

BULLETIN

May 15, 2009

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R.C. 2205

To: The Members of the Board

**RE: New York Workers Compensation & Employers Liability Manual
Classification Revision – Code 2002
Effective October 1, 2009**

The Underwriting Committee of the New York Compensation Insurance Rating Board has authorized, and the New York State Insurance Department has approved, effective October 1, 2009, changes in phraseology for classification code 2002.

The basis for this change results from NCCI's (National Council on Compensation Insurance) adoption of a change in phraseology for Code 2002 from Macaroni Mfg. to Pasta or Noodle Mfg. with an effective date of Jan 1, 2011 for rate/loss cost filings. Given the more frequent use of this terminology, the Board has adopted the additional phraseology for Code 2002 "Pasta or Noodle Mfg."

Additionally the phraseology for Code 2002 Macaroni Mfg. has been retained in New York and stuffed pasta is incorporated into the interpretation for Code 2002. This change is being made in order to conform to NCCI's interpretation of stuffed pasta such as ravioli, tortellini, manicotti, etc. to be inclusive under Code 2002 rather than being assigned to Code 2003 (Bakery & Route Salesperson, Route Supervisors, Drivers) as it was previously done in New York.

The pages in the NYWC&EL Manual which are affected by this change, specifically pages C-53, C-58 and C-62, are attached for your reference and have been updated accordingly in the on-line version of the manual.

Very truly yours,

Monte Almer

President

LUMBER YARD —no second-hand materials—& local managers, Drivers	8232
MACARONI MFG. ★ <i>Applies to the manufacturing of but not limited to spaghetti, macaroni and all other types of pasta in various shapes and sizes; including stuffed pasta but not limited to ravioli, tortellini and manicotti.</i>	2002
MACHINE SHOP NOC <i>Separately rate foundry operations as Code 3081 or Code 3085.</i>	3632
MACHINERY DEALER NOC —store or yard—& Drivers <i>Operations include repair of machinery and parts sales at the insured's premises.</i> <i>For operations performed at the customers' premises, see the entry in Section II of the Digest of Rulings and Interpretations under "Machinery Installation, Service or Repair."</i>	8107
MACHINERY or Equipment ERECTION or INSTALLATION NOC & Drivers <i>Applies to the erection or installation of machinery at customers' premises.</i> <i>Separately rate the repair or servicing machinery at a customers' premises as Code 3737.</i> <i>Separately rate the repair or servicing machinery at the insureds premises.</i>	3724
MACHINERY or Equipment REPAIR or Servicing at Customers' Premises NOC & Drivers <i>Applies to the repair or servicing of machinery at a customers' premises.</i> <i>Separately rate the erection or installation of machinery at a customers' premises as Code 3724.</i> <i>Separately rate the repair or servicing machinery at the insureds premises.</i>	3737
MAGNESIUM METAL MFG. & Drivers <i>Separately rate milling or grinding of magnesium metal as Code 1452. Separately rate mining as Code 1170 or Code 1624 and quarrying as Code 1624.</i>	1438
MAGNETIC or Digital RECORDING/STORAGE MEDIA MFG. <i>Applies to audio or visual recording media manufacturing and recording tape or disk manufacturing.</i>	4431
MAILING or Addressing CO. <i>Shall not be assigned to a risk engaged in operations described by another classification unless the operations subject to Code 8800 are conducted as a separate and distinct business.</i>	8800
MALT HOUSE & Drivers <i>Includes distributing stations.</i>	2121
MARBLE or Stone SETTING—inside <i>Applies to interior construction only. Not fireproof tile construction.</i>	5348
MARINA OPERATIONS & Drivers:	
Coverage under U.S. ACT	6826F
Coverage under STATE ACT ONLY	6836

