

WAC 296-17-31018 Exception classifications. (1) What are exception classifications?

Exception classifications describe employees who are not exposed to the normal hazards associated with a basic classification. Exception classifications may also have special reporting rules concerning a division of worker hours.

There are three types of exception classifications:

- Standard exception classifications;
- Special exception classifications; and
- General exclusion classifications.

(2) What are the standard exception classifications?

Standard exception classifications are administrative in nature. Employees covered by a standard exception classification are not exposed to the general hazards described in a basic classification description. If the language of the basic classification does not specifically include clerical office and sales workers, you are allowed to report in standard exception classifications when applicable.

A worker's hours cannot be divided between a standard exception classification and any other classification. If some work is included in a standard exception classification, but other duties are not, then all the worker's hours must be reported in the higher rated classification that applies to those duties. ***Exception to the rule:*** A division of hours is permitted between a standard exception classification and racing operations, flight crews, or diving operations. See subsection (4) of this section.

The standard exception classifications are:

- **Classification 4904**, clerical office workers as described in WAC 296-17A-4904;
- **Classification 6301**, sales personnel, driving instructors, and limousine drivers as described in WAC 296-17A-6301;
- **Classification 6303**, outside sales personnel as described in WAC 296-17A-6303;
- **Classification 7100**, members of limited liabilities electing coverage as described in WAC 296-17A-7100; and
- **Classification 7101**, corporate officers electing coverage as described in WAC 296-17A-7101.

(3) What are the special exception classifications?

Special exception classifications represent operations found within an employer's business that are allowed to be reported separately from the basic classification under certain conditions. Assuming the conditions described in each classification's description are met, the following classifications may be used even if your basic classification includes the phrases "all operations" or "all employees."

Whenever a division of hours is not permitted for a special exception classification, all of the hours must be reported in the higher rated classification applicable to the work not included in the special exception classification.

The special exception classifications and their division of hour requirements are:

- **Farms: Hand harvesting crops** - WAC 296-17A-4806. A division of hours between classification 4806 and a basic farm classification is permitted.

- **Security guards at construction or logging sites** - WAC 296-17A-6601. There can be no division of hours for a worker between classification 6601 and the basic classification during a work shift.
- **Cleaning employer's business offices** - WAC 296-17A-6602. A division of hours is not permitted between this special exception classification and the basic classification for the business.
- **Construction: Superintendent or project manager** - WAC 296-17A-4900. A division of hours is permitted between classification 4900 and a basic construction classification for work performed under separate building permits and at separate locations.
- **Construction: Estimator** - WAC 296-17A-4911. No division of hours is permitted between classification 4911 and another basic or special exception classification during a work shift.
- **Permanent yard or shop operations** - WAC 296-17A-5206. No division of hours is permitted between classification 5206 and another basic or special exception classification during a work shift.
- **Log truck drivers** - WAC 296-17A-5003. There can be no division of hours for a worker between classification 5003 and the basic logging classification 5001 during a work shift.
- **Retail store demonstrators** - WAC 296-17A-6406. There can be no division of hours between classification 6406 and a basic classification during a work shift.

(4) **What are the general exclusion classifications?**

General exclusions are activities excluded from all basic classifications that do not specifically describe that type of work. You must report work described by a general exclusion in the basic classification that applies to those operations.

The general exclusion classifications are:

- **Aircraft operations:** Applies to duties performed by flight crews. A division of hours is permitted between flight crew classifications and **all** other classifications.
Example: Assume a corporate officer performs duties which are described in classification 7101. Occasionally, the officer flies a plane to attend a meeting. You would report the flying exposure (hours) of the corporate officer in classification 6803. The remainder of the corporate officer's time would continue to be reported in classification 7101.
- **Racing operations:** Applies to duties performed by race car or boat drivers and their pit crews. A division of hours is permitted between racing drivers/pit crew classifications and **all** other classifications. *See example for aircraft operations.*
- **Diving operations:** Applies to duties performed by underwater divers and any boat tenders who assist in diving operations. A division of hours is permitted between divers and tenders and **all** other classifications. *See example for aircraft operations.*
- **New construction or alterations of the business premises:** Applies to construction duties by employees of the business, other than those considered normal maintenance and repair. No special division of hours rules apply to this general exclusion classification.
- **Musicians and entertainers:** Applies to covered employees performing as musicians and entertainers. No special division of hours rules apply to this general exclusion classification.

Special note: Whenever you have multiple classifications assigned to your business, if you fail to keep original time records as specified in WAC 296-17-35201, which clearly show the time worked in each classification, we will assign any hours in question to the highest rated classification that may apply to the work performed.

[Statutory Authority: RCW 51.04.020 and 51.16.035. WSR 14-17-085, § 296-17-31018, filed 8/19/14, effective 9/19/14; WSR 13-08-063, § 296-17-31018, filed 4/1/13, effective 1/1/14. Statutory Authority: RCW 51.16.035, 51.16.100, 51.04.020(1). WSR 09-16-110, § 296-17-31018, filed 8/4/09, effective 10/1/09. Statutory Authority: RCW 51.06.035, 51.08.010, 51.04.020. WSR 07-12-045, § 296-17-31018, filed 5/31/07, effective 7/1/07. Statutory Authority: RCW 51.16.035, 51.16.100. WSR 06-12-075, § 296-17-31018, filed 6/6/06, effective 1/1/07. Statutory Authority: RCW 51.04.020, 51.16.035, and 51.12.120. WSR 03-23-025, § 296-17-31018, filed 11/12/03, effective 1/1/04. Statutory Authority: RCW 51.04.020, 51.16.035 and 51.32.073. WSR 99-24-055, § 296-17-31018, filed 11/29/99, effective 12/31/99. Statutory Authority: RCW 51.16.035. WSR 98-18-042, § 296-17-31018, filed 8/28/98, effective 10/1/98.]