



Pennsylvania Compensation Rating Bureau

30 South 17th Street • Suite 1500
Philadelphia, PA 19103-4007
(215)568-2371 • FAX (215)564-4328 • www.pcrb.com

August 13, 2020

VIA SERFF

The Honorable Jessica Altman
Insurance Commissioner
Commonwealth of Pennsylvania
Insurance Department
11311 Strawberry Square
Harrisburg, PA 17120

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

**RE: PCRB Filing No. 317 – Proposed Effective April 1, 2021
Manual Housekeeping Revisions to Section 2 of the Basic Manual**

Dear Commissioner Altman:

On behalf of the members of the Pennsylvania Compensation Rating Bureau (PCRB), we hereby submit the proposed filing for revisions to the Pennsylvania Workers' Compensation Manual of Rules, Classifications and Rating Values for Workers' Compensation and Employers Liability Insurance (Basic Manual). These revisions are proposed for policies with effective dates of 12:01 a.m., April 1, 2021 or later. This proposed effective date coincides with changes resulting from PCRB's normal annual comprehensive loss cost revision, which will be filed with the Insurance Department at a later date. 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 PCRB loss cost value.

Details of this filing are provided in PCRB's June 10, 2020 staff memorandum, which is included as part of 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 June 10, 2020 meeting.

The proposed Basic Manual language housekeeping updates/revisions are summarized below:

- Section 2 – Revisions to seven classification descriptions.
- Section 2 – Addition of four new Underwriting Guide entries, revision to five existing Underwriting Guide entries, and deletion of eight Underwriting Guide entries.

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

Sincerely,

William V. Taylor
President

Enclosure: Revisions to Section 2 – Basic Manual



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

FROM: Joseph Lombo, Manager–Classification

DATE: June 10, 2020

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 in order 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.

The Section 2 revisions are provided below. None of the language revisions will impact any classification's proposed April 1, 2021 rating value. The PCRB recommends that all of the Section 2 language revisions proposed herein become effective April 1, 2021.

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

Proposed Effective April 1, 2021

INFORMATION PAGE remains unchanged.

PREFACE remains unchanged.

SECTION 1 – UNDERWRITING RULES remains unchanged.

SECTION 2

RATING VALUES through **DEFINITIONS** remains unchanged.

CLASSIFICATIONS

601 ROAD OR STREET CONSTRUCTION: PAVING OR REPAVING

Applies to the laying of the road starting with the sub-base and includes all kinds of paving or repaving, surfacing or resurfacing or scraping, including airport runways or warming aprons. Also included are trimming and finishing of shoulders, installing curbing and erecting guard rails or fences.

~~Asphalt plants operated by a paving contractor shall be classified in accordance with the following procedure. Permanently located plants staffed by a separate crew shall be assigned to Code 855. Portable/ temporarily located asphalt plants shall be assigned to Code 601.~~

OPERATIONS ALSO INCLUDED:

Items 1. through 4. remain unchanged.

5. [Portable/temporarily located asphalt plants operated by a paving contractor.](#)

OPERATIONS NOT INCLUDED:

Items 1. through 5. remain unchanged.

6. [Assign Code 855 to permanently located and separately staffed asphalt plants.](#)

No change to Classification Code 603 – SEWER CONSTRUCTION – ALL WORK TO COMPLETION through Classification Code 608 – FLAT CEMENT WORK.

609 EXCAVATION

Remains unchanged.

UNDERWRITING GUIDE ADDITION:

[Foundation Excavation](#)

UNDERWRITING GUIDE REVISION:

Excavation - Street Or Road - Including Rock Excavation ~~Foundation Excavation~~

No change to Classification Code 611 – PILE DRIVING, INCLUDING TIMBER WHARF BUILDING through Classification Code 810 – COAL TRUCKING.

811 TRUCKING, N.O.C

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Remains unchanged.

OPERATIONS ALSO INCLUDED:

Items 1 and 2. remain unchanged.

3. Contractors hauling brine or water for gas well drilling or fracing.

No change to Classification Code 812 – MAIL HAULING OR DELIVERY SERVICE COMPANY through Classification Code 828 – PARATRANSIT SERVICE.

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. This

Class also includes payroll developed in the delivery of hardware, lumber and/or building materials by the lumber/building material dealer.

UNDERWRITING GUIDE REVISION:

Non-Mobile & Non - Self-Propelled Construction Equipment – Rental Or Sale

No change to Classification Code 857 – METAL SERVICE CENTER (FERROUS OR NONFERROUS METALS) through Classification Code 932 – COPYING OR DUPLICATING SERVICE – ALL EMPLOYEES INCLUDING OFFICE.