NET MFG. <i>Not applicable to wire nets. Separately rate cordage or twine manufacturing as Code 2302.</i>	2380
NEWS AGENT or Distributor of Magazines or Other Periodicals—NOT RETAIL DEALER—& Outside Salespersons, Drivers	8745
NEWSPAPER CARRIERS —including use of bicycles <i>Applies to newspaper carriers who are employed by publishers or dealers and who are engaged in selling and delivering newspapers to customers at their homes or business places. The actual earnings of the carriers, but excluding the value of tips, shall be used as payroll for the purpose of determining the premium under this classification.</i>	4312
NEWSPAPER PUBLISHING <i>Separately rate artists or designers engaged exclusively in creative work or original design, proofreaders, editors or clerical office employees as Code 8810 "Clerical Office Employees." Separately rate reporters, advertising or circulation solicitors as Code 8742.</i>	4304
NIGHTCLUB, Bar, Dance Club, Lounge or Tavern —including entertainers and/or musicians <i>Applies to the operation of a bar, dance club, lounge, nightclub or tavern where the gross receipts of alcoholic beverages exceed 50% of the total receipts of food and non-alcoholic beverages.</i> <i>Refer to Section III of the Digest of Rulings and Interpretations to determine the application of the appropriate restaurant and/or bar classification.</i>	9074
★ NOODLE or Pasta MFG. <i>Applies to the manufacturing of but not limited to spaghetti, macaroni and all other types of pasta in various shapes and sizes; including stuffed pasta but not limited to ravioli, tortellini and manicotti.</i>	2002
NOTEBOOK or Loose-Leaf Ledger MFG. <i>Separately rate the manufacturing of metal rings, posts, screws, separators or fittings as Code 3146.</i>	4251
NURSERY EMPLOYEES & Drivers <i>Includes incidental landscape gardening.</i>	0005
NURSING or Convalescent HOME—ALL EMPLOYEES <i>Separately rate a nursing or convalescent home operated by a hospital, at the same location or adjacent to the hospital as Code 8833 and Code 9040.</i>	8829
NUT or Bolt MFG. <i>Separately rate steel making as Code 1438 or Code 3004. Separately rate rolling mills as Code 3018 or Code 3027.</i>	3132
NUT CLEANING or SHELLING	6504
OFFICE, Computing or Recording MACHINE MFG. NOC	3574
OFFICE MACHINE INSTALLATION, Inspection, Adjustment or REPAIR <i>Includes shop. Separately rate manufacturing operations.</i>	5191
OFFICE or Factory Cost SYSTEMATIZER, Accountant or Auditor—TRAVELING <i>Includes insurance company premium auditors.</i>	8803
OIL CLOTH MFG.	4493

*Effective October 1, 2009*1st Reprint

PAPER BAG MFG. <i>Separately rate paper manufacturing as Code 4239.</i>	4273
PAPER BOX MACHINERY MFG.	3548
PAPER COATING <i>Not building, roofing paper or felt preparation.</i>	4250
PAPER CORRUGATING or LAMINATING <i>Code 4250 and Code 4244 "Corrugated or Fiberboard Container Mfg." shall not be assigned to the same risk unless the operations described by these classifications are conducted as separate and distinct businesses. Separately rate paper manufacturing as Code 4239.</i>	4250
PAPER CREPING <i>Separately rate paper manufacturing as Code 4239.</i>	4250
PAPER GOODS MFG. NOC <i>Separately rate paper manufacturing as Code 4239.</i>	4279
PAPER MFG. <i>Includes card, bristol, paper, straw, fiber or leatherboard. Separately rate wood pulp manufacturing as Code 4263 or Code 4207.</i>	4239
PAPER OILING, Paraffining, Parchmentizing or WAXING <i>Separately rate paper manufacturing as Code 4239.</i>	4250
PAPER STOCK, Bottle, Rubber or Rag DEALER—SECOND-HAND—& Drivers <i>Shall not be assigned to a risk engaged in operations described by another classification unless the operations subject to Code 8264 are conducted as a separate and distinct business.</i>	8264
PARK NOC—ALL EMPLOYEES—& Drivers <i>Separately rate the operation, care and maintenance of amusement devices as Code 9180.</i>	9102
PARKING LOT—AUTOMOBILE & Drivers <i>Applies to the operation of an automobile parking lot, parking station, storage garage, self-parking facility or valet parking service. Includes the operation of a rental car agency provided the cars are rented without chauffeurs and no mechanical work is performed on the vehicle. Includes employees such as parking attendants, counter personnel and cashiers.</i>	8392
PARQUET or Finished Wooden FLOOR INSTALLATION <i>Not available for division of payroll with Code 5403 "Carpentry NOC," Code 5645 "Carpentry Detached Dwellings" or Code 5651 "Carpentry Dwellings Three Stories or Less" at the same job or location.</i>	5429
★ PASTA or Noodle MFG. <i>Applies to the manufacturing of but not limited to spaghetti, macaroni and all other types of pasta in various shapes and sizes; including stuffed pasta but not limited to ravioli, tortellini and manicotti.</i>	2002