



July 13, 2010

BUREAU CIRCULAR NO. 861

To All Members of the Bureau:

Re: **DELAWARE BASIC MANUAL REVISIONS**
BUREAU FILING NO. 1001
EFFECTIVE OCTOBER 1, 2010

- 1) **Revisions to Code 855, Lumber and/or Building Material Dealer**
- 2) **Revisions to Codes 607, Drilling by Contractors, and 028, Oil or Gas Production**
- 3) **Revisions to Section 2 – Housekeeping**

The Delaware Compensation Rating Bureau, Inc. has filed and the Insurance Commissioner has approved Manual revisions to Codes 855, Lumber and/or Building Material Dealer, 607, Drilling by Contractors, 028, Oil or Gas Production, and housekeeping revisions to Section 2. These revisions become **effective as of 12:01 a.m., October 1, 2010** with respect to new and renewal business only.

Carriers are reminded that they must file an amended (or re-file their existing) Insurer Adoption of DCRB Workers' Compensation Loss Costs form with the Delaware Department of Insurance in response to approval of Bureau Filing No. 1001 within 60 days after the effective date of Bureau Filing No. 1001, or not later than November 30,, 2010. Carriers are encouraged to submit their filings as expeditiously as possible and to present any questions that they may have regarding their filings directly to the Department of Insurance.

Consistent with the provisions of Title 18, Chapter 26 of the Delaware Code, if insurer filings do not propose any rate(s) lower than the loss costs (by classification) included in the DCRB's Bureau Filing No. 1001, then proposed insurer rates may be implemented immediately after filing.

The various revisions, as referenced above, are discussed below.

1) REVISIONS TO CODE 855, LUMBER AND/OR BUILDING MATERIAL DEALER

These revisions are the result of a class study of Code 855, which was undertaken to determine whether the scope of the classification was overly broad and to review the application of Code 935, Lumber and/or Building Material Dealer – Store Employees, as the companion retail store classification for Code 855. An employer must first be classified to Code 855 in order for Code 935 to be considered as an additional authorized classification.

The study revealed that the overall scope of Code 855 is sound, and no employers should be reclassified. Code 935 will be retained as a companion classification to Code 855, and the Manual language for these classifications is being revised to clarify that a Code 855 employer must fulfill the multiple enterprise criteria in order to have Code 935 as an additional authorized classification. Code 935 will be withdrawn for those employers who do not operate separate retail stores, effective upon each such employer's first normal anniversary rating date on or after October 1, 2010.

Manual revisions are shown below with deleted wording bracketed and new wording underlined.

SECTION 2

ADDITIONS

Underwriting Guide

To 855:

Kiln Drying of Lumber – No Sawmill Operations
Landscaping Supplies Dealer (e.g., Mulch, Topsoil Or Stone)
Log Dealer – No Logging or Sawmill Operations

DELETIONS

Underwriting Guide

From 855:

Freight Car Icing
Refrigerator Car Icing Or Re-Icing
Refrigerator Car, Pre-Cooling

CHANGES

855 LUMBER and/or BUILDING MATERIAL DEALER

Applicable to establishments principally engaged in selling lumber and/or building materials on a wholesale or retail basis. The lumber may include but is not necessarily limited to: rough and dressed lumber, [flooring,] molding, doors, sashes, frames and other millwork. The building materials may include but are not necessarily limited to: roofing, siding, shingles, wallboard, paint, brick, tile, cement, ready-mix concrete, sand or gravel [and other building materials]. This class also includes payroll developed in the delivery of hardware, lumber and/or building materials by the lumber/building material dealer.

CHANGES (continued)

[The operation of an outlet on the premises of a lumber and/or building material dealer in which hardware, paint, and other similar merchandise is sold shall be subject to separate classification provided the outlet is located in a physically separate department with no interchange of labor between the outlet and other operations. Payroll developed in the outlet operations is subject to Code 935.]

