code for these operations to eliminate confusion as to whether this is a Standard Exception classification, clarify its intended application and provide direction as to how related operations shall be classified.

PROPOSED

**~~BOY AND GIRL SCOUT COUNCILS – district executives – office and travel~~ including Outside Salespersons**

**~~8742(3)~~  
8744**

This classification applies to employees executive staff, including but not limited to district, council and national executives who travel away from the office to engage in activities, including but not limited to fundraising, marketing and public relations, or who are engaged in such work for any portion of their time and devote the balance of their time to clerical office duties.

With the exception of a single permanent job reassignment, it is not permissible to divide a single employee's payroll, within a single policy period, between this classification and any other classification.

Also refer to Camp operations shall be classified as Classification 9048(2), Boy and Girl Scout Councils – all camp operations.

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**Recommendation**

Amend Classification 8742(4), *Newspaper Publishing or Printing – reporters, advertising or circulation solicitors*, which is part of the *Printing, Publishing and Duplicating Industry Group*, to establish a unique classification code for these operations to eliminate confusion as to whether this is a Standard Exception classification and clarify its intended application.

PROPOSED

**PRINTING, PUBLISHING AND DUPLICATING**

**NEWSPAPER PUBLISHING OR PRINTING – reporters, advertising or circulation solicitors 8742(4)  
photographers – including Outside Salespersons 8746**

This classification applies to reporters, photographers and advertising or circulation salespersons employed by newspaper publishers or printers.

With the exception of a single permanent job reassignment, it is not permissible to divide a single employee's payroll, within a single policy period, between this classification and any other classification.

The publishing or printing of newspapers, tabloids, advertising newspapers, and specialty sections, including but not limited to the comics and television sections of newspapers, shall be classified as 4304, *Newspaper Publishing or Printing – all other employees*, or 8818, *Newspaper Publishing or Printing – editing, designing, proofreading and photographic composing*.

The sale and/or delivery of newspapers to customers for their personal use and not for resale shall be separately classified as 4312, *Newspaper Delivery*.

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**Recommendation**

Eliminate Classification 8742(5), *Publishing Operation – Salespersons*, which is part of the *Printing, Publishing and Duplicating* Industry Group, as the operations described by this classification are assignable to Classification 8742, *Salespersons – Outside*.

PROPOSED

**PRINTING, PUBLISHING AND DUPLICATING**

**PRINTING OPERATION – Salespersons – Outside**

**8742(5)**

~~This classification applies to employees engaged in sales, collection or public relations work in support of printing operations.~~

~~Assignment of this classification is subject to the provisions of the rules for Standard Exceptions.~~

~~Commercial printing operations shall be classified as 4299(1), *Printing Operation – all other employees*, or 8813(1), *Printing Operation – editing, designing, proofreading and photographic composing*.~~

~~Screen printing operations shall be classified as 4295(1), *Printing Operation – screen printing – all other employees*, or 8846(1), *Printing Operation – screen printing – editing, designing, proofreading and photographic composing*.~~

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**Recommendation**

Amend Classification 8810(1), *Clerical Office Employees*, to clarify its intended application.

PROPOSED

**CLERICAL OFFICE EMPLOYEES – N.O.C.**

**8810(1)**

Assignment of this classification is subject to the ~~provisions of the rules for~~ Standard Exceptions rule. See Section III, *General Classification Procedures, Rule 4, Standard Exceptions*.

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**Recommendation**

Eliminate Classification 8810(2), *Draftspersons*, as the operations described by this classification are assignable to Classification 8810, *Clerical Office Employees*.

PROPOSED

**DRAFTSPERSONS**

**8810(2)**

~~Assignment of this classification is subject to the rules for Standard Exceptions.~~

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**Recommendation**

Amend Classification 8810(3), *Libraries – private – librarians or professional assistants*, to establish a unique classification code for these operations to eliminate confusion as to whether this is a Standard Exception classification and clarify its intended application.

PROPOSED

**LIBRARIES – private – librarians or professional assistants – including Clerical Office Employees**

**8810(3)  
8811**

This classification applies to librarians, professional library assistants and clerical office employees who engage in activities, including but not limited to conducting research, ordering books and publications, maintaining reference systems, assisting customers to locate and check out materials, ~~conducting research, ordering books and publications, maintaining reference systems~~ and performing general clerical and administrative functions in support of the library.

With the exception of a single permanent job reassignment, it is not permissible to divide a single employee's payroll, within a single policy period, between this classification and any other classification.

Also refer to companion Classification 9015(5), *Libraries – private – all employees other than librarians, professional assistants or Clerical Office Employees*.

Public libraries shall be classified as ~~8810(4)~~8812, *Libraries – public – librarians or professional assistants*.

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**Recommendation**

Amend Classification 8810(4), *Libraries – public*, which is part of the *Municipal, State or Other Public Agencies* Industry Group, to establish a unique classification code for these operations to eliminate confusion as to whether this is a Standard Exception classification and clarify its intended application.

PROPOSED

**MUNICIPAL, STATE OR OTHER PUBLIC AGENCIES**

**LIBRARIES – public – librarians or professional assistants – including Clerical Office Employees**

**~~8810(4)~~  
8812**

This classification applies to librarians, professional library assistants and clerical office employees who engage in activities, including but not limited to conducting research, ordering books and publications, maintaining reference systems, assisting customers to locate and check out materials, ~~conducting research, ordering books and publications, maintaining reference systems~~ and performing general clerical and administrative functions in support of the public library.

With the exception of a single permanent job reassignment, it is not permissible to divide a single employee’s payroll, within a single policy period, between this classification and any other classification.

Employees other than librarians, professional assistants and clerical office employees, including but not limited to janitorial, maintenance, delivery and security personnel, shall be classified as 9420, *Municipal, State or Other Public Agency Employees – all other employees*.

Private libraries shall be classified as ~~8810(3)~~8811, *Libraries – private – librarians or professional assistants*.

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## Amendments to Cross-References for Consistency

### Recommendation

Amend Part 3, *Standard Classification System*, Section III, *General Classification Procedures*, Rule 1, *Classification Description*, for consistency.

### PROPOSED

#### Section III – General Classification Procedures

##### 1. Classification Description

An alphabetical listing of classifications that describe most occupations, employments, industries and businesses is contained in Section VII, *Standard Classifications*.

