

January 18, 2024

VIA SERFF

The Honorable Michael Humphreys Insurance Commissioner Commonwealth of Pennsylvania - Insurance Department 1311 Strawberry Square Harrisburg, PA 17120

Attention: Michael McKenney, Actuarial Supervisor, Bureau of Property & Casualty Insurance

RE: PCRB Filing No. 341 – Proposed Effective April 1, 2024 Manual Housekeeping Revisions to Section 2 of the Basic Manual

Dear Commissioner Humphreys and Actuarial Supervisor McKenney:

On behalf of the members of the Pennsylvania Compensation Rating Bureau (PCRB), we hereby submit a filing for revisions to the PCRB Workers' Compensation Manual of Rules, Classifications and Rating Values for Workers' Compensation and Employers Liability Insurance (Basic Manual). These revisions are proposed for policies effective at 12:01 a.m., April 1, 2024, or later. This proposed effective date is intended to coincide with the implementation of changes concurrent with PCRB's annual comprehensive loss cost filing, which was separately filed with the Insurance Department for policies with effective dates April 1, 2024, and later. This coordination consolidates necessary changes that our members and other constituents must make to policies, forms, and systems so that they occur once annually. Nothing in the proposed Basic Manual language housekeeping revisions will impact any classification's loss cost value or any employer's workers' compensation classification assignment.

Details of this filing are provided in PCRB's June 7, 2023, staff memorandum, which is included in this filing. The memorandum describes the proposed revisions to the Basic Manual language. These proposals are intended to assist in the administration of the PCRB's uniform classification plan and do not revise the scope of any classification. The memorandum and proposals were reviewed by the PCRB Classification and Rating Committee at the Committee's meeting on June 7, 2023. No objections were raised by the Committee following review of the proposed April 1, 2024, Basic Manual language housekeeping revisions.

The proposed Basic Manual language housekeeping revisions are summarized below:

- Section 2 Revisions to 10 Classification descriptions for clarity.
- Underwriting Guide Addition of 9 new Underwriting Guide entries and deletion of 2 entries.

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

Sincerely,

William V. Taylor President

Enclosures: June 7, 2023, Memorandum to the Committee Revisions to Section 2



TO: Pennsylvania Compensation Rating Bureau (PCRB) Classification and Rating Committee

FROM: Joseph Lombo- Manager- Classification

DATE: June 7, 2023

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

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

Section 2 revisions are provided below. None of the language revisions will impact any classification's proposed April 1, 2024, rating value. The PCRB recommends that all Section 2 language revisions proposed herein become effective April 1, 2024.

Proposed Effective April 1, 2024

INFORMATION PAGE remains unchanged.

PREFACE remains unchanged.

MEMBERSHIP remains unchanged.

TABLE OF CONTENTS remains unchanged.

SECTION 1 – UNDERWRITING RULES remains unchanged.

SECTION 2 - CLASSIFICATIONS AND BUREAU RATING VALUES

PCRB RATING VALUES through DEFINITIONS remains unchanged.

CLASSIFICATIONS

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

105 BAKERY, WHOLESALE

No change.

OPERATIONS NOT INCLUDED:

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

UNDERWRITING GUIDE

No change

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

111 SLAUGHTERHOUSE – WHOLESALE, ALL OPERATIONS

No change.

OPERATIONS ALSO INCLUDED:

No change.

OPERATIONS NOT INCLUDED:

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

Proposed Effective April 1, 2024

UNDERWRITING GUIDE

No change.

Classification Code 112, CARBONATED BEVERAGE MFG., through Classification Code 606, OIL OR GAS WELL DRILLING, remain unchanged.

607 DRILLING, N.O.C. – BY CONTRACTOR

No change.

OPERATIONS ALSO INCLUDED:

No change.

OPERATIONS NOT INCLUDED:

No change.

UNDERWRITING GUIDE

<u>Gas Or Oil Well Bore Cleaning – By Contractor</u> <u>Oil Or Gas Well Bore Cleaning – By Contractor</u> Oil Or Gas Well Cleaning – By Contractor

Classification Code 608, FLAT CEMENT WORK, through Classification Code 652, CARPENTRY RESIDENTIAL INCLUDES ONE- OR TWO-FAMILY DETACHED HOUSES, TOWNHOUSES OR ROW HOUSES OR BUILDINGS DESIGNED PRIMARILY FOR MULTIPLE OCCUPANCY (E.G., APARTMENTS) THREE STORIES OR LESS IN HEIGHT OR GARAGES CONSTRUCTED IN CONNECTION WITH THE HOUSES OR APARTMENTS, remain unchanged.

653 MASONRY

OPERATIONS NOT INCLUDED:

No change.

UNDERWRITING GUIDE Building Cleaning, Exterior Walls

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

921 FURNITURE STORE – WHOLESALE

No change.

OPERATIONS NOT INCLUDED:

No change.

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

922 FURNITURE STORE – RETAIL – ALL EMPLOYEES EXCEPT OFFICE

No change.

Proposed Effective April 1, 2024

Applies to a retail store 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 and major household appliances such as refrigerators, <u>cooking</u> stoves and washing machines. In addition, a furniture store 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. Also included are the incident installation, service or repair operations including but not necessarily limited to: the installation of all types of floor coverings and window coverings or the service or repair of major household appliances or televisions or other electronic entertainment or communications devices.

OPERATIONS ALSO INCLUDED:

No change.

OPERATIONS NOT INCLUDED:

No change.

