



August 13, 2024

VIA SERFF

The Honorable Trinidad Navarro
Insurance Commissioner
State of Delaware - Department of Insurance
1351 West North Street, Suite 101
Dover, DE 19904

Attention: Tanisha Merced, Deputy Insurance Commissioner

**RE: DCRB Filing No. 2404 – Proposed Effective December 1, 2024
Manual Housekeeping Revisions to Section 2 of the Basic Manual**

Dear Commissioner Navarro and Deputy Commissioner Merced:

On behalf of the members of the Delaware Compensation Rating Bureau, Inc. (DCRB), we hereby submit this filing for housekeeping revisions to the DCRB Workers' Compensation Manual of Rules, Classifications and Rating Values for Workers' Compensation and Employers Liability Insurance (Basic Manual). These revisions are proposed for policies effective at 12:01 a.m., December 1, 2024, or later. This proposed effective date is intended to coincide with the implementation of changes concurrent with DCRB's annual comprehensive residual market rate and voluntary market loss cost filing, which will be separately filed with the Department of Insurance for policies effective at 12:01 a.m., December 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 only once annually. The proposed Basic Manual language housekeeping revisions are intended to assist in the administration of the DCRB's uniform classification plan and do not revise the scope of any classification. These proposals will not impact any classification's residual market rate or loss cost value or any employer's workers' compensation classification assignment.

Details of these proposals are provided in DCRB's June 5, 2024, staff memorandum, which is included in this filing. The DCRB Classification and Rating Committee (Committee) reviewed the memorandum and proposals at the Committee's June 5, 2024, meeting. The Committee raised no objections to the proposed Basic Manual language housekeeping revisions following that review.

The proposed Basic Manual language housekeeping revisions are summarized below:

- Section 2 – Revisions to 6 classification descriptions for clarity.
- Underwriting Guide – Addition of 5 new entries, revision to 5 existing entries, and deletion of 3 entries.
- General Auditing & Classification Information Section – revision to the "Temporary Staffing Contractor" entry for clarity.

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

Sincerely,

William V. Taylor
President

Enclosures: June 5, 2024, Staff Memorandum to the Committee
Section 2 Basic Manual language amendments



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

FROM: Joseph Lombo- Manager- Classification

DATE: June 05, 2024

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

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

Section 2 revisions are provided below. None of the language revisions will impact any classification's proposed December 1, 2024, DCRB loss cost or Residual Market rating value. The DCRB recommends that all Section 2 language revisions proposed herein become effective December 1, 2024.

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

Proposed Effective December 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 – CLASSIFICATION AND BUREAU RATING VALUES

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

CLASSIFICATIONS

Classification Code 005, **TREE PRUNING, SPRAYING, REPAIRING OR FUMIGATING** through Classification Code 139, **DYEING, MERCERIZING, BLEACHING, PRINTING, COATING OR FINISHING NEW GOODS – EXCLUDING HOSIERY FINISHING, RUBBER OR RESIN COATING AND OIL-CLOTH MANUFACTURING WHICH ARE SEPARATELY RATED AS PROVIDED FOR IN THIS MANUAL**, remain unchanged.

141 LAUNDRY, N.O.C.

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

OPERATIONS NOT INCLUDED:

No change.

UNDERWRITING GUIDE

Linen Supply [and Laundering](#) Service ~~Including Laundering~~

Towel Supply [and Laundering](#) Service ~~Including Laundering~~

Uniform Supply [and Laundering](#) Service ~~Including Laundering~~

Classification Code 142, **Dry Cleaning Plant**, through Classification Code 407, **TUBE OR PIPE MFG., IRON OR STEEL – NOT ~~CAST-IRON~~CAST-IRON PIPE – EXCLUDING STEEL MAKING BUT INCLUDING SKELP ROLLING** remain unchanged.

411 STEEL FABRICATING [SHOP](#) – BRIDGE AND STRUCTURAL SHOPS, ~~SHOP ONLY, ERECTION TO BE SEPARATELY RATED AS CLASS 655~~

OPERATIONS NOT INCLUDED:

[1. Separately rate installation, service or repair to the applicable construction classification\(s\) as warranted.](#)

UNDERWRITING GUIDE

No change.

413 IRON WORKS – SHOP ORNAMENTAL, NON-STRUCTURAL IRON OR STEEL FABRICATING

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~~Separately rate installation, service, or repair to the applicable construction classification(s) as warranted.~~

OPERATIONS NOT INCLUDED:

1. Separately rate installation, service or repair to the applicable construction classification(s) as warranted.

UNDERWRITING GUIDE:

No change.