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- c. Any business or operation described by a classification defined as a Standard Exception shall be classified in the Standard Exception classification. However, when a Standard Exception is assigned to the basic business or operation, all employees not specifically included in the definitions for such Standard Exceptions shall be separately classified, all other conditions contained herein notwithstanding.

##### Example

All operations of an investment firm are assigned to Classification 8810(4), *Clerical Office Employees*, with the exception of an employee who maintains the facility. Facility maintenance is not contemplated by the Standard Exception Classification 8810(4), but rather, Classification 9015(1), *Building Operation – N.O.C. – all other employees*. The maintenance worker is therefore assigned to Classification 9015(1).

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### Recommendation

Amend Part 3, Section IV, *Special Industry Classification Procedures*, Rule 5, *Mining*, Rule 6, *Stores*, and Rule 8, *Labor Contractors*, for consistency.

### PROPOSED

#### Section IV – Special Industry Classification Procedures

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5. Mining

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b. Standard Exceptions

Draftspersons engaged exclusively within the office of such work and Clerical Office Employees engaged exclusively in keeping the books and records shall be treated as Standard Exceptions, and their payroll shall be assigned to ~~Classification 8810(2), Draftspersons, or Classification 8810(4), Clerical Office Employees.~~

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6. Stores

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b. The applicable store classification is determined based upon the type of merchandise sold, leased, consigned or auctioned and whether the operations are wholesale or retail. In the absence of specific instructions found in the classification phraseology or footnote, the following definitions apply when determining the applicable store classification.

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(2) Wholesale vs. Retail

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Salespersons who sell exclusively from samples to buyers for stores (no direct sales) in a sales-room or showroom location where no actual inventory (exclusive of showroom samples) is maintained, and who have no other duties of any kind in the service of the employer except clerical work or as outside salespersons, shall be classified as ~~8742(4), Salespersons – Outside.~~

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d. If a store maintains a department for the repair of items sold, the repair operations shall be classified in accordance with the following:

(1) If more than 50% of the repair jobs involve warranty repair, the repair operations are incidental to the store and the appropriate store classification shall be assigned in accordance with the ~~provisions of the~~ Single Enterprise rule. See Section III, General Classification Procedures, Rule 2, Single Enterprise.

(2) If 50% or more of the repair jobs involve fee repair, the store and repair department constitute Multiple Enterprises. Assign the repair operations in accordance with the ~~provisions of the~~ Multiple Enterprises rule to either the appropriate repair or manufacturing classification or the appropriate store classification. See Section III, General Classification Procedures, Rule 3, Multiple Enterprises.

Warranty repair work is defined as repair work for which no fee is charged to the customer. Repair work covered under a service contract or an extended warranty contract that was purchased by the customer is not considered to be warranty work.

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- f. ~~Firms~~Employers that engage in mobile food vending for the retail ~~selling~~sale of packaged and cold foods and beverages from food trucks, trailers, carts or temporary booths, including the incidental storage of such merchandise, shall be classified as 8017(1), *Stores – retail*, 8078(1), *Sandwich Shops*, 8078(2), *Beverage Preparation Shops*, or 8078(3), *Ice Cream or Frozen Yogurt Shops*, depending on the products sold. The operation of mobile food trucks, trailers, carts or temporary booths wherein hot food is prepared for sale to customers shall be classified as 9079(1), *Restaurants or Taverns*.

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- h. If a store engages in the sale of gasoline or automobile services, the appropriate store classification shall apply at each location wherein the sale of merchandise in the store, other than gasoline or automobile services, exceeds twenty-five percent (25%) of the total annual receipts for the location. Employees engaged in the fueling, service or repair of automobiles or trucks shall be assigned to the applicable gasoline station classification. Cashiers ~~that~~who work within the store and accept payments for store merchandise and automobile services shall be assigned to the applicable store classification.

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**8. Labor Contractors**

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Clerical office staff retained by the labor contractor to conduct its internal office functions shall be assigned to Classification 8810(4), *Clerical Office Employees*, subject to the Standard Exceptions rule, notwithstanding that temporary or leased workers are assigned to classifications that specifically include Clerical Office Employees.

**Examples**

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A labor contractor staffs an administrative office for a client operating a hospital. The hospital operations are assigned to Classification 9043, *Hospitals – all employees – including Clerical Office Employees and Outside Salespersons*. Normally, an administrative office would be assigned to Classification 8810(4), *Clerical Office Employees*; however, the phraseology of Classification 9043 includes Clerical Office Employees. Therefore, the administrative office staff provided to the hospital is assigned to Classification 9043.

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**Recommendation**

Amend Classification 9549, *Advertising Companies*, for consistency.

PROPOSED

**ADVERTISING COMPANIES – outdoor – selling space for advertising purposes – including shop operations; the erection, painting, repair and maintenance, or removal of signs; bill posting; and sign painting or lettering in or upon buildings or structures** 9549

This classification includes the production of signs, banners and related products by advertising companies and the operation of mobile billboard trucks (mobile advertising signs).

The application of painted or adhesive lettering and graphics onto surfaces at customer locations or onto customer vehicles by employers engaged in sign painting or lettering shall be classified as 9507(1), *Sign Painting or Lettering*.

The display of hand-held advertisement signs and walking billboards (human sign holders) at locations, including but not limited to sidewalks and street corners shall be classified as 8742(4), *Salespersons – Outside*.

\* \* \* \* \*

**Recommendation**

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

PROPOSED

**AIRCRAFT OPERATION**

**AIRCRAFT OPERATION – other than agricultural, scheduled or supplemental air carriers – not members of the flying crew – N.O.C.** 7428(1)

This classification applies to the ground operations of employers engaged in aircraft operations not more specifically described by another *Aircraft Operation* Industry Group classification, including but not limited to air ambulance services; air freight services (nonscheduled); aerial firefighting; aerial exhibitions; aerial patrol; aerial advertising, skywriting, sightseeing and survey work; aerial log lifting and transport; and aerial news reporting. Ground operations include but are not limited to aircraft fueling, service and repair.

Ticket sellers or information clerks shall be separately classified as 8810(4), *Clerical Office Employees*, classroom instructors shall be separately classified as 8868, *Colleges or Schools – private – not automobile schools – professors, teachers, or academic professional employees*, and ground photographic laboratory employees shall be separately classified as 4361(1), *Photographers – all employees*.