933 VENDING OR COIN OPERATED MACHINE- INSTALLATION, SERVICE OR REPAIR, ALL EMPLOYEES EXCEPT OFFICE

OPERATIONS ALSO INCLUDED:

1. Assign Code 897 to sandwich or other food preparation when conducted by separate staff in a physically separate work area.

934 AUTOMOBILE PARTS AND ACCESSORY STORE – RETAIL AND/OR WHOLESALE

An auto parts store that also provides automobile repair services shall have payroll divided with Code 815 provided the following conditions are fulfilled: the new and/or used auto parts/accessories sales and the automobile repair services are conducted in physically separate work areas by separate employee crews and the majority of the new and/or used parts/ accessories sold must be sold to others and are neither installed nor used by the insured for repair services. If both operations are conducted and these conditions are not met, then payroll developed in both the new and/or used auto parts sales and accessories and the auto repair services shall be assigned to Code 815 or Code 934, whichever classification applies to the business activity in which the employer is principally engaged.

Please refer to the “Automobile Dismantlers” entry in the General Auditing and Classification Information for direction in classifying any business whose operations include the ~~dismantler~~ dismantling of automobiles or other types of vehicles to recover useable/saleable used parts.

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No change to Classification Code 935 – LUMBER AND/OR BUILDING MATERIAL DEALER – STORE EMPLOYEES – FOR USE IN CONJUNCTION WITH CODE 855 ONLY through Classification Code 942 – HOME HEALTH CARE SERVICES – ALL EMPLOYEES EXCEPT OFFICE

943 HOME CARE SERVICES – ALL EMPLOYEES EXCEPT OFFICE

Remains unchanged.

UNDERWRITING GUIDE ADDITION:

[Respite Care Services – In Home](#)

No change to Classification Code 944 – CLUB – COUNTRY, GOLF OR YACHTING – ALL EMPLOYEES EXCEPT OFFICE through Classification Code 964 – WORK CENTER – ALL EMPLOYEES INCLUDING OFFICE.

965 COLLEGE OR SCHOOL, N.O.C.- ALL EMPLOYEES INCLUDING OFFICE

Remains unchanged.

OPERATIONS ALSO INCLUDED:

Items 1 through 4. remain unchanged.

5. Alternative schools are educational facilities for youth who cannot learn effectively in or who have been removed from the mainstream schools setting. Such educational facilities include but are not necessarily limited to: schools for court adjudicated youth, schools for children diagnosed with an intellectual and/or developmental disability (e.g., autism) or psychological and behavior issues, and schools for children with physical disabilities (e.g., schools for the deaf and blind).

No change to Classification Code 966 – TELEVISION, VIDEO, AUDIO OR RADIO EQUIPMENT SERVICE OR REPAIR – SHOP OR OUTSIDE through Classification Code 967 – THEATERS – ALL EMPLOYEES INCLUDING OFFICE.

968 AMATEUR SPORTS, RECREATIONAL OR AMUSEMENT FACILITY, INDOOR

Remains unchanged.

UNDERWRITING GUIDE ADDITION:

[Haunted House](#)

No change to Classification Code 969 – AMUSEMENT, OUTDOOR: FAIRS, EXHIBITIONS, AMUSEMENT PARKS OR ANY OUTDOOR AMUSEMENT THAT IS PERMANENTLY SITED through Classification Code 976 –COMMUNITY CENTER – ALL EMPLOYEES INCLUDING OFFICE.

977 BARBER SHOP, BEAUTY PARLOR OR HAIR STYLING SALON

Remains unchanged.

UNDERWRITING GUIDE ADDITION:

[Cryotherapy Services](#)

No change to Classification Code 978 – CAMPS – ALL EMPLOYEES INCLUDING OFFICE AT CAMP LOCATIONS through Classification Code 979 – RESIDENTIAL FACILITY FOR THE ELDERLY – NON-MEDICAL – ALL EMPLOYEES EXCEPT OFFICE AND HOME HEALTH CARE.

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980 CITY, TOWNSHIP, BOROUGH OR COUNTY

Remains unchanged.

OPERATIONS NOT INCLUDED:

Items 1. through 14. remain unchanged.

15. Assign the applicable field-of-business classification to [separately staffed](#) municipal authorities upon each authority's principal operation (e.g. Code 753 to a sewage disposal plant authority).

No change to Classification Code 981 – CASINO GAMBLING – ALL EMPLOYEES INCLUDING OFFICE through Classification Code 985 – POLICE OR FIREFIGHTERS, SALARIED EMPLOYEES OF CITIES, TOWNSHIPS, BOROUGH OR COUNTIES.

