



NYCIRB

New York Compensation
Insurance Rating Board
733 Third Avenue
New York, NY 10017
Tel: (212) 697-3535

June 22, 2018

R.C. 2466

Re: New York Workers' Compensation and Employers' Liability Manual
Classification Notes Revision – Codes 9063, 9178, and 9179
Effective Date: July 1, 2018

New York Workers' Compensation Statistical Plan
Manage Data Update
Effective Date: July 1, 2018

Members of the Rating Board:

I write to inform you that the New York State Department of Financial Services approved amendments to the Rating Board's New York Workers' Compensation and Employers' Liability Manual ("Manual") and the New York Workers' Compensation Statistical Plan ("Statistical Plan"), which are detailed herein, attached hereto, and are effective on July 1, 2018.

I. Classification Codes 9063, 9178, and 9179

The notes for Classification Codes 9063 (YMCA, YWCA, YMHA or YWHA, Institutions – All Employees & Clerical), 9178 (Athletic Team or Park – Non-Contact Sports), and 9179 (Athletic Team or Park – Contact Sports) have been amended. Specifically, the notes for Codes 9178 and 9179 clarify that (a) these classifications are applicable to professional and semi-professional athletes, athletic teams, and sports clubs; and (b) the exposure for amateur, youth, and recreational sports is not to be included. Further, the note for Code 9063 affirms that this classification is applicable to amateur, youth, or recreational sports, and is assigned to coaches, managers, trainers, equipment managers, and sports officials.

The modified and final versions of Manual Pages C-4 and C-100 reflecting the approved amendments are attached for your convenience.

II. Amendment to the Statistical Plan

The Statistical Plan has been amended to replace all references to "Manage USR (MUSR)" – a data submission application that has been recently decommissioned – with "Manage Data," which is the Rating Board's current data submission application.

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The modified and final versions of the Statistical Plan Pages TOC-4, R-36 and Page iii, reflecting the approved amendments, are enclosed for your convenience.

As mentioned above, the above-described changes are effective on July 1, 2018. If you have any questions or concerns, please do not hesitate to contact Mr. Mark Battistelli, Vice President of Underwriting Services, at (212)-697-3535, ext. 113 or at mbattistelli@nycirb.org.

Very truly yours,

A handwritten signature in blue ink, appearing to read "JA", written over a light blue horizontal line.

Jeremy Attie
President and CEO

Enclosures

ATHLETIC TEAM or PARK:**CONTACT SPORTS****9179**

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Applies to professional and semi-professional athletes, athletic teams and sports clubs engaged in contact sports including, but not limited to, lacrosse, rugby, water polo, football, hockey, and roller derby. Includes players, coaches, managers, trainers, equipment managers, sports officials, umpires and all players on salary list of insured. ~~Contact sports include football, hockey and roller derbies.~~ This classification is not applicable for amateur, youth, or recreational sports, in which the athletes are generally not paid. The entire remuneration of all employees shall be included in computing premium, subject, however, to the maximum average weekly wage per employee shown in the "Miscellaneous Values" pages as "Maximum Remuneration."

NON-CONTACT SPORTS**9178**

★

Applies to professional and semi-professional athletes, athletic teams and sports clubs engaged in non-contact sports including, but not limited to, baseball, basketball, jai-alai, soccer, and volleyball. Includes players, coaches, managers, trainers, equipment managers, sports officials, umpires and all players on the salary list of the insured. ~~Non-contact sports include baseball and basketball.~~ This classification is not applicable for amateur, youth, or recreational sports, in which the athletes are generally not paid. The entire remuneration of all employees shall be included in computing premium, subject, however, to the maximum average weekly wage per employee shown in the "Miscellaneous Values" pages as "Maximum Remuneration."

OPERATION OF PARK & Drivers**9182**

Applies to all employees other than players, coaches, managers or umpires.

ATOMIC ENERGY:**PROJECT WORK****9984**

All work, either construction or operation, performed for or under the direction of the Nuclear Regulatory Commission or any government agency may be rated on an individual risk basis. Each risk to be so rated shall be submitted by the carrier to the Rating Board for approval of the basis agreed upon by the carrier, the contractor and the Nuclear Regulatory Commission or government agency.