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

\* \* \* \* \*

**Recommendation**

Amend Classification 7428(2), *Aircraft Operation – flight schools and pilot training – not members of the flying crew*, which is part of the *Aircraft Operation Industry Group*, for consistency.

PROPOSED

**AIRCRAFT OPERATION**

**AIRCRAFT OPERATION – flight schools and pilot training – not members of the flying crew 7428(2)**

This classification applies to the ground operations of employers that provide flight instruction and training. Ground operations include but are not limited to aircraft fueling, service and repair.

Ticket sellers or information clerks shall be separately classified as 8810(4), *Clerical Office Employees*.

Classroom instructors who perform no flying operations or in-flight instruction shall be separately classified as 8868, *Colleges or Schools – private – not automobile schools – professors, teachers, or academic professional employees*.

Also refer to companion Classification 7424(2), *Aircraft Operation – flight schools and pilot training – members of the flying crew*.

\* \* \* \* \*

**Recommendation**

Amend Classification 7403, *Aircraft Operation – scheduled, commuter and supplemental air carriers – not members of the flying crew*, which is part of the *Aircraft Operation Industry Group*, for consistency.

PROPOSED

**AIRCRAFT OPERATION**

**AIRCRAFT OPERATION – scheduled, commuter and supplemental air carriers – not members of the flying crew 7403**

This classification applies to the ground operations of employers engaged in the air transport of passengers or cargo on a scheduled or charter basis. Ground operations include but are not limited to loading and unloading baggage and freight; assisting passengers with boarding and disembarking the aircraft; and aircraft fueling, service and repair.

Ticket sellers or information clerks shall be separately classified as 8810(4), *Clerical Office Employees*.

Also refer to companion Classification 7405, *Aircraft Operation – scheduled, commuter and supplemental air carriers – members of the flying crew*.

\* \* \* \* \*

**Recommendation**

Amend Classification 7429, *Airport Operators*, for consistency.

PROPOSED

**AIRPORT OPERATORS – all employees – including field or hangar instructors**

**7429**

This classification applies to all operations of airports, including but not limited to tower communications, facility or grounds maintenance, aircraft fueling or repair, airport parking and airport security.

Ticket sellers or information clerks shall be separately classified as 8810(4), *Clerical Office Employees*.

Classroom instructors who perform no flying operations or in-flight instruction or training shall be separately classified as 8868, *Colleges or Schools – private – not automobile schools – professors, teachers, or academic professional employees*.

In-flight instructors or other members of the flying crew shall be separately classified.

\* \* \* \* \*

**Recommendation**

Amend Classification 9220(1), *Cemetery Operation*, for consistency.

PROPOSED

**CEMETERY OPERATION – all employees**

**9220(1)**

This classification applies to the operation and maintenance of cemeteries or mausoleums. This classification also applies to the operation and maintenance of pet cemeteries.

Cemetery plot or mausoleum sales counselors shall be classified as 8742(4), *Salespersons – Outside*.

Crematory operations shall be separately classified as 9220(2), *Crematory Operation*.

The operation of funeral homes and mortuaries shall be classified as 9620, *Funeral Directors*.

The manufacture of stone cemetery monuments shall be classified as 1803, *Stone Cutting and Fabrication*.

\* \* \* \* \*

**Recommendation**

Amend Classification 5606, *Contractors – construction or erection – executive level supervisors*, for consistency.

PROPOSED

**CONTRACTORS – construction or erection – executive level supervisors – no direct supervision – division of a single employee’s payroll with any other classification is not permitted**

**5606**

This classification may be assigned only in connection with the construction or erection classifications listed in Appendix I, *Construction and Erection Classifications*.

This classification applies to executive level supervisors of construction operations wherein the employer develops payroll in one or more construction or erection classification(s) provided not less than two levels of supervision, as defined in Part 3, Section IV, Rule 2d, *Executive Level Supervisors*, are retained between the executive level supervisor and the workers performing actual construction operations.

This classification also includes management level employees, such as safety managers, project managers and engineers, who do not supervise construction operations but whose duties include walking through a construction site during the construction phase, provided the employer retains two levels of supervision over the construction crew(s) or where all operations have been subcontracted to licensed subcontractors. Otherwise, such employees are miscellaneous employees and shall be classified in accordance with Part 3, Section IV, Rule 2c, *Miscellaneous Employees (Construction or Erection)*.

This classification also applies to executive level supervisors when all construction operations are subcontracted to licensed contractors and no payroll is developed under any construction classification. In such instances, executive level supervisors exercise control exclusively through licensed subcontractors.

On jobs where all construction operations are subcontracted to licensed subcontractors, Classification 5610, *Contractors – construction or erection – all construction subcontracted*, shall apply to all other employees, including but not limited to job site cleaning and debris removal and post-construction warranty repair operations.

Classification 5606 does not apply to employees whose job site duties are limited to estimating, outside sales or public relations. Employees whose non-clerical duties are confined to visiting job sites for the purpose of pre-construction estimating, or for meeting with clients and other project representatives, are classified as 8742(4), *Salespersons – Outside*, provided they have no supervisory responsibilities over construction operations and they do not walk through job sites for purposes such as assessing construction progress, evaluating quality or determining compliance with safety standards.

Fee-based construction management companies that do not engage in or perform supervision over construction operations, but serve as an intermediary between the general contractor and project owner or otherwise provide expertise regarding a construction project, shall be classified as 8601(1), *Engineers – consulting*.

Also refer to Part 3, Section IV, Rule 2, *Construction or Erection Work*.

\* \* \* \* \*

**Recommendation**

Amend Classification 9220(2), *Crematory Operation*, for consistency.

PROPOSED

**CREMATORY OPERATION – all employees**

**9220(2)**

This classification applies to the operation and maintenance of crematories.

Cemetery plot or mausoleum sales counselors shall be classified as 8742(4), *Salespersons – Outside*.

Cemetery operations shall be separately classified as 9220(1), *Cemetery Operation*.

The operation of funeral homes and mortuaries shall be classified as 9620, *Funeral Directors*.

\* \* \* \* \*

**Recommendation**

Amend Classification 9529(2), *Decorating*, for consistency.