OPERATIONS ALSO INCLUDED:

1. The operation of a sales counter where the insured's counter staff takes customer telephone, facsimile, Internet or walk-in orders for the lumber and/or building materials, accepts payment or charges the customer's "house" account, and transfers the orders to the insured's yard or warehouse staff. The counter staff may also sell merchandise from a counter display, display racks behind the counter and/or a display space in front of the counter.
2. The operation of a showroom where customers may view samples of the lumber and/or building materials sold and place orders for such at a counter.

OPERATIONS NOT INCLUDED:

4. Assign Code 935 to the operations of a physically separate and separately-staffed retail store on the premises of a lumber and/or building material dealer that fulfills the multiple enterprise criteria discussed in Rule IV, C., 3., a., 2. of this Manual.

935 LUMBER AND/OR BUILDING MATERIAL DEALER – Store Employees – For use in conjunction with Code 855 only

Applicable to the operation of a retail store on the premises of a lumber and/or building material dealer in which hardware, paint and other similar merchandise is sold. This classification may only be authorized as an additional classification for an employer classified to Code 855 if the employer fulfills the multiple enterprise criteria discussed in Rule IV., C., 3., a., 2. of this Manual. The retail store must be operated in a physically separate work area from the lumber and/or building material dealer's warehouse or yard with no interchange of labor between the store and the warehouse or yard. The term "retail" shall be construed to mean the selling of displayed merchandise in store-type premises where floor and/or counter salespersons assist customers or on a self-service basis to the general public for personal or household consumption or use. This classification shall also apply when the store sales are made to wholesale customers (e.g., commercial or professional users) but conducted primarily in a retail manner. For purposes of assignment to this classification, the term "retail manner" shall be construed to mean that the insured will have a floor area where merchandise is stocked in display aisles, customers may walk up and down the display aisles, inspect the merchandise being offered for sale, place their selections into either a shopping basket or shopping cart and will make payment for their selections at a customer checkout lane. The retail store may also contain a second counter area where customers may place orders for the lumber and/or building materials.

CHANGES (continued)

OPERATIONS NOT INCLUDED:

This classification is not available for the operation of a sales counter of a lumber/or building material dealer where the insured's staff takes customer orders for the lumber and/or building materials, accepts payment, transfers the orders to the insured's yard or warehouse staff and may also sell merchandise from a counter display, display racks behind the counter and/or a display space in front of counter but where the insured does not operate a separate retail store as defined above.

There are no revisions to the rating values for either Code 855 or 935 as a result of the study conclusions.

2) REVISIONS TO CODES 607, DRILLING BY CONTRACTORS, AND 028, OIL OR GAS PRODUCTION

These revisions are the result of a class study of Code 607, which led the DCRB to also include Code 028 in the review. Code 607 applies to drilling businesses and to those whose operations also include drilling. The DCRB review did not disclose any employer drilling oil or gas wells or separate, unrelated businesses performing one or more oil or gas well service(s). Research indicated that there is no oil or gas well drilling Delaware at this time nor has there been such activity in the last 71 years, as well as the negligible likelihood of any future drilling.

The study result is to delete Code 028 and remove all references to oil or gas well drilling or oil and gas well services in the Code 607 Underwriting Guide.

Manual revisions are shown below with deleted wording bracketed and new wording underlined.

SECTION 2

ADDITIONS

Underwriting Guide:

To 607:

Geothermal Well Drilling – By Contractor
Horizontal Or Directional Drilling – By Contractor

CHANGES

Underwriting Guide

To 607:

Geophysical Exploration[, N.O.C.]

617 GAS, STEAM or WATER MAIN CONSTRUCTION – all work to completion [except tunneling under pressure]

CHANGES (continued)

OPERATIONS NOT INCLUDED:

1. Separately rate to Code 615 tunneling under pressure.
2. Separately classify horizontal/directional drilling to Code 607.
3. Separately classify conduit construction to Code 625.

625 CONDUIT CONSTRUCTION – for cables or wires, all work to completion.

Also includes cable laying by specialist contractors employing automatic equipment, which in one operation opens the trench, lays the cable and backfills.

