R.C. 1908

To the Members of the Board

Re: New York Workers Compensation
    Classification Procedure – School Bus Drivers Employed by Schools

The Rates Committee has adopted, and the New York State Insurance Department has approved, effective October 1, 1999, for new and renewal business, a change in the classification procedure for school bus drivers employed by schools.

Currently, school bus drivers employed by schools are assigned to Code 8394–Bus Company–All Other Employees & Drivers. The school classification, Code 8868–Schools–Professional Employees & Clerical applies to employees such as teachers, the clerical staff and bus matrons employed by schools. In addition, Code 9101–Schools—All Other Employees, which does not include drivers in its phraseology, applies to employees such as maintenance and cafeteria workers.

An entry in the Digest of New York Rulings and Interpretations on Page 7 of Section II of the New York Workers Compensation and Employers Liability Manual states "Chauffeurs driving buses, station wagons and private passenger automobiles used for the transportation of persons, for a risk assigned to a classification which does not include drivers, chauffeurs and their helpers" are assigned to Code 8394. Since neither Code 8868 nor Code 9101 includes drivers in their interpretations, school bus drivers have been assigned to Code 8394. The Digest entry also precludes the driver code (7380) from being assigned to school bus drivers. Very truly yours,

Since it is common for colleges, religious houses of worship, libraries and museums to employ drivers, in addition to schools, and all other employees of a school are subject to either Code 8868 or Code 9101, the classification phraseology for Code 9101 has been amended to include "Drivers." The inclusion of "Drivers" will allow the assignment of Code 9101 to also apply to the mechanics that service and repair the buses, provided the buses are owned by the risk.

Current and revised manual phraseologies are attached.

Printed manual pages will be distributed when they become available.
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**CODING NOTES**

- **COLD STORAGE LOCKER**—frozen foods includes incidental preparation of meats and produce. Slaughtering to be separately rated as 2081.

- **COLLAR MFG**

- **COLLECTORS, Messengers or Salespersons—OUTSIDE**: Subject to the Standard Exception Manual Rule.

- **COLLEGE:**
  - PROFESSIONAL EMPLOYEES & Clerical
  - ALL OTHER EMPLOYEES & Drivers

- **COLOR GRINDING, BLENDING or Testing**: Applies to operations involving dry materials with no handling of flammable, poisonous, caustic, corrosive or oxidizing materials. Not applicable to the mfg. of ingredients. Shall not be assigned to a risk engaged in operations described by another classification unless the operations subject to 5954 are conducted as a separate and distinct business.

- **COMPUTER DEVICE INSTALLATION, Inspection, Service or REPAIR**: Includes shop operations. Computer mfg. to be separately rated.

- **CONCRETE CONSTRUCTION in connection with BRIDGES OR CULVERTS**: Applies only when clearance is more than 10 feet at any point or entire distance between terminal abutments exceeds 20 feet. Includes making, setting up or taking down forms, scaffolds, falsework or concrete distributing apparatus; the mfg. of concrete piles at the job location; and the pouring of concrete into hollow steel piles. Excavation, pile driving, all work in sewers, tunnels, subways, caissons or cofferdams to be separately rated.

- **CONCRETE PRODUCTS MFG & Drivers**: Applies to shop or yard work only. Includes the mfg. of concrete blocks, bricks, poles, piles, beams, sewer pipes, tile, or similar products, and may be applied only when the operations described are conducted as a commercial enterprise at a permanent location. Not available at a construction site or for any plant established or operated in connection with construction work.

- **CONDUIT CONSTRUCTION—for CABLES OR WIRES—& Drivers**: Self-bearing floors, airport runways, warming aprons, street or road construction to be separately rated.

- **CONFECTION MACHINE MFG**: Subject to the Standard Exception Manual Rule.

- **CONSTRUCTION or Agricultural MACHINERY MFG**: May be used only upon specific assignment of the Board. Mill operations or fabrication to be separately rated.
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RAILROAD OPERATION:

RAILROADS—STREET—ALL EMPLOYEES & Drivers ............................ 7130
All employees connected with the operation or maintenance of bus lines shall be rated as "Bus or Private Livery Operations."

RAILROADS NOC—ALL EMPLOYEES & Drivers ............................ 7133
All employees connected with the operation or maintenance of bus lines shall be rated as "Bus or Private Livery Operations."

RATTAN, Willow or Twisted Fiber PRODUCTS MFG ............................ 2913
Includes upholstering.

RAYON MFG ................................ 2305
Pyroxylin mfg. to be separately rated as 4440.

RAZOR MFG—SAFETY ............................ 3270

RAZOR MFG NOC ............................ 3122

REAL ESTATE AGENCY—OUTSIDE employee—& collectors ..................... 8742
Care, custody and maintenance or construction work to be separately rated.

RECORDING—Masters and Stock Tapes—MUSIC ............................. 4352
Players, entertainers or musicians to be separately rated.

RECORDING TAPE OR DISK MFG ............................ 4923
Phonograph record mfg. to be separately rated as Code 4431.

RECREATIONAL VEHICLE Campground or PARK ............................ 9029

REED or Loom Harness MFG ............................ 3515

REFRACTORY PRODUCTS MFG & Drivers ............................ 4024
Includes the mfg. of fire bricks, boilers or stoker tiles, special refractory shapes, enameled bricks, retorts, flue linings, muffle, crucibles and similar products manufactured from refractory clays with or without other refractory materials. Includes clay, shale or sand digging. Underground mining or quarrying to be separately rated.

REFUSE, Ashes or Garbage COLLECTION & Drivers ............................ 9403
Reduction, rendering or fertilizer plants to be separately rated.