PROPOSED

**DECORATING – interior or exterior – hanging flags or bunting for conventions or celebrations** **9529(2)**

This classification applies to decorating the interior or exterior of buildings, streets, parking lots and malls with flags, banners, pennants and bunting in connection with conventions, celebrations, festivals or parades. This classification also applies to the installation of seasonal decorations, including but not limited to garland, trees, stars, balloons, lights, inflatable figurines and props. This classification includes the installation of similar items for advertising or commercial purposes.

The erection, removal or repair of tents away from the shop shall be classified as 9529(3), *Tent – erection, removal or repair*.

The installation and placement of house furnishings for other concerns on a fee basis shall be classified as 9521(1), *House Furnishings*.

Interior decorators or designers who operate on a fee basis and do not engage in the installation or placement of furnishings shall be classified as 8742(4), *Salespersons – Outside*, ~~in accordance with~~ subject to the provisions of the Standard Exceptions rule. See Section III, General Classification Procedures, Rule 4, Standard Exceptions.

The installation of floor coverings, including but not limited to linoleum, vinyl, asphalt or rubber tile, carpet or rugs within buildings shall be classified as 9521(2), *Floor Covering*.

The installation of window coverings shall be classified as 9521(3), *Window Covering*.

\* \* \* \* \*

**Recommendation**

Amend Classification 7721(1), *Detective or Private Investigative Agencies*, for consistency.

PROPOSED

**DETECTIVE OR PRIVATE INVESTIGATIVE AGENCIES**

**7721(1)**

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

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

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

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

\* \* \* \* \*

**Recommendation**

Amend Classification 7539, *Electric Power Companies*, for consistency.

PROPOSED

**ELECTRIC POWER COMPANIES – all operations – including construction or extension of lines**

**7539**

This classification applies to the operations of publicly or privately operated electric power companies that supply electrical power to customers. This classification includes the operation of all types of power generation plants and systems, including but not limited to hydro, solar, wind, geothermal, biomass and landfill gas power plants. This classification also includes the construction, operation, maintenance and repair of substations and transmission lines and the installation and repair of electric meters.

The erection of aerial power lines by separate concerns shall be classified as 7538, *Electric Power Line Construction*.

The construction of buildings, dams or reservoirs shall be separately classified.

Meter readers shall be separately classified as 8742(4), *Salespersons – Outside*, subject to the Standard Exceptions rule. See Section III, *General Classification Procedures*, Rule 4, *Standard Exceptions*.

\* \* \* \* \*

**Recommendation**

Amend Classification 7500, *Gas Works*, for consistency.

PROPOSED

**GAS WORKS – all operations – including construction or extension of lines**

**7500**

This classification applies to the operations of publicly or privately operated natural gas utility companies. The operations include but are not limited to the operation and maintenance of gas processing and storage plants; construction or repair of gas lines and valves; installation, repair and replacement of flow regulation and metering devices; and the sale and delivery of containerized propane or liquefied petroleum gas.

Meter readers shall be separately classified as 8742(4), *Salespersons – Outside, subject to the Standard Exceptions rule. See Section III, General Classification Procedures, Rule 4, Standard Exceptions.*

The sale and delivery of containerized propane or liquefied petroleum gas by separate concerns shall be classified as 8350, *Gasoline or Oil Dealers.*

The operation of gas pipelines on a fee basis shall be classified as 7515, *Oil or Gas Pipeline Operation.*

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

The construction of gas mains along streets and roads by separate concerns shall be classified as 6315(2)/6316(2), *Gas Mains or Connections Construction.*

\* \* \* \* \*

**Recommendation**

Amend Classification 9033, *Housing Authorities*, which is part of the *Municipal, State or Other Public Agencies* Industry Group, for consistency.

PROPOSED

**MUNICIPAL, STATE OR OTHER PUBLIC AGENCIES**

**HOUSING AUTHORITIES – all employees – including resident or on-site managers**

**9033**

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

~~**Flats, apartments, or multiple dwellings that have four or more units are subject to a minimum payroll of \$2,000 per annum for one location and to a minimum of \$1,000 for each additional location covered by the same policy.**~~

This classification applies to public agencies that provide housing or housing assistance to individuals in need. The housing authority may own and operate the housing or provide financial assistance in the form of housing vouchers, which allow clients to reside in approved housing operated by other concerns. This classification includes but is not limited to resident or on-site property managers and property maintenance and repair staff.

On-site property managers are those employees whose base of operations is at any property location that they are employed to manage. The term “resident” shall refer to any employee who

resides at a property managed by the employer.

The preparation or serving of hot foods shall be separately classified as 9079(1), *Restaurants or Taverns*.

Day care centers operated by housing authorities shall be separately classified as 9059, *Day Care Centers*.

Employees engaged exclusively in determining the eligibility of properties owned and operated by separate parties for rental subsidies shall be classified as 8742(4), *Salespersons – Outside*, subject to the Standard Exceptions rule. See Section III, *General Classification Procedures, Rule 4, Standard Exceptions*.

New construction, alteration or demolition work shall be separately classified.

\* \* \* \* \*

**Recommendation**

Amend Classification 8720(1), *Inspection for Insurance, Safety or Valuation Purposes*, for consistency.

PROPOSED

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

This classification applies to employers that perform inspections for insurance, safety or valuation purposes on a fee basis, including but not limited to insurance fraud investigations, boiler inspections, electric meter inspection and testing, backflow valve inspection and testing, energy efficiency inspections, fire protection and safety inspections, log scaling and agricultural products inspection.

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

This classification also applies to monitoring the flow of fluids on oil leases or along pipelines on a fee basis.

Insurance claims investigations performed on a fee basis that do not require surveillance of persons without their knowledge shall be classified as 8742(4), *Salespersons – Outside*, or 8810(4), *Clerical Office Employees*, ~~in accordance with the rules for~~ subject to the Standard Exceptions rule. See Section III, *General Classification Procedures, Rule 4, Standard Exceptions*. Insurance claims investigations performed by insurance companies shall be classified as 8822, *Insurance Companies*.

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

Property appraisal on a fee basis shall be classified as 8742(4), *Salespersons – Outside*, subject to the Standard Exceptions rule. See Section III, *General Classification Procedures, Rule 4, Standard Exceptions*.