986 ADULT SHELTER OR HALFWAY HOUSE – RESIDENTIAL – NON-MEDICAL – ALL EMPLOYEES INCLUDING OFFICE

Remains unchanged.

UNDERWRITING GUIDE DELETIONS:

~~Home For Unwed Mothers No Medical Services~~

No change to Classification Code 987 – PILE DRIVING, INCLUDING TIMBER WHARF BUILDING through Classification Code 999 – CEMETERY.

0006 FIELD CROP OR VEGETABLE FARM – THE RAISING OF ALL FIELD CROPS OR VEGETABLES

Remains unchanged.

UNDERWRITING GUIDE DELETIONS:

~~Farm, Grain~~

~~Farm, Tobacco~~

~~Farm, Vegetable~~

No change to Classification Code 0008 – MUSHROOM RAISING through Classification Code 0013 – NURSERY.

0016 ORCHARD – THE RAISING OF FRUIT OR NUT TREES OR OF BERRIES OR GRAPES

Remains unchanged.

UNDERWRITING GUIDE REVISIONS:

Berry ~~Or Fruit~~ Farm

Orchard ~~Or Vineyard~~

Vineyard ~~Or Orchard~~

UNDERWRITING GUIDE DELETIONS:

~~Farm, Berry~~

~~Farm, Fruit~~

~~Farm, Vineyard~~

~~Orchard Or Fruit Farm~~

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~~Home Health Care Services~~
Hotel Or Motel Operations
Manufactured (Mobile) Home Vs. Modular Home
Minimum Wage Procedure
Nursing Home, Personal Care Home and Residential Care Facility Classification Guideline
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HOME HEALTH CARE SERVICES

~~Applicable to any business providing home health care services to individuals or to families in their residence. The services provided may include skilled services under a physician's written direction that include but are not necessarily limited to nursing care, home infusion therapy, physical, speech and/or occupational therapy and/or nonprofessional services, including but not necessarily limited to home health aide, attendant care, companions and live-ins and/or home support services such as homemakers or chore workers. Payroll so developed shall be classified in the manner indicated below.~~

~~Code 942, "HOME HEALTH CARE - Professional Staff, all employees except office," includes registered or licensed practical nurses, pharmacists, physical, speech and/or occupational therapists, medical social workers and outside salespersons.~~

~~Code 943, "HOME HEALTH CARE - Nonprofessional Staff, all employees except office," includes but is not necessarily limited to home health aides and certified home health aides, certified nurse assistants, attendant care aides, companions and live-ins and home health support personnel such as homemakers and chore workers.~~

~~OPERATIONS ALSO INCLUDED:~~

- ~~1. Assign Code 942 to outside salespersons employed by a home health care business that performs only nonprofessional home health care services.~~

~~OPERATIONS NOT INCLUDED:~~

- ~~1. Assign Code 928 to separate staff engaged in the sale or rental of durable hospital equipment or supplies such as hospital beds, wheelchairs, commodes and walkers to the individual home health care patient.~~

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OPERATIONS ALSO INCLUDED:

Items 1. through 4. remain unchanged.

5. Portable/temporarily located asphalt plants operated by a paving contractor.

OPERATIONS NOT INCLUDED:

Items 1. through 5. remain unchanged.

6. Assign Code 855 to permanently located and separately staffed asphalt plants.

No change to Classification Code 603 – SEWER CONSTRUCTION – ALL WORK TO COMPLETION through Classification Code 608 – FLAT CEMENT WORK.

609 EXCAVATION

Remains unchanged.

UNDERWRITING GUIDE ADDITION:

Foundation Excavation

UNDERWRITING GUIDE REVISION:

Excavation - Street Or Road - Including Rock Excavation

No change to Classification Code 611 – PILE DRIVING, INCLUDING TIMBER WHARF BUILDING through Classification Code 810 – COAL TRUCKING.

811 TRUCKING, N.O.C

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OPERATIONS ALSO INCLUDED:

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3. Contractors hauling brine or water for gas well drilling or fracing.

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Class also includes payroll developed in the delivery of hardware, lumber and/or building materials by the lumber/building material dealer.

UNDERWRITING GUIDE REVISION:

Non-Mobile & Non - Self-Propelled Construction Equipment – Rental Or Sale

No change to Classification Code 857 – METAL SERVICE CENTER (FERROUS OR NONFERROUS METALS) through Classification Code 932 – COPYING OR DUPLICATING SERVICE – ALL EMPLOYEES INCLUDING OFFICE.