OPERATIONS NOT INCLUDED:

1. Separately classify horizontal drilling to Code 607.

DELETIONS

028 OIL OR GAS PRODUCTION, Operation of Wells – including gasoline mfg. from casing-head gas.

As provided for in this Manual separately rate geophysical exploration, erecting or dismantling of derricks, drilling, redrilling or deepening, installation or recovery of casing, well shooting, cementing, tank building or tapping operations.

Underwriting Guide

From 028:

Gas Production
Gas Well Production
Natural Gas Production
Oil Lease Operation
Oil Production
Oil Well Operation
Well Operation – Oil Or Gas

From 607:

Fracturing (Fracing) Of Gas Wells – By Contractor
Gas Well Drilling
Gas Well Service Contractor
Geophysical Exploration – Seismic Method
Logging Of Oil And/Or Gas Wells – By Contractor
Oil Well Casing Installation – By Contractor
Oil Well Cementing, By Contractor
Oil Well Cleaning – By Contractor
Oil Well Drilling
Oil Well Service Contractor
Oil Well Shooting – By Contractor

There are no revisions to the rating values for Code 607 as a result of the study conclusions.

3) REVISIONS TO SECTIONS 1 AND 2 - HOUSEKEEPING

These revisions are intended to make the Manual clearer and less ambiguous. The revisions clarify key classification procedures and update language defining certain classifications to bring them into alignment with other Manual provisions and/or to recognize technological or industrial change.

Revisions to Classification Procedure

- Addition of guidelines to Section 1, Rule IX – Special Conditions or Operations Affecting Coverage and Premium, for the premium auditor to follow in assigning a truck driver/employee to the appropriate state.

Section 1

- Revisions to language in Rules IV, B., 2. c. for Salespersons – Outside to incorporate the concept of “regular and frequent.”
- Revisions to Rule IX, E. Professional and Semi-Professional Athletes, to revise coverage from season to policy year.

Section 2

- Revisions to language in 14 classifications, plus Underwriting Guide additions and revisions.

Manual revisions are shown below with deleted wording bracketed and new wording underlined.

SECTION 1

ADDITION

RULE IX- SPECIAL CONDITIONS OR OPERATIONS AFFECTING COVERAGE AND PREMIUM

G. TRUCKERS – INTERSTATE

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

Example:

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

ADDITION (continued)

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

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

For the purposes of the guidelines the following definitions apply:

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

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

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

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

CHANGES

RULE IV – CLASSIFICATIONS

B. CLASSIFICATIONS

2. Standard Exception Classification

- c. **SALESPERSONS – OUTSIDE, Code 951** – are employees either exclusively engaged in sales or collection work away from the employer's premises or who are [such work for any portion of their time]regularly and frequently (as defined elsewhere in this Manual) engaged in sales or collection work away from their employer's premises and devote the balance of their time to clerical office duties.

This classification is..... the purposes of this rule.

CHANGES (continued)

**RULE IX- SPECIAL CONDITIONS OR OPERATIONS AFFECTING COVERAGE
AND PREMIUM**

E. PROFESSIONAL AND SEMI-PROFESSIONAL ATHLETES – CLASS CODES 970 and 991

1. Employees who qualify for payroll limitation include but are not limited to all players, coaches, managers or [game]sports officials and include all players on salary list of the employer.
2. The entire remuneration of each player, coach or manager should be included in computing premium, subject to a maximum of \$60,000 per [season]policy year.

[3.] Season includes pre-season and post-season exposure.]

[4]3. When a player, coach or manager works for two or more teams in the same sport during the [season]policy year, the maximum shall be pro-rated.

[5]4. The remuneration of an individual player, coach, manager or sports official is subject to a minimum of \$600[.00] per week of the [season or]policy year, including board and lodging. (Limited to Code 970.)[.] For more details refer to the Classification and Rating Values Section.

[G]H. DELAWARE CONSTRUCTION CLASSIFICATION PREMIUM PROGRAM

No change to rule.

[H]I. WAIVER OF SUBROGATION

No change to rule.