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

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

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

\* \* \* \* \*

**Recommendation**

Amend Classification 9015(5), *Libraries – private – all employees other than librarians, professional assistants or Clerical Office Employees*, for consistency.

PROPOSED

**LIBRARIES – private – all employees other than librarians, professional assistants or Clerical Office Employees 9015(5)**

This classification applies to employees other than librarians, professional assistants and clerical office employees, including but not limited to janitorial, maintenance, delivery and security personnel.

Also refer to companion Classification ~~8810(3)~~8811, *Libraries – private – librarians or professional assistants*.

\* \* \* \* \*

**Recommendation**

Amend Classification 9610, *Motion Pictures – production*, for consistency.

PROPOSED

**MOTION PICTURES – production – in studios and outside – all employees 9610**

**The actual remuneration of actors, musicians, producers and the motion picture director must be included, subject, however, to a maximum of \$122,200 per year per person.**

**When such employees do not work the entire year, the payroll limitation shall be prorated based upon the number of weeks in which such employees worked during the policy period.**

This classification applies to ~~films~~companies that specialize in the production of motion pictures, television features, commercials, music videos, videotaped depositions, videotaped court proceedings or industrial films that are recorded on motion picture film stock, videotape, digital or other media.

Employees engaged exclusively in the electronic editing of digital files using computerized editing equipment are assignable to Classification 8810(4), *Clerical Office Employees*, ~~provided they otherwise meet the definition of Clerical Office Employees as contained in Part 3,~~ subject to the Standard Exceptions rule. See Section III, General Classification Procedures, Rule 4 Standard Exceptions.

Employees who create animation using computer or digital applications are assignable to Classification 8810(4), *Clerical Office Employees*, ~~provided they otherwise meet the definition of Clerical Office Employees as contained in Part 3,~~ subject to the Standard Exceptions rule. See Section III, General Classification Procedures, Rule 4, Standard Exceptions.

The payroll limitation of this classification is applicable to the director responsible for all aspects of production. The payroll for all other directors such as assistant and associate directors is not subject to limitation.

The payroll limitation also applies to motion picture producers responsible for overseeing the financial, administrative and creative aspects of a motion picture.

\* \* \* \* \*

**Recommendation**

Amend Classification 8807, *Newspaper, Magazine or Book Publishing*, which is part of the *Printing, Publishing and Duplicating* Industry Group, for consistency.

PROPOSED

**PRINTING, PUBLISHING AND DUPLICATING**

**NEWSPAPER, MAGAZINE OR BOOK PUBLISHING – no printing or distribution – editing, designing, proofreading, and photographic composing – including Clerical Office Employees** **8807**

This classification applies to pre-press activities and Clerical Office Employees of employers engaged in publishing printed newspapers, magazines or books where all printing and distribution is conducted by separate concerns. Pre-press activities include editing, designing, proofreading, and photographic composing, including negative stripping and plate making.

Newspaper reporters, ~~photographers,~~ advertising or circulation solicitors employed by newspaper publishers or printers shall be separately classified as ~~8742(4)~~8746, Newspaper Publishing or Printing – reporters, ~~advertising or circulation solicitors~~photographers – including Outside Salespersons.

Newspaper printing operations shall be classified as 4304, *Newspaper Publishing or Printing – all other employees*, or 8818, *Newspaper Publishing or Printing – editing, designing, proofreading and photographic composing.*

Magazine or book printing operations shall be classified as 4299(1), *Printing Operation – all other employees*, or 8813(1), *Printing Operation – editing, designing, proofreading and photographic composing.*

\* \* \* \* \*

**Recommendation**

Amend Classification 4304, *Newspaper Publishing or Printing*, which is part of the *Printing, Publishing and Duplicating* Industry Group, for consistency.

PROPOSED

**PRINTING, PUBLISHING AND DUPLICATING**

**NEWSPAPER PUBLISHING OR PRINTING – all other employees – including drivers and their helpers 4304**

This classification applies to employers engaged in the publishing or printing of newspapers, tabloids, advertising newspapers, and specialty sections, including but not limited to the comics and television sections of newspapers.

This classification applies to newspaper publishers that assemble, bundle, label or distribute newspapers that are printed by other employers.

The sale or delivery of newspapers to customers for their personal use and not for resale shall be separately classified as 4312, *Newspaper Delivery*.

Newspaper reporters, photographers and advertising or circulation solicitors employed by newspaper publishers or printers shall be separately classified as ~~8742(4)~~8746, *Newspaper Publishing or Printing – reporters, advertising or circulation solicitors* photographers – including Outside Salespersons.

Also refer to companion Classification 8818, *Newspaper Publishing or Printing – editing, designing, proofreading and photographic composing*.

\* \* \* \* \*

**Recommendation**

Amend Classification 4361(1), *Photographers*, which is part of the *Printing, Publishing and Duplicating* Industry Group, for consistency.

PROPOSED

**PRINTING, PUBLISHING AND DUPLICATING**

**PHOTOGRAPHERS – all employees – including receptionists – N.O.C. 4361(1)**

This classification applies to still photography services within portrait studios and at outside events. This classification includes all operations, including but not limited to ~~film~~-processing film, examining proofs, ~~the~~ handling, sorting and mounting ~~of~~ photographs and ~~the~~ assembling of photography albums. This classification also applies to noncommercial videography services to memorialize events such as weddings and family celebrations.

Employers providing photofinishing operations only shall be classified as 4361(2), *Photofinishing*.

Aerial photography operations performed aboard aircraft shall be classified as 7424(1), *Aircraft Operation – other than agricultural, scheduled or supplemental air carriers – members of the flying crew*.

Photographers employed by newspaper publishers or printers shall be classified as ~~8742(4)~~8746, *Newspaper Publishing or Printing – reporters, advertising or circulation solicitors* ~~photographers – including Outside Salespersons.~~

The production of motion pictures, television features, commercials, music videos, depositions, and court proceedings or industrial films that are recorded on motion picture film stock, videotape, digital or other media shall be classified as 9610, *Motion Pictures – production.*

\* \* \* \* \*

**Recommendation**

Amend Classification 4299(1), *Printing Operation – all other employees*, which is part of the *Printing, Publishing and Duplicating Industry Group*, for consistency.

