

WAC 296-17-31027 Temporary staffing services. (1) **To whom does this rule apply?** This rule applies to any temporary staffing business providing temporary employees to a client customer.

(2) **Who pays the workers' compensation insurance premium for temporary staffing employees?** RCW 51.16.060 requires the temporary staffing service provider to pay the required premiums for temporary employees assigned to a client customer.

Note: If the temporary staffing service provider fails to pay the required premium to labor and industries, the client customer is responsible for the unpaid premium.

(3) **How are classifications determined for a temporary staffing business?** We will assign the classification or classifications to your business based on the nature of your business.

Note: This process is identical to how classifications are assigned to a nontemporary staffing business.

(4) **Are there special classifications that apply to temporary staffing businesses?** Yes, we have created a series of special classifications that only temporary staffing businesses use. They are found in WAC 296-17A-7104 through 296-17A-7122.

Example: A temporary staffing business that specializes in providing nurses to medical facilities would be assigned the temporary staffing classification for health care facilities.

Example: A temporary staffing business that provides temporary employees to a variety of client customers would be assigned multiple temporary staffing classifications.

(5) **Do other businesses have special classifications?** All businesses have special classifications.

Example: A nontemporary service employer engaged exclusively in plumbing work would have a plumbing classification assigned to their business.

Example: A nontemporary service employer engaged in framing houses, land clearing and roofing would have a classification for framing, one for land clearing and a separate classification for the roof work. This is done because construction work is done by contract and each contract will be different.

(6) **Why doesn't labor and industries just use nontemporary staffing classifications for temporary staffing businesses?** Temporary staffing companies requested labor and industries to create special classifications for their industry. The alternative to special industry classifications would result in temporary staffing business using the nontemporary staffing classification that their client customer uses. Labor and industries has over three hundred main classifications and twelve hundred subclassifications that employers report in. Requiring temporary staffing companies to use all of these classifications would result in an administrative burden for the temporary staffing businesses. Classifications unique to temporary staffing provide temporary staffing businesses the incentives to improve safety for their employees and control the cost of workers' compensation insurance.

[Statutory Authority: RCW 51.04.020, 51.16.035, and 51.16.100. WSR 12-11-109, § 296-17-31027, filed 5/22/12, effective 7/1/12. Statutory Authority: RCW 51.04.020 and 51.16.035. WSR 03-20-081, § 296-17-31027, filed 9/30/03, effective 1/1/04. Statutory Authority: RCW 51.16.035. WSR 98-18-042, § 296-17-31027, filed 8/28/98, effective 10/1/98.]