SECTION 2

ADDITIONS

UNDERWRITING GUIDE

To 855:

Metal Road Plate Rental

To 884:

Aerobics Studio

Pilates Studio

Yoga Studio

To 955:

Museum Display Creation – By Independent Contractor

ADDITIONS (continued)

To 965:

Academic Tutoring Service By Independent Provider
Charter School
Computer Training School
English As A Second Language Courses By Specialist Contractor
Foreign language Courses By Specialist Contractor
Music Lessons By Specialist Contractor

To 968:

Amateur Sports Training Facility (e. g., Basketball, Ice Hockey, Boxing) Not Professional Or
Semiprofessional Sports

To 995:

Dumpster Rental/Service
Trash Dumpster/Debris Box Rental Service

CHANGES

860 JUNK DEALER

For businesses collecting and handling a combination of ferrous and/or nonferrous scrap metal and other secondhand commodities (e.g., paper, glass ((including glass bottles)), rubber, rags or plastic ((including plastic bottles)) with no principal line of merchandise).

[Also includes secondhand material yards of a wrecking or demolition contractor that are separately located and staffed.]

[WRECKING OR DEMOLITION PROJECTS shall be classified as delineated in the General Auditing & Classification Information section.]

OPERATIONS ALSO INCLUDED:

1. Secondhand material yards.
2. Renovation of secondhand materials by the secondhand materials dealer may include but is not necessarily limited to: cutting salvaged steel and cleaning bricks.

OPERATIONS NOT INCLUDED:

1. WRECKING OR DEMOLITION PROJECTS shall be classified as delineated in the General Auditing & Classification Information section.
2. Assign Code 858 to a business principally engaged in collecting or handling ferrous scrap metal.
3. Assign Code 859 to a business principally engaged in collecting or handling nonferrous scrap metal.
4. Assign Code 862 to a business principally engaged in collecting or handling one or more of the following recyclable commodities: cloth clippings, rags, paper, glass, plastic, rubber stock or aluminum beverage cans.
5. Assign Code 862 to a specialist contractor principally engaged in shredding paper or destroying documents for unrelated concerns

CHANGES (continued)

884 HEALTH OR EXERCISE CLUB – all employees including office

[Organized athletics are excluded from this classification and are assigned to Code 970 or to Code 991.]

A facility providing exercise programs (e.g., aerobics classes) for their members and, in some cases, the general public. Attendants will evaluate the type of equipment best suited to individual member needs and will assist members in exercise instruction or weight loss. The available equipment and services may vary from club-to-club. A club's exercise equipment may include but is not necessarily limited to: free weights (e.g., dumbbells and barbells) and other equipment (e.g., a cardio theater) that includes various types of equipment related to cardiovascular training, such as rowing machines, stationary exercise bikes, elliptical trainers or treadmills.

Larger clubs may employ personal trainers who are accessible to members for training, exercise, nutrition and/or health advice and consultation. Personal trainers may devise a customized fitness plan to assist members achieve their goals. They may also demonstrate exercises and monitor the member's exercises.

OPERATIONS ALSO INCLUDED:

1. Health shops, snack bars, childcare facilities, member lounges and/or cafes operated by the health or exercise club.

OPERATIONS NOT INCLUDED:

1. Assign Code 968 to indoor facilities principally engaged in amateur sports training (e.g., basketball, ice hockey, boxing, gymnastics, martial arts, tennis or swimming).
2. Assign Code 970 or Code 991 to organized athletics as delineated in this Manual.

889 EMPLOYMENT CONTRACTOR – Temporary CLERICAL Staff

Applicable to temporary [clerical or technical] staff whose job duties fulfill the definition of clerical found in Section 1, Rule IV, B., 2., a. and b. of this Manual. The payroll of such temporary clerical staff shall be assigned to Code 889 regardless of the customer's business classification. [Such employees include but are not necessarily limited to: draftsmen, designers, writers, illustrators, computer or data processing operators, programmers or clerical office.]

Please see the classifying temporary staff.

951 SALESPERSON – OUTSIDE

[Excluding salespersons or collectors who deliver goods, door-to-door salespersons or messengers employed by a messenger or courier service company.

Messengers employed by other establishments whose field of business is not that of a messenger or courier service company shall be assigned to Code 951.]