RADIATION EXPOSURE NOC**9985**

Where the operations involve research, manufacture, handling, transportation, use of or exposure to radioactive materials, and are not performed for or under the direction of the Nuclear Regulatory Commission or any government agency, a supplemental rate may be applied to such operation.

Exception: *Where the radiation hazard involved arises from a reactor or is equivalent to the radiation hazard of a reactor, the rating provisions of Code 9984 "Atomic Energy Project Work" will apply.*

ATTORNEY—ALL EMPLOYEES—& Clerical, Messengers, Drivers**8820**

Shall not be assigned to a risk engaged in operations described by another classification unless the operations subject to Code 8820 are conducted as a separate and distinct business.

AUCTIONEERS & Salespersons—outside**8090**

Includes solicitors and appraisers. Not livestock sales stables.

AUDIO or Visual RECORDING MEDIA MFG.**4923**

Includes tapes or disks. Separately rate phonograph record manufacturing as Code 4431.

AUDITORS, Accountant or Factory Cost or Office Systematizer—TRAVELING**8803**

Includes insurance company premium auditors.

YARD-CONSTRUCTION or ERECTION-PERMANENT

8227

Applies only to a permanent yard maintained by a construction or erection risk for the storage of material or the storage and maintenance of equipment. Not available at a construction site. Separately rate mill operations or fabrication.

**YARN or Thread DYEING or FINISHING**

2416

Separately rate yarn or thread manufacturing. Shall not be assigned to a risk engaged in operations described by another classification unless the operations subject to Code 2416 are conducted as a separate and distinct business.

YARN or Thread MFG. – cotton, linen, silk or wool

2302

YEAST MFG.

6504

**YMCA, YWCA, YMHA or YWHA, INSTITUTION – ALL EMPLOYEES – & Clerical**

9063

Includes teachers and instructors. Separately rate camp operations as Code 9048. This classification is applicable to amateur, youth, or recreational sports in which the athletes are generally not paid. It is assigned to coaches, managers, trainers, equipment managers, and sports officials.

ZOO NOC-ALL EMPLOYEES-& Drivers

9102

Separately rate the operation, care and maintenance of amusement devices as Code 9180.

ATHLETIC TEAM or PARK:

★	CONTACT SPORTS <i>Applies to professional and semi-professional athletes, athletic teams and sports clubs engaged in contact sports including, but not limited to, lacrosse, rugby, water polo, football, hockey, and roller derby. Includes players, coaches, managers, trainers, equipment managers, sports officials, umpires and all players on salary list of insured. This classification is not applicable for amateur, youth, or recreational sports, in which the athletes are generally not paid. The entire remuneration of all employees shall be included in computing premium, subject, however, to the maximum average weekly wage per employee shown in the "Miscellaneous Values" pages as "Maximum Remuneration."</i>	9179
★	NON-CONTACT SPORTS <i>Applies to professional and semi-professional athletes, athletic teams and sports clubs engaged in non-contact sports including, but not limited to, baseball, basketball, jai-alai, soccer, and volleyball. Includes players, coaches, managers, trainers, equipment managers, sports officials, umpires and all players on the salary list of the insured. This classification is not applicable for amateur, youth, or recreational sports, in which the athletes are generally not paid. The entire remuneration of all employees shall be included in computing premium, subject, however, to the maximum average weekly wage per employee shown in the "Miscellaneous Values" pages as "Maximum Remuneration."</i>	9178
	OPERATION OF PARK & Drivers <i>Applies to all employees other than players, coaches, managers or umpires.</i>	9182

ATOMIC ENERGY:

PROJECT WORK <i>All work, either construction or operation, performed for or under the direction of the Nuclear Regulatory Commission or any government agency may be rated on an individual risk basis. Each risk to be so rated shall be submitted by the carrier to the Rating Board for approval of the basis agreed upon by the carrier, the contractor and the Nuclear Regulatory Commission or government agency.</i>	9984
RADIATION EXPOSURE NOC <i>Where the operations involve research, manufacture, handling, transportation, use of or exposure to radioactive materials, and are not performed for or under the direction of the Nuclear Regulatory Commission or any government agency, a supplemental rate may be applied to such operation.</i> Exception: <i>Where the radiation hazard involved arises from a reactor or is equivalent to the radiation hazard of a reactor, the rating provisions of Code 9984 "Atomic Energy Project Work" will apply.</i>	9985