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OPERATIONS ALSO INCLUDED:

1. Assign Code 897 to sandwich or other food preparation when conducted by separate staff in a physically separate work area.

934 AUTOMOBILE PARTS AND ACCESSORY STORE – RETAIL AND/OR WHOLESALE

An auto parts store that also provides automobile repair services shall have payroll divided with Code 815 provided the following conditions are fulfilled: the new and/or used auto parts/accessories sales and the automobile repair services are conducted in physically separate work areas by separate employee crews and the majority of the new and/or used parts/ accessories sold must be sold to others and are neither installed nor used by the insured for repair services. If both operations are conducted and these conditions are not met, then payroll developed in both the new and/or used auto parts sales and accessories and the auto repair services shall be assigned to Code 815 or Code 934, whichever classification applies to the business activity in which the employer is principally engaged.

Please refer to the “Automobile Dismantlers” entry in the General Auditing and Classification Information for direction in classifying any business whose operations include the dismantling of automobiles or other types of vehicles to recover useable/saleable used parts.

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UNDERWRITING GUIDE ADDITION:

Respite Care Services – In Home

No change to Classification Code 944 – CLUB – COUNTRY, GOLF OR YACHTING – ALL EMPLOYEES EXCEPT OFFICE through Classification Code 964 – WORK CENTER – ALL EMPLOYEES INCLUDING OFFICE.

965 COLLEGE OR SCHOOL, N.O.C.- ALL EMPLOYEES INCLUDING OFFICE

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OPERATIONS ALSO INCLUDED:

Items 1 through 4. remain unchanged.

5. Alternative schools are educational facilities for youth who cannot learn effectively in or who have been removed from the mainstream schools setting. Such educational facilities include but are not necessarily limited to: schools for court adjudicated youth, schools for children diagnosed with an intellectual and/or developmental disability (e.g., autism) or psychological and behavior issues, and schools for children with physical disabilities (e.g., schools for the deaf and blind).

No change to Classification Code 966 – TELEVISION, VIDEO, AUDIO OR RADIO EQUIPMENT SERVICE OR REPAIR – SHOP OR OUTSIDE through Classification Code 967 – THEATERS – ALL EMPLOYEES INCLUDING OFFICE.

968 AMATEUR SPORTS, RECREATIONAL OR AMUSEMENT FACILITY, INDOOR

Remains unchanged.

UNDERWRITING GUIDE ADDITION:

Haunted House

No change to Classification Code 969 – AMUSEMENT, OUTDOOR: FAIRS, EXHIBITIONS, AMUSEMENT PARKS OR ANY OUTDOOR AMUSEMENT THAT IS PERMANENTLY SITED through Classification Code 976 –COMMUNITY CENTER – ALL EMPLOYEES INCLUDING OFFICE.

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980 CITY, TOWNSHIP, BOROUGH OR COUNTY

Remains unchanged.

OPERATIONS NOT INCLUDED:

Items 1. through 14. remain unchanged.

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15. Assign the applicable field-of-business classification to separately staffed municipal authorities upon each authority's principal operation (e.g. Code 753 to a sewage disposal plant authority).

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986 ADULT SHELTER OR HALFWAY HOUSE – RESIDENTIAL – NON-MEDICAL – ALL EMPLOYEES INCLUDING OFFICE

Remains unchanged.

UNDERWRITING GUIDE DELETIONS:

No change to Classification Code 987 – PILE DRIVING, INCLUDING TIMBER WHARF BUILDING through Classification Code 999 – CEMETERY.

0006 FIELD CROP OR VEGETABLE FARM – THE RAISING OF ALL FIELD CROPS OR VEGETABLES

Remains unchanged.

UNDERWRITING GUIDE DELETIONS:

0016 ORCHARD – THE RAISING OF FRUIT OR NUT TREES OR OF BERRIES OR GRAPES

Remains unchanged.

UNDERWRITING GUIDE REVISIONS:

Berry Farm
Orchard
Vineyard


UNDERWRITING GUIDE DELETIONS:

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SECTION 3 – ENDORSEMENTS remain unchanged.

SECTION 4 – RETROSPECTIVE RATING PLANS remains unchanged.

SECTION 5 – EXPERIENCE RATING PLAN remains unchanged.

SECTION 6 – MERIT RATING PLAN remains unchanged.

**PENNSYLVANIA WORKERS COMPENSATION MANUAL OF RULES, CLASSIFICATIONS AND RATING VALUES FOR WORKERS
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No change Vinyl Asbestos Floor Tile Mfg. – Code 509 through Zoo – Code 969

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