PROPOSED

**PRINTING, PUBLISHING AND DUPLICATING**

**PRINTING OPERATION – all other employees – including counterpersons and drivers and their helpers – N.O.C. 4299(1)**

This classification applies to employers engaged in commercial offset printing using methods, including but not limited to lithography, flexography, rotogravure, hot stamp or letterpress to produce printed matter such as business forms, stationery, greeting cards, labels, bumper stickers, bar codes, playing cards, bank checks, books and magazines. This classification includes incidental bindery and die cutting activities in support of the printing operations.

This classification does not apply when printing operations are performed by an employer in connection with its own operations. Such operations shall be assigned to the applicable classification of the employer.

Employees engaged in sales, collection or public relations work in support of commercial printing operations shall be separately classified as ~~8742(5)~~, *Printing Operation – Salespersons – Outside*, subject to the Standard Exceptions rule. See Section III, *General Classification Procedures, Rule 4, Standard Exceptions.*

Locations at which job printing is exclusively performed with sheet-fed offset printing presses on paper not exceeding 18" x 24" shall be classified as 8019(1), *Printing – quick printing.*

Publishing or printing of newspapers, tabloids or advertising newspapers or newspaper inserts shall be classified as 4304, *Newspaper Publishing or Printing – all other employees*, or 8818, *Newspaper Publishing or Printing – editing, designing, proofreading and photographic composing.*

Screen printing shall be classified as 4295(1), *Printing Operation – screen printing – all other employees*, or 8846(1), *Printing Operation – screen printing – editing, designing, proofreading and photographic composing.*

Document duplication or photocopying by use of equipment, including but not limited to electrostatic copiers, scanners, and ink jet and laser printers shall be classified as 8019(2), *Document Duplication or Photocopying Service.*

Employers engaged in the printing of signs, banners and related commercial advertising products shall be classified as 9507(2), *Sign Mfg. – quick sign shops.*

Also refer to companion Classification 8813(1), *Printing Operation – editing, designing, proofreading and photographic composing*.

\* \* \* \* \*

**Recommendation**

Amend Classification 8813(1), *Printing Operation – editing, designing, proofreading and photographic composing*, which is part of the *Printing, Publishing and Duplicating Industry Group*, for consistency.

PROPOSED

**PRINTING, PUBLISHING AND DUPLICATING**

**PRINTING OPERATION – editing, designing, proofreading and photographic composing – including Clerical Office Employees 8813(1)**

This classification includes pre-press activities and clerical office employees of employers engaged in commercial off-set printing. Pre-press activities include but are not limited to editing, designing, proofreading and photographic composition, including negative stripping and plate making.

Employees engaged in sales, collection or public relations work in support of printing operations shall be separately classified as 8742(5), *Printing Operation – Salespersons – Outside*, subject to the Standard Exceptions rule. See Section III, *General Classification Procedures, Rule 4, Standard Exceptions*.

Also refer to companion Classification 4299(1), *Printing Operation – all other employees*.

\* \* \* \* \*

**Recommendation**

Amend Classification 4295(1), *Printing Operation – screen printing – all other employees*, which is part of the *Printing, Publishing and Duplicating Industry Group*, for consistency.

PROPOSED

**PRINTING, PUBLISHING AND DUPLICATING**

**PRINTING OPERATION – screen printing – all other employees 4295(1)**

This classification applies to fee based screen printing of a variety of items, including but not limited to clothing, banners, wallpaper, business cards, plastic, glass and metal containers and various parts received from customers. This classification also applies to pad printing.

Commercial printing operations shall be classified as 4299(1), *Printing Operation – all other employees*, 8813(1), *Printing Operation – editing, designing, proofreading and photographic composing*, or 8019(1), *Printing – quick printing*.

Employees engaged in sales, collection or public relations work in support of printing operations shall be separately classified as 8742(5), *Printing Operation – Salespersons – Outside*, subject to the Standard Exceptions rule. See Section III, *General Classification Procedures, Rule 4, Standard Exceptions*.

Also refer to companion Classification 8846(1), *Printing Operation – screen printing – editing, designing, proofreading and photographic composing*.

\* \* \* \* \*

**Recommendation**

Amend Classification 4295(2), *Screen Printed Merchandise Dealers*, which is part of the *Printing, Publishing and Duplicating Industry Group*, for consistency.

PROPOSED

**PRINTING, PUBLISHING AND DUPLICATING**

**SCREEN PRINTED MERCHANDISE DEALERS – all other employees 4295(2)**

This classification applies to the screen printing or pad printing of merchandise, including but not limited to clothing, advertising novelties, balloons and souvenirs, where not less than 75% of gross receipts are developed through the sale of items printed by the employer.

Retail store operations shall be separately classified.

Employees engaged in sales, collection or public relations work in support of printing operations shall be separately classified as 8742, *Salespersons – Outside*, subject to the Standard Exceptions rule. See Section III, *General Classification Procedures, Rule 4, Standard Exceptions*.

Also refer to companion Classification 8846(2), *Screen Printed Merchandise Dealers – editing, designing, proofreading and photographic composing*.

\* \* \* \* \*

**Recommendation**

Amend Classification 8846(1), *Printing Operation – screen printing – editing, designing, proofreading and photographic composing*, which is part of the *Printing, Publishing and Duplicating Industry Group*, for consistency.

PROPOSED

**PRINTING, PUBLISHING AND DUPLICATING**

**PRINTING OPERATION – screen printing – editing, designing, proofreading and photographic composing – including Clerical Office Employees 8846(1)**

This classification applies to pre-press activities and clerical office employees of employers engaged in fee based screen printing. Pre-press activities include but are not limited to the design and development of artwork and the preparation of screens. This classification also includes the post-printing cleaning of screens.

Employees engaged in sales, collection or public relations work in support of printing operations shall be separately classified as 8742(5), *Printing Operation—Salespersons – Outside*, subject to the Standard Exceptions rule. See Section III, *General Classification Procedures, Rule 4, Standard Exceptions*.

Also refer to companion Classification 4295(1), *Printing Operation – screen printing – all other employees*.

\* \* \* \* \*

**Recommendation**

Amend Classification 4492, *Sign Mfg. – metal, plastic or wood*, which is part of the *Sign Industry Group*, for consistency.