ATTORNEY—ALL EMPLOYEES—& Clerical, Messengers, Drivers <i>Shall not be assigned to a risk engaged in operations described by another classification unless the operations subject to Code 8820 are conducted as a separate and distinct business.</i>	8820
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AUCTIONEERS & Salespersons—outside <i>Includes solicitors and appraisers. Not livestock sales stables.</i>	8090
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AUDIO or Visual RECORDING MEDIA MFG. <i>Includes tapes or disks. Separately rate phonograph record manufacturing as Code 4431.</i>	4923
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AUDITORS, Accountant or Factory Cost or Office Systematizer—TRAVELING <i>Includes insurance company premium auditors.</i>	8803
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YARD–CONSTRUCTION or ERECTION–PERMANENT	8227
<i>Applies only to a permanent yard maintained by a construction or erection risk for the storage of material or the storage and maintenance of equipment. Not available at a construction site. Separately rate mill operations or fabrication.</i>	
YARN or Thread DYEING or FINISHING	2416
<i>Separately rate yarn or thread manufacturing. Shall not be assigned to a risk engaged in operations described by another classification unless the operations subject to Code 2416 are conducted as a separate and distinct business.</i>	
YARN or Thread MFG. – cotton, linen, silk or wool	2302
YEAST MFG.	6504
★ YMCA, YWCA, YMHA or YWHA, INSTITUTION – ALL EMPLOYEES & Clerical	9063
<i>Includes teachers and instructors. Separately rate camp operations as Code 9048. This classification is applicable to amateur, youth, or recreational sports in which the athletes are generally not paid. It is assigned to coaches, managers, trainers, equipment managers, and sports officials.</i>	
ZOO NOC–ALL EMPLOYEES–& Drivers	9102
<i>Separately rate the operation, care and maintenance of amusement devices as Code 9180.</i>	

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d. Totals

Report the revised report totals resulting from any changes to the exposure and/or loss information.

4. Link Data

Key fields must be the same across all report levels, including corresponding corrections. Key fields are Carrier Code, Policy Number, Policy Effective Date and Exposure State Code.

For changes to the carrier code, policy number and / or policy effective date, report a correction to the 1st report only. Report both the revised key field(s) and the previously reported value(s).

5. Replacement Reports

Replacement reports may be used in lieu of correction reports to replace reports that have already been submitted to NYCIRB but have a status of “failed”.

Instructions:

- Report the Replacement Report Code on the Header as “R” to indicate that this is a replacement report.
- Report the Header Record matching fields for the replacement report consistently with the report that you are replacing. A replacement report that does **not** match a unit report in NYCIRB’s database will be rejected and will **not** be processed.
- Report all other exposure, premium, and/or loss data that are on the report being replaced, in addition to the corrected data.

For additional information on the rules and requirements, refer to Part II—Header/Policy Information.

6. Procedure For Correction Of Claims After Subsequent Reports Have Been Filed

In order to correct a unit statistical report for which a subsequent report has already been filed, it is also necessary to submit a correction report for each associated unit statistical report with a higher report level.

★ 7. Manage ~~DataUSR (MUSR)~~

Manage ~~DataUSR (MUSR)~~ is an online NYCIRB product that allows member carriers to create and submit corrections in real time.

- ~~Create, view and correct unit statistical reports~~
- ~~Prepare WCSTAT files for submission directly to NYCIRB or via Compensation Data Exchange (CDX)~~
- ~~View Error Reports~~
- ~~Manage the timely submission of data through the Unit Statistical Tracking System (USTS) feature~~

~~MUSR is updated each evening to include each day’s WCSTAT submissions, thereby creating a complete and current database.~~

For more information on ~~MUSR Manage Data~~ and registering for access to this application, please visit refer to to the Manage USR User Guide on the NYCIRBour website.

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