CHANGES (continued)

Are employees either exclusively engaged in sales or collection work away from the employer's premises or who regularly and frequently (as defined elsewhere in this Manual) are engaged in sales or collection work away from their employer's premises and devote the balance of their time in clerical office duties.

Salespersons, collectors or messengers shall be separately classified except in connection with any classification designated either "all employees including office" or "all employees except office."

OPERATIONS NOT INCLUDED:

1. Assign employees engaged as delivery salespersons, route salespersons and/or route supervisors delivering merchandise or products, who may also collect payments or solicit sales, to the employer's applicable field-of-business classification.
2. Assign floor and/or counter salespersons to the employer's field-of-business classification at the location.
3. Assign door-to-door salespersons to the employer's applicable business classification.
4. Assign to Code 953 employees who sell or solicit exclusively by telephone.
5. Assign Code 808 to messengers employed by a messenger or courier service company.
6. Assign Code 951 to messengers employed by other establishments whose field-of-business is not that of a messenger or courier service company.

953 Clerical OFFICE Employees

Are employees exclusively engaged in keeping the books or records of the business or conducting correspondence or who are engaged wholly in office work where such books or records are kept or such correspondence is conducted.

Clerical office employees work exclusively in a separate building or on separate floors or in departments on such floors which are separated from all other workplaces of the employer by floor-to-ceiling partitions, except for retail stores where a partition at least five feet high is required and within which no work is performed other than clerical office duties.

Office employees shall be separately classified except in connection with any classification designated "all employees including office."

OPERATIONS NOT INCLUDED:

1. Assign to the employer's applicable field-of-business classification the following "clerks": counter, front desk, lobby, mall kiosk, stock or tally clerk.
2. Assign librarians to the employer's applicable field-of-business classification.
3. Assign cashiers or any employee whose regular and frequent duty is accepting payment for merchandise or services rendered, whether working in a booth, behind a counter or on a sales floor, to the employer's applicable field-of-business classification.

CHANGES (continued)

4. Assign the entire payroll of any clerical office employee who has any other regular duty to the applicable classification in accordance with the class to which the business is assigned.

961 HOSPITAL – all employees[,] including office [but excluding employees performing home health care services].

Only those medical institutions..... separate from the hospital.

OPERATIONS NOT INCLUDED:

1. Employees performing home health care services shall be separately classified as provided in this Manual.
2. Assign Code 946 to employers providing temporary medical staff to unrelated hospitals. Medical staff is defined as including but not necessarily limited to: registered nurses or licensed practical nurses, pharmacists, nurses' aides, certified nurses' aides, orderlies, attendants, medical technicians or doctors.
3. Assign Code 947 to employers providing non-medical temporary staff (except clerical) to hospitals (e. g., temporary janitorial, laundry or kitchen).

965 COLLEGE OR SCHOOL, N.O.C. – all employees including office

Applicable to academic, trade or vocational institutions of learning (e.g., colleges or universities, private schools, public or parochial school districts and charter schools) that provide a formal educational curriculum in a classroom setting. Trade or vocational schools may also provide shop or field experience as a part of the curriculum. Colleges or universities, private schools, public or parochial school districts and charter schools are subject to licensing by the Delaware Department of Education. Colleges or universities may also be subject to accreditation by multi-state bodies, such as the Middle States Association of Colleges and Schools.

OPERATIONS ALSO INCLUDED:

1. Independent contractors providing academic tutoring services to grade school, high school or college level students, either on a one-to-one basis or in a classroom setting to multiple students.

OPERATIONS NOT INCLUDED:

1. Assign Code 968 to employers principally engaged in providing sports instruction or training, including but not necessarily limited to: gymnastics, swimming or martial arts.
2. Assign Code 890 to separately located and staffed public libraries.
3. Assign Code 891 to employers principally engaged in operating nursery schools, kindergartens, child day care centers or Head Start Programs.

UNDERWRITING GUIDE

To 965:

Tutoring Service (Academic Subjects) By Independent Provider

CHANGES (continued)

968 SPORTS, RECREATIONAL OR AMUSEMENT FACILITY, INDOOR

[Health or exercise clubs shall be assigned to Code 884.]