Classification Code 415, **FABRICATED PLATE WORK – METAL, INCLUDING BUT NOT NECESSARILY LIMITED TO BOILER OR TANK MFG. – SHOP ONLY**, through Classification Code 608, **FLAT CEMENT WORK**, remain unchanged.

609 EXCAVATION

Applicable to payroll developed in general excavation, grading, trench digging, filling or backfilling. Also applicable to road construction subsurface work which involves all work necessary to bring the road up to grade including earth or rock excavation, filling or grading. Such work is performed with power shovels, trench diggers, bulldozers or graders. The business may be a specialist excavation contractor principally engaged in one or more of the listed tasks. The business may be a general contractor employing a separate staff performing one or more of the listed tasks or the business has kept separate payroll records for personnel who interchange between one or more of the tasks listed above and other construction tasks assigned to another construction classification.

OPERATIONS ALSO INCLUDED:

1 through 5 no change.

6. Excavation contractors placing pipe in an excavated trench without making service connections.

OPERATIONS NOT INCLUDED:

No change.

UNDERWRITING GUIDE

No change.

Classification Code 611, **PILE DRIVING, INCLUDING TIMBER WHARF BUILDING**, through Classification Code 659, **ROOFING**, remain unchanged.

660 ALARM OR SOUND SYSTEM – INSTALLATION OR REPAIR

UNDERWRITING GUIDE

~~Telephone Cable Laying With Automatic Equipment – Street to Building – By Specialist Contractor~~

661 ELECTRICAL WIRING

Includes electric fixtures or apparatus installation or the making of service connections.

OPERATIONS NOT INCLUDED:

No change.

UNDERWRITING GUIDE:

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

Proposed Effective December 1, 2024

~~Electric Cable Laying With Automatic Equipment – Street To Building – By Specialist Contractor~~

Classification Code 662, **APPLIANCE – ELECTRICAL – SERVICE REPAIR**, through Classification Code 669, **PLASTERING, INCLUDING LATHING**, remain unchanged.

670 HOUSE FURNISHINGS INSTALLATION, N.O.C.

Separately staffed store operations shall be assigned to the appropriate store class.

UNDERWRITING GUIDE:

[Automobile Seat Cover Installation and/or Seat Upholstering – at Customers' Locations](#)

[Automobile Top Installation, Fabric or Vinyl – At Customers' Locations](#)

Classification Code 673, **SIGN ERECTION OR REPAIR**, through Classification Code 806, **FURNITURE MOVING AND/OR STORAGE**, remain unchanged.

807 AMBULANCE SERVICE – SALARIED EMPLOYEES

[VOLUNTEER AMBULANCE COMPANIES: MEMBERS TREATED AS STATE EMPLOYEES. SEE CHAPTER 23, SECTION 2312 OF THE WORKERS' COMPENSATION LAW FOR MORE DETAIL.](#)

Applicable to an independent contractor operating an ambulance service staffed by salaried employees. Each ambulance service is licensed by the Delaware State Fire Prevention Commission, who also certifies ambulance attendants. An ambulance service may engage in both emergency and non-emergency patient transfers. Non-emergency transfers are generally by appointment.

UNDERWRITING GUIDE:

No change.

Classification Code 808, **PARCEL DELIVERY COMPANY – NO HANDLING OF BULK MERCHANDISE OR FREIGHT – ALL EMPLOYEES EXCEPT OFFICE**, through Classification Code 815, **AUTOMOBILE SERVICE CENTER OR GARAGE – ALL EMPLOYEES INCLUDING OFFICE** remain unchanged.

816 ~~AUTOMOBILE FILLING~~[GAS](#) STATION – RETAIL

Please see the Automobile Service/Gasoline Station and the Self-Service Gasoline Stations and Convenience Grocers entries in the General Auditing & Classification Information section for information on classifying such business enterprises.

UNDERWRITING GUIDE:

~~Automobile Laundry~~

Classification Code 817, **BUS OPERATION**, through Classification Code 915, **MEAT, FISH AND/OR POULTRY STORE – RETAIL, ALL EMPLOYEES EXCEPT OFFICE**, remain unchanged.

916 CLOTHING OR DRY GOODS STORE – WHOLESALE OR RETAIL

OPERATIONS NOT INCLUDED:

No change.

UNDERWRITING GUIDE

[Linen Rental – No Laundering](#)

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

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Classification Code 917, **GROCERY STORE - RETAIL**, through Classification Code 956, **LAW FIRM, ALL EMPLOYEES INCLUDING OFFICE**, remain unchanged.