PROPOSED

**SIGN INDUSTRY**

**SIGN MFG. – metal, plastic or wood – N.O.C. 4492**

This classification applies to the manufacture of metal, plastic and wood signs, including but not limited to cabinet signs, channel letter signs, two-dimensional signs and three-dimensional signs involving the fabrication and assembly of sign parts. This classification includes the painting and application of pressure sensitive vinyl letters and graphics onto signs manufactured by the employer.

Employees engaged exclusively in the design and production of vinyl letters and graphics using office type computers and plotters/printers shall be classified as 8810(4), *Clerical Office Employees*, provided such operations are separated from sign manufacturing activities.

Employers engaged exclusively in the production of signs, banners and related products by application of painted, screen printed and pressure sensitive vinyl letters and graphics onto substrates, including but not limited to plastic, canvas, wood, foam, acrylic and magnetic materials shall be classified as 9507(2), *Sign Mfg. – quick sign shops*. Such operations may involve trimming substrates to size.

Neon tube fabrication and charging shall be separately classified as 4111(2), *Incandescent Lamp and Fluorescent Tube Mfg.*

Sign erection, installation or repair away from the shop shall be separately classified.

\* \* \* \* \*

**Recommendation**

Amend Classification 9507(2), *Sign Mfg. – quick sign shops*, which is part of the *Sign Industry Group*, for consistency.

PROPOSED

**SIGN INDUSTRY**

**SIGN MFG. – quick sign shops – including outside operations – including counterpersons 9507(2)**

This classification applies to employers engaged exclusively in the production of signs, banners and related products by application of painted, screen printed or pressure sensitive vinyl letters and graphics onto substrates, including but not limited to plastic, canvas, wood, foam, acrylic and magnetic materials. Such operations may involve trimming substrates to size.

Employees engaged exclusively in the design and production of vinyl letters and graphics using office type computers and plotters/printers shall be classified as 8810(4), *Clerical Office Employees*, provided such operations are separated from sign painting and lettering activities. The application of painted, screen printed or vinyl letters and graphics to a sign or banner surface shall be classified as 9507(2).

The manufacture of metal, plastic and wood signs, including but not limited to cabinet signs, channel letter signs, two-dimensional signs and three-dimensional signs involving the fabrication and assembly of sign parts and associated sign painting and lettering shall be classified as 4492, *Sign Mfg. – metal, plastic or wood*.

The production of signs, banners and related products by advertising companies shall be classified as 9549, *Advertising Companies*.

\* \* \* \* \*

**Recommendation**

Amend Classification 9507(1), *Sign Painting or Lettering*, which is part of the *Sign Industry* Group, for consistency.

PROPOSED

**SIGN INDUSTRY**

**SIGN PAINTING OR LETTERING – shop and outside – including counterpersons 9507(1)**

This classification applies to employers that apply painted or adhesive lettering and graphics onto surfaces, including but not limited to customers' buildings, structures, windows, signs and banners. This classification also includes the application of painted or adhesive lettering, signage, striping, adhesive wraps and window tint film onto automobiles, trucks or buses by employers not engaged in automobile, truck or bus painting or body repairing.

Employees engaged exclusively in the design and production of vinyl letters and graphics using office type computers and plotters/printers shall be classified as 8810(4), *Clerical Office Employees*, provided such operations are separated from sign painting and lettering activities. The application of painted or vinyl letters or graphics onto a surface shall be classified as 9507(1).

The manufacture of metal, plastic and wood signs, including but not limited to cabinet signs, channel letter signs, two-dimensional signs and three-dimensional signs involving the fabrication and assembly of sign parts and associated sign painting and lettering shall be classified as 4492, *Sign Mfg. – metal, plastic or wood*.

The application of painted or adhesive lettering and graphics onto surfaces at customers' locations or onto customers' vehicles by advertising companies shall be classified as 9549, *Advertising Companies*.

\* \* \* \* \*

**Recommendation**

Amend Classification 1803, *Stone Cutting and Fabrication*, for consistency.

PROPOSED

**STONE CUTTING AND FABRICATION – shop 1803**

This classification applies to the cutting and fabrication of stone slabs, including but not limited to granite, marble, travertine, quartz, limestone and onyx to produce products such as countertops, backsplashes, cemetery monuments, ceiling and wall veneer, mantels, floor tile, tabletops and exterior building panels or components.

Employees engaged exclusively in the design and production of stencils using office type computers and plotters/printers shall be classified as 8810(4), *Clerical Office Employees*, provided such operations are separated from stone cutting or fabrication activities.

The installation of cemetery monuments shall be classified as 5027/5028, *Masonry*.

Installation operations that include stone cutting and fabrication at installation sites shall be sep-

arately classified.

Quarrying and stone cutting in quarries shall be classified as 1624(1), *Quarries*.

\* \* \* \* \*

**Recommendation**

Amend Classification 8015, *Stores – furniture*, which is part of the *Stores* Industry Group, for consistency.

PROPOSED

**STORES**

**STORES – furniture – wholesale or retail**

**8015**

This classification applies to stores engaged in the sale or rental of furniture, including but not limited to couches, chairs, tables, dressers, bed frames, desks and bookcases. This classification also applies to furniture auctioneers.

This classification also applies to the operation of furniture galleries or showrooms that display samples of furniture for viewing and direct sale to customers. Such operations include but are not limited to the sale of furniture by salespersons, interior decorators or designers retained by the employer, and furniture shipping, receiving and delivery. This classification includes travel to customers' locations by salespersons, interior decorators or designers to gather information and provide advice in support of furniture sales.

This classification does not apply to the operation of furniture galleries or showrooms that sell exclusively from samples to buyers for stores (no direct sales) and where no inventory (exclusive of showroom samples) is maintained at the gallery or showroom location. Such gallery or showroom salespersons shall be classified as 8742(4), *Salespersons – Outside*, provided they have no other duties of any kind in the service of the employer except clerical work or outside sales. Refer to Section IV, *Special Industry Classification Procedures*, Rule 6, *Stores*.

The installation, service and repair of electrical household appliances shall be separately classified as 9519(1), *Household Appliances*.

The installation of linoleum, vinyl, carpet, rugs or asphalt or rubber tile shall be separately classified as 9521(2), *Floor Covering – installation*.

The installation of hardwood flooring shall be separately classified as 5436, *Hardwood Floor Laying*.