[Organized athletics are excluded from this classification and separately rated by Code 970 or Code 991.]

Applicable to businesses operating an amateur sport, recreational or amusement facility. Such include but are not necessarily limited to bowling alleys or video game arcades. Patrons may pay a fee to enter the facility and/or pay to use amusement devices on an individual basis.

Also applicable to businesses operating an indoor facility where patrons can practice or receive training or instruction in a specific sport, including but not necessarily limited to: swimming, tennis, gymnastics, racquetball, ice or roller skating or karate or other martial arts training. Such facilities typically employ trainers or instructors who will oversee classes with multiple participants or who will provide individual training.

OPERATIONS ALSO INCLUDED:

1. Counter staff and employees engaged in dispensing change and/or game tokens.

OPERATIONS NOT INCLUDED:

1. Assign Code 884 to health or exercise clubs.
2. Assign Code 970 or Code 991 to contact or noncontact professional or semiprofessional sports teams respectively.

UNDERWRITING GUIDE

To 968:

Sports (e.g., Basketball, Ice Hockey Or Boxing) Amateur Training Facility Not Professional Or Semiprofessional [Organized Athletics]

969 AMUSEMENT, OUTDOOR: fairs, exhibitions, amusement parks or any outdoor amusement that is permanently sited. [This classification includes ticket sellers or collectors and box office employees.]

[Payroll developed..... by Code 970.]

OPERATIONS ALSO INCLUDED:

1. Ticket sellers or collectors and box office employees.
2. Employees engaged in the sale of food or beverages or gift/souvenirs from vending carts or by carrying the merchandise on their person.

OPERATIONS NOT INCLUDED:

1. Assign the applicable restaurant classification to payroll developed in a separately located and staffed prepared food and/or beverage service.
2. Assign Code 928 to payroll developed in a physically separate and staffed gifts/souvenirs sales operation.

CHANGES (continued)

3. Assign Code 981 to payroll developed in separately located and staffed casino gambling operations. See the Code 981 class description for the scope of that classification.
4. Separately classify to Code 970 or to Code 991 professional and semi-professional sports teams as defined in that class' description.
5. Assign Code 939 to any traveling (not permanently sited) amusement.
6. Assign Code 953 to race track pari-mutuel employees.

970 ATHLETIC TEAM – CONTACT SPORTS – Professional or Semiprofessional.

Includes [but is not necessarily limited to] all players on the employer's salary list [of the insured] whether regularly played or not, coaches, managers, [referees or umpires] trainers, equipment managers or sports officials. [Separate scouting staff is assignable to Code 951.]

Contact sports include..... lacrosse or roller derby.

The entire remuneration of each player, coach [or], manager or sports official should be included in computing premium, subject to a maximum of \$60,000 per [season]policy year. [Season includes pre-season and post-season exposure.] When a player, coach [or], manager or sports official works for two or more teams in the same sport during the [season]policy year, the maximum shall be pro-rated.

The remuneration of an individual player, coach, manager or sports official is subject to a minimum of \$600[.00] per week of the [season as defined above]policy year, including board and lodging.

OPERATIONS ALSO INCLUDED:

1. Game staff (bench or dugout) providing water or equipment to players.

OPERATIONS NOT INCLUDED:

1. Assign Code 951 to separate scouting staff.
2. Assign Code 953 to separate clerical office staff.
3. Assign Code 969 to non-bench or non-dugout game staff including but not necessarily limited to: cheerleaders, dancers, mascots, persons mingling with the fans to rally support and/or distribute t-shirts and persons videotaping fan reactions or the game when the sport is played in an outdoor stadium.
4. Assign Code 971 to non-bench or non-dugout game staff including but not necessarily limited to: cheerleaders, dancers, mascots, persons mingling with fans to rally support and/or distribute free t-shirts and persons videotaping fan reaction or the game when the sport is played in an indoor arena.
5. Assign Code 969 to separate staff operating/maintaining the outdoor stadium.
6. Assign Code 971 to separate staff operating/maintaining the indoor arena.