957 PHYSICIAN OR DENTIST, ALL EMPLOYEES INCLUDING OFFICE

This classification is for the physician's or dentist's office. Includes licensed practitioners engaged in the practice of general or specialized dentistry, medicine, surgery or therapy (physical or mental).

OPERATIONS ALSO INCLUDED:

No change.

OPERATIONS NOT INCLUDED:

No change.

UNDERWRITING GUIDE

[Dermatologist Office](#)

Classification Code 958, **REHABILITATION HOSPITAL, ALL EMPLOYEES INCLUDING OFFICE**, through Classification Code 968, **AMATEUR SPORTS, RECREATIONAL OR AMUSEMENT FACILITY, INDOOR**, remain unchanged.

969 AMUSEMENT, OUTDOOR: FAIRS, EXHIBITIONS, AMUSEMENT PARKS OR ANY OUTDOOR AMUSEMENT THAT IS PERMANENTLY SITED

OPERATIONS ALSO INCLUDED:

No change.

OPERATIONS NOT INCLUDED:

1. Assign the applicable restaurant classification to payroll developed in a ~~separately located~~ [physically separate](#) and [separately](#) staffed prepared food and/or beverage service.

2 through 6 no changes.

UNDERWRITING GUIDE:

No change.

Classification Code 970, **ATHLETIC TEAM – CONTACT SPORTS- PROFESSIONAL AND SEMI-PROFESSIONAL**, through Classification Code 0011, **FLOWER RAISING, CULTIVATING OR GROWING**, remain unchanged.

0013 NURSERY

Applicable to businesses principally engaged in raising trees (including Christmas trees), shrubs and/or bedding plants used for outdoor planting.

OPERATIONS NOT INCLUDED:

No change.

UNDERWRITING GUIDE

[Nursery](#)

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

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Classification Code 0016, **ORCHARD – THE RAISING OF FRUIT OR NUT TREES OR OF BERRIES OR GRAPES**, through Classification Code 7424, **AIRCRAFT OPERATION, N.O.C – INCLUDING BUT NOT NECESSARILY LIMITED TO AIR TAXI, PATROL, PHOTOGRAPHY, MAPPING, SKYWRITING ADVERTISING, SURVEY WORK, SIGHTSEEING, STUDENT INSTRUCTION, CROP DUSTING OR SPRAYING OR FLIGHT TESTING – ALL MEMBERS OF THE FLYING CREW**, remain unchanged.

7428 AIRPORT OPERATION – GROUND EMPLOYEES

Ticket sellers or information clerks away from airport locations shall be separately classified by Code 953. Ticket sellers, information clerks or personnel engaged in performing the checking-in of passengers or baggage at airport locations shall be assigned to Code 7428.

UNDERWRITING GUIDE:

Airport Operation - Ground ~~men~~[Employees](#)

Heliport Operation - Ground ~~Personnel~~[Employees](#)

Statistical Code 9740, **TERRORISM**, through Statistical Code 9741, **CATASTROPHE (OTHER THAN ACTS OF TERRORISM)**, remain unchanged.

INDEX

GENERAL AUDITING & CLASSIFICATION INFORMATION

Automobile Dismantling through **Snow Plowing and/or Removal** remain unchanged.

TEMPORARY STAFFING CONTRACTOR

No change.

Exceptions

1 through 3 no changes.

4. **FARM LABOR** –temporary staff shall be assigned to the applicable direct employment agricultural classification, except for staff provided to perform harvesting, picking and related activities using mechanical farming equipment. Such staff shall be assigned to direct employment Code 007. [Codes 0011, Flower Raising, Cultivating Or Growing and 0013, Nursery, are not considered farm classes for temporary staffing purposes. See codes 2011 and 2013.](#)

5 through 11 no changes.

TIPS VS. AUTOMATIC GRATUITIES through the **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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141 LAUNDRY, N.O.C.

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

OPERATIONS NOT INCLUDED:

No change.

UNDERWRITING GUIDE

Linen Supply and Laundering Service
Towel Supply and Laundering Service
Uniform Supply and Laundering Service

Classification Code 142, **Dry Cleaning Plant**, through Classification Code 407, **TUBE OR PIPE MFG., IRON OR STEEL – NOT CAST IRON PIPE – EXCLUDING STEEL MAKING BUT INCLUDING SKELP ROLLING** remain unchanged.

411 STEEL FABRICATING SHOP – BRIDGE AND STRUCTURAL SHOPS,

OPERATIONS NOT INCLUDED:

1. Separately rate installation, service or repair to the applicable construction classification(s) as warranted.

UNDERWRITING GUIDE

No change.

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UNDERWRITING GUIDE

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