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

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

925 HARDWARE STORE – RETAIL

No change.

OPERATIONS ALSO INCLUDED:

No change.

OPERATIONS NOT INCLUDED:

No change.

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

926 HARDWARE STORE – WHOLESALE

No change.

OPERATIONS NOT INCLUDED:

No change.

UNDERWRITING GUIDE Storage Shed Dealer – Wholesale Stove (Heating) Dealer – Wholesale

Proposed Effective April 1, 2024

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

954 SECURITY AGENCY

No change.

OPERATIONS NOT INCLUDED:

Item 1 through Item 4 – No change.

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

UNDERWRITING GUIDE

School Crossing Guards – Non-Municipal Employees

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

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

No change.

OPERATIONS ALSO INCLUDED:

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

OPERATIONS NOT INCLUDED:

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

UNDERWRITING GUIDE

No change.

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

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

No change.

OPERATIONS ALSO INCLUDED:

1. A facility operated by a religious organization for the purpose of providing health care services exclusively to clergy or other persons in a religious profession who are members of the religious organization operating the

Proposed Effective April 1, 2024

facility. These facilities are exempt by statute from the health care facility and personal care home definitions and, hence, from the Departments of Health and Public Welfare regulations respectively.

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

OPERATIONS NOT INCLUDED:

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

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

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

No change.

OPERATIONS ALSO INCLUDED:

- Also included are residential facilities for the elderly that offer their guests services including but not necessarily limited to laundry, dietary (a common dining area), housekeeping (the insured's employees will clean client living areas), recreation and/or related social programs. Typically these facilities have beds licensed as personal care and unlicensed quarters (apartments or cottages) or have only un- licensed quarters (apartments or cottages).
- 2. Payroll developed by staff providing home health and/or home care services primarily to residents (not the community at large) of the employer's health care facilities.

OPERATIONS NOT INCLUDED:

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

UNDERWRITING GUIDE

No change.

980 CITY, TOWNSHIP, BOROUGH OR COUNTY

No change.

OPERATIONS NOT INCLUDED:

Item 1 through Item 15 - No change.

16. Assign Code 954 to school crossing guards employed by private (non-municipal) concerns.

UNDERWRITING GUIDE

No change.

Proposed Effective April 1, 2024

906 VOLUNTEER AMBULANCE CORPS – SUPPORT STAFF

No change.

The per corps (company) charge shall be applied on a per location basis, regardless of the number of ambulances garaged at each location.

OPERATIONS NOT INCLUDED:

No change.

UNDERWRITING GUIDE

No change.

Classification Code 981, CASINO GAMBLING - ALL EMPLOYEES INCLUDING OFFICE, through Classification Code 984, INSURANCE COMPANY – ALL EMPLOYEES INCLUDING OFFICE, remain unchanged.

985 POLICE OR FIREFIGHTERS, SALARIED EMPLOYEES OF CITIES, TOWNSHIPS, BOROUGHS OR COUNTIES

OPERATIONS ALSO INCLUDED:

No change

OPERATIONS NOT INCLUDED:

1. Assign Code 980 to employees exclusively engaged as school crossing guardsschool crossing guards employed by a municipality.

No change.

UNDERWRITING GUIDE

No change.

Classification Code 986, ADULT SHELTER OR HALFWAY HOUSE – RESIDENTIAL – NON-MEDICAL – ALL EMPLOYEES INCLUDING OFFICE, through Classification Underwriting Guide remain unchanged.

SECTION 3 – ENDORSEMENTS remains unchanged.

SECTION 4 - RETROSPECTIVE RATING PLAN remains unchanged.

SECTION 5 – EXPERIENCE RATING PLAN remains unchanged.

SECTION 6 - MERIT RATING PLAN remains unchanged.

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105 BAKERY, WHOLESALE

No change.

OPERATIONS NOT INCLUDED:

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

UNDERWRITING GUIDE

No change

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

111 SLAUGHTERHOUSE – WHOLESALE, ALL OPERATIONS

No change.

OPERATIONS ALSO INCLUDED:

No change.

OPERATIONS NOT INCLUDED:

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

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No change.

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607 DRILLING, N.O.C. – BY CONTRACTOR

No change.

OPERATIONS ALSO INCLUDED:

No change.

OPERATIONS NOT INCLUDED:

No change.

UNDERWRITING GUIDE

Gas Or Oil Well Bore Cleaning – By Contractor Oil Or Gas Well Bore Cleaning – By Contractor

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653 MASONRY

OPERATIONS NOT INCLUDED:

No change.

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No change.

OPERATIONS NOT INCLUDED:

No change.

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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 and major household appliances such as refrigerators, cooking stoves and washing machines. In addition, a furniture store 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. Also included are the incident installation, service or repair operations including but not necessarily limited to: the installation of all types of floor coverings and window coverings or the service or repair of major household appliances or televisions or other electronic entertainment or communications devices.

OPERATIONS ALSO INCLUDED:

No change.

OPERATIONS NOT INCLUDED:

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925 HARDWARE STORE – RETAIL

No change.

OPERATIONS ALSO INCLUDED:

No change.

OPERATIONS NOT INCLUDED:

No change.

UNDERWRITING GUIDE

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

926 HARDWARE STORE – WHOLESALE

No change.

OPERATIONS NOT INCLUDED:

No change.

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Proposed Effective April 1, 2024

954 SECURITY AGENCY

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No change.

OPERATIONS ALSO INCLUDED:

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No change.

Proposed Effective April 1, 2024

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