CHANGES (continued)

981 [SLOT MACHINE]CASINO GAMBLING – all employees including office.

[For]includes all personnel [in]of the [slot machine]licensed casino gaming [area]facility. [including but not necessarily limited to: floor attendants, vault cashiers, merchandising clerks, guest service representatives, service technicians, parking valets, money counters and clerical office.]

A licensed casino gaming facility is defined to include the gaming floor, all restricted areas servicing gaming operations, and food, beverage and retail outlets and other areas serving the gaming floor which are located on or are directly accessible from and adjacent to the gaming floor or the restricted areas servicing gaming operations.

OPERATIONS NOT INCLUDED:

As provided for in this Manual, separately classify:

1. Areas or amenities exclusive to horse racing including pari-mutuel wagering.
2. Hotel operations
3. Retail merchandise facilities, food and beverage outlets and other amenities or activities not located on or adjacent to the gaming floor, or related to casino gaming operations.

983 HOUSING AUTHORITY – including resident or on-site managers. [New construction, alterations or demolition work shall be separately rated.]

OPERATIONS NOT INCLUDED:

1. Separately rate to the applicable construction classification(s) new construction, alterations or demolition as provided in this Manual.

991 ATHLETIC TEAM: NON-CONTACT SPORTS – Professional or Semiprofessional

Includes [but is not necessarily limited to] all players on the employer's salary list [of the insured] whether regularly played or not, coaches, managers, trainers, equipment managers or sports officials [referees or umpires. Separate scouting staff is assignable to Code 951].

Non-contact sports..... basketball or soccer.

The entire remuneration of each player, coach [or], manager or sports official should be included in computing premium, subject to a maximum of \$60,000 per [season]policy year. [Season includes pre-season and post-season exposure.] When a player, coach [or], manager or sports official works for two or more teams in the same sport during the [season]policy year, the maximum shall be pro-rated.

The remuneration of an individual player, coach, manager or sports official is subject to a minimum of \$500[.00] per [season or]policy year, including board and lodging.

OPERATIONS ALSO INCLUDED:

1. Game staff (bench or dugout) providing water or equipment to players.

CHANGES (continued)

OPERATIONS NOT INCLUDED:

1. Assign Code 951 to separate scouting staff.
2. Assign Code 953 to separate clerical staff.
3. Assign Code 969 to non-bench or non-dugout game staff, including but not necessarily limited to: cheerleaders, dancers, mascots, persons mingling with the fans to rally support and/or distribute free t-shirts and persons videotaping fan reactions or the game when the sport is played in an outdoor stadium.
4. Assign Code 971 to non-bench or non-dugout game staff, including but not necessarily limited to: cheerleaders, dancers, mascots, persons mingling with the fans to rally support and/or distribute free t-shirts and persons videotaping fan reaction or the game when the sport is played in an indoor arena.
5. Assign Code 969 to separate staff operating/maintaining the outdoor stadium.
6. Assign Code 971 to separate staff operating/maintaining the indoor arena.

995 RUBBISH OR GARBAGE REMOVAL

[Also includes..... to Code 862.]

OPERATIONS ALSO INCLUDED:

Code 995 also includes but is not necessarily limited to businesses performing:

1. Environmental cleanup services.
2. Sewer or water main cleaning by hydraulic method.
3. Street sweeping
4. Cleaning of permanently-sited tanks including the bulk storage type.
5. Debris box rental/service or dumpster rental/service.

OPERATIONS NOT INCLUDED:

1. Assign Code 862 to the collection and sorting of recyclables (e.g., newspapers, beverage cans, glass or plastic bottles) by separate collection and sorting staff(s) with the sorting taking place in a physically separate work area.

Underwriting Guide

To 995:

Debris Box Rental/Service

DELETIONS

Underwriting Guide

From 968:

Bingo Hall

Dance Hall

Skee Ball Alley

There are no revisions to any rating values as a result of these housekeeping amendments.

These Manual revisions will be updated on our website (www.dcrb.com) at a later date.

Timothy L. Wisecarver
President

TLW/kg
D Circ

Remember to visit our web site at www.dcrb.com for more information about this and other topics.