The installation of window coverings and associated hardware within buildings shall be separately classified as 9521(3), *Window Covering*.

Stores engaged in the sale of mattresses and box springs only shall be classified as 8017(1), *Stores – retail*.

\* \* \* \* \*

**Recommendation**

Amend Classification 7607(1), *Video Post-Production*, for consistency.

PROPOSED

**VIDEO POST-PRODUCTION – computer or electronic – all employees – including Clerical Office Employees and Outside Salespersons 7607(1)**

This classification applies to employers engaged exclusively in computerized or electronic video post-production operations for other concerns in connection with motion pictures, television features, commercials or similar productions, on a fee basis.

This classification does not apply to computer or electronic video post-production operations that are performed in connection with television or motion picture production by the employer; such operations shall be classified as 8810(4), *Clerical Office Employees*, in accordance with subject to the provisions of the rules for Standard Exceptions rule. See Section III, General Classification Procedures, Rule 4, Standard Exceptions.

This classification does not apply to non-computer or non-electronic post-production operations, including but not limited to developing film, production of prints by exposing raw film stock, editing of film prints by cutting or splicing or contract video duplication; such operations shall be assigned to the applicable classification.

\* \* \* \* \*

**Recommendation**

Amend Classification 7520, *Water Companies*, for consistency.

PROPOSED

**WATER COMPANIES – all employees – including construction or extension of lines 7520**

This classification applies to the operations of publicly or privately operated water companies that supply potable water to communities. This classification includes but is not limited to the construction, maintenance or repair of water mains and lateral lines, the treatment of water, the operation and maintenance of pumping stations and the installation and repair of water meters.

The construction of aqueducts, buildings, dams or reservoirs shall be separately classified.

Meter readers shall be separately classified as 8742(4), *Salespersons – Outside*, subject to the Standard Exceptions rule. See Section III, General Classification Procedures, Rule 4, Standard Exceptions.

The construction of cross-country water pipelines by separate concerns shall be classified as 6361(2), *Cross-Country Water Pipeline Construction*.

The construction of water mains along streets and roads by separate concerns shall be classified as 6315(1)/6316(1), *Water Mains or Connections Construction*.

The delivery and spraying of water at construction sites by water truck service companies shall be classified as 7272, *Water Truck Service Companies*.

The operation of hydroelectric power plants shall be classified as 7539, *Electric Power Companies*.

\* \* \* \* \*

**Recommendation**

Amend Section VIII, *Abbreviated Classifications – Numeric Listing*, for consistency.

PROPOSED

**Section II – Abbreviated Classifications – Numeric Listing**

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- 
- 8742(1) Salespersons–eOutside
- 8742(2) ~~Bookbinding–salespersons–outside~~
- 8742(3) Boy/Girl Scout Councils–district execs
- 8744
- 8742(4) Newspaper Publishing–reports/~~advertise~~photographers
- 8746
- 8742(5) ~~Printing–salespersons–outside~~
- 
- 
- 
- 8810(1) Clerical Office Employees
- 8810(2) ~~Draft~~persons
- 8810(3) Libraries–private–professional employees
- 8811
- 8810(4) Libraries–public
- 8812
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## Appendix IV

**Classifications Including Clerical Office Employees or Outside Salespersons**

See Section III, *General Classification Procedures*, Rule 4, *Standard Exceptions*, Subrule c, *Standard Exception Classification Procedures*.

<u>Code</u>	<u>Name</u>	<u>Including Clerical Office Employees</u>	<u>Including Outside Salespersons</u>
1322	Oil/Gas Well Servicing		X
4297(1)	Electronic Pre-press—all operations	X	
4297(2)	Graphic Design—all operations	X	
5192	Vending/Coin-Operated Machines		X
5650	Termite Control Work		X
7607(1)	Video Post-Production	X	X
7607(2)	Audio Post-Production	X	X
7610	Radio/Television/Commercial Stations	X	X
8019(1)	Printing—quick printing	X	X
8019(2)	Document Duplication/Photocopying	X	X
8039	Stores—department stores	X	X
8046	Stores—auto/truck parts/accessories		X
8062	Stores—computer		X
8286	Livestock Dealers/Auction Yards		X
8400	Motorcycle Dealers		X
8601(1)	Engineers—consulting	X	X
8601(2)	Oil/Gas Geologists/Scouts	X	X
8601(4)	Forest Engineers	X	X
8720(1)	Inspection for Insurance/Safety/Value		X
8720(2)	Elevator Inspecting		X
8720(3)	Weighers/Samplers/Inspectors		X
8741	Real Estate Agencies	X	X
8744	Boy/Girl Scout Councils—district execs		X
8746	Newspaper Publishing—reports/advertise		X
8743	Mortgage Brokers	X	X
8745	News Agents/Distributors Magazines		X
8749	Mortgage Bankers	X	X
8755	Labor Unions		X
8800	Mailing/Addressing Companies	X	
8801	Credit Unions	X	X
8803	Auditors/Accountants	X	
8807	Newspaper/Magazine/Book Publishing	X	
8808	Banks	X	X
8811	Libraries—private—professional employees	X	
8812	Libraries—public	X	
8813(1)	Printing—editing	X	
8813(2)	Bookbinding—editing	X	
8818	Newspaper Publishing/Printing—editing	X	
8820	Attorneys	X	X
8821	Attorney Support Services	X	X
8822	Insurance Companies	X	X
8830	Institutional Employees	X	X
8834	Physicians' Practices/Outpatient Clinics	X	
8838	Museums	X	

<u>Code</u>	<u>Name</u>	<u>Including Clerical Office Employees</u>	<u>Including Outside Salespersons</u>
8839	Dentists/Dental Surgeons	X	
8840	Church/Temple/Mosque/Synagogue-clergy	X	
8846(1)	Printing-screen printing-editing	X	
8846(2)	Screen Printed Merchandise Dlr-editing	X	
8850	Check Cashers	X	X
8859(1)	Computer Programming/Software Developmnt	X	X
8859(2)	Internet/Web-Based Application Developmt	X	X
8875(1)	Public Colleges/Schools	X	X
8875(2)	Superintendent of Public Schools Office	X	X
9031	Pest Control		X
9043	Hospitals	X	X
9185	Carnivals/Circuses	X	X

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