RELIGIOUS HOUSE OF WORSHIP:

PROFESSIONAL EMPLOYEES ............................ 8840
Includes clergy, assistants, organist and choir members.

ALL OTHER EMPLOYEES & Drivers ............................ 9101

RENDERING WORKS NOC & Drivers ............................ 4665
No garbage reduction. Codes 4665 and 4583 "Fertilizer Mfg." or 2089 "Packing House" shall not be assigned to the same risk unless the operations described by these classifications are conducted as separate and distinct businesses.

RENDERING WORKS NOC & Drivers ............................ 4665

RESIDENTIAL CARE FACILITY & Clerical ............................ 8865
Shall not be assigned to a facility having nursing or medical personnel on staff.

RESTAURANTS ............................ 9079
Musicians, players or entertainers to be separately rated.

Restaurants operated by a hotel or motel to be separately rated as Code 9058 "Hotel: Restaurant Employees."

REVETMENT or Dike CONSTRUCTION & Drivers ............................ 6005
Applies to river work only and includes all operations to completion. Pile driving to be separately rated as 6003.

RIDING Academy or CLUB & Drivers ............................ 7207

ROAD or Street MAKING MACHinery MFG ............................ 3507

ROCK EXCAVATION & Drivers ............................ 5508
Includes incidental quarrying or stone crushing. No tunneling.

ROCK WOOL MFG ............................ 1701
Excavation or digging, dredging, mining or quarrying to be separately rated.

ROLLER or Ball BEARING MFG ............................ 3638
Shall not be assigned to a risk engaged in operations described by another classification unless the operations subject to 3638 are conducted as a separate and distinct business.

ROLLER SKATING RINK ............................ 9093
Separately rate restaurant and/or bar operations as Code 9079 "Restaurant."

ROLLING MILL—IRON OR STEEL—See "IRON OR STEEL" ............................ 3027
Applicable to brass, copper or other soft metals. Not copper coated steel bars. Wire drawing, steel making or iron or steel rolling to be separately rated.
SANITARIUM:

PROFESSIONAL EMPLOYEES 8833
ALL OTHER EMPLOYEES 9040

SASH, Door OR ASSEMBLED MILLWORK MFG & Drivers 2737
Codes 2737 and 2731 “Planning or Molding Mills” or 2802 “Carpentry—shop only” shall not be assigned to the same risk unless the operations described by these classifications are conducted as separate and distinct businesses. Where a risk deals in any lumber or building materials or in any fuel and materials in addition to products manufactured, all storage or yard operations and all drivers shall be assigned to the appropriate yard or dealer classification.

SASH, Door OR FINISHED MILLWORK DEALER & Drivers 8235
Applicable to concerns dealing principally in such finished millwork as doors, frames, sash, screens, columns, paneling, cupboards, mantels, finished flooring or furniture such as kitchen cabinets, ironing boards, breakfast sets, window seats, wall cabinets or cases; with or without such items as moldings, stair trim, baseboards or shelving; but no other lumber or building materials except in limited quantities as an accommodation. It includes the assembling of finished parts or glazing of products received from other concerns and the cutting down of standard or stock sizes to special sizes but not the assembling or glazing of items manufactured by the insured. This classification is not available for division of payroll with 8232 “Lumber Yards”, “Building Material Dealers” or “Fuel and Material Dealers.”

SATELLITE DISH INSTALLATION:

CONCRETE POURING 5213
ELECTRICAL WIRING WITHIN BUILDINGS 5190
ERECITION OF DISH AND AUXILIARY EQUIPMENT 3724
SAUSAGE or Sausage Casing MFG 2095
Codes 2095 and 2089 “Packing House” shall not be assigned to the same risk unless the operations described by these classifications are conducted as separate and distinct businesses. No butchering or handling of livestock.

SAW MFG 3118
SAW MILL 2710
Storage and subsequent handling of processed lumber to be separately rated as 8232 “Lumber Yard.”

SCAFFOLDS, Hod Hoist or Construction Elevators—BUILT UP from the ground INSTALLATION, repair or removal & Drivers 9526
Not applicable to contractors who erect, repair or remove scaffolds, hod hoists or construction elevators as an incidental part of their construction work. When so performed, such operations shall be included in the classification with which such work is associated.

SCAFFOLDS—OUTRIGGER—INSTALLATION, repair or removal 5403
Not applicable to contractors who erect, repair or remove scaffolds as an incidental part of their construction work. When so performed, such operations shall be included in the classification with which such work is associated.

SCAFFOLDS—SIDEWALK BRIDGES—not over one story in height—INSTALLATION, repair or removal & Drivers 9527
Not applicable to contractors who erect, repair or remove sidewalk bridges as an incidental part of their construction work. When so performed, such operations shall be included in the classification with which such work is associated.

SCAFFOLDS—SUSPENDED or swinging INSTALLATION, repair or removal & Drivers 9534
Not applicable to contractors who erect, repair or remove scaffolds as an incidental part of their construction work. When so performed, such operations shall be included in the classification with which such work is associated.

SCHOOL:

PROFESSIONAL EMPLOYEES & Clerical 8868
ALL OTHER EMPLOYEES & Drivers 9101

SCREW MFG 3145
SEED MERCHANT 8102
Includes operation of seed sorting machinery.

SELF-SERVICE GASoline STATION—retail with Convenience Store Refer to Section II of the Digest of Rulings and Interpretations.

SERUM, Anti-toxin or virus MFG & Drivers 5951
SEWAGE DISPOSAL PLANT OPERATION & Drivers 7580
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CLEANING & Drivers 9402
CLEANING—of building connections using portable equipment—& Drivers 5183