

State: Texas
TOI/Sub-TOI: 16.0 Workers Compensation/16.0004 Standard WC
Product Name: B-1450 Revisions to Basic Manual Classifications for Hazardous Material Remediation and Military Reservation--Construction--Iron or Steel Erection--Not Over Two Stories in Height
Project Name/Number: /

Filing at a Glance

Company: National Council on Compensation Insurance, Inc.
Product Name: B-1450 Revisions to Basic Manual Classifications for Hazardous Material Remediation and Military Reservation--Construction--Iron or Steel Erection--Not Over Two Stories in Height
State: Texas
TOI: 16.0 Workers Compensation
Sub-TOI: 16.0004 Standard WC
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WC 1
Revision - S692689 (B-1444)

State: Texas
TOI/Sub-TOI: 16.0 Workers Compensation/16.0004 Standard WC
Product Name: B-1450 Revisions to Basic Manual Classifications for Hazardous Material Remediation and Military Reservation--Construction--Iron or Steel Erection--Not Over Two Stories in Height
Project Name/Number: /

General Information

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Created By: Nancy Mattei	Submitted By: Nancy Mattei
Corresponding Filing Tracking Number:	
State TOI: Workers Compensation	State Sub-TOI: Workers Compensation

Filing Description:
This item revises the

- treatment for classifications related to hazardous material remediation services for asbestos, mold, and lead paint in NCCI's Basic Manual for Workers Compensation and Employers Liability Insurance (Basic Manual), and
- phraseology for Code 5059—Military Reservation—Construction—Iron or Steel Erection—Not Over Two Stories in Height in NCCI's Basic Manual.

Additionally, this item clarifies the classification treatment for employees of construction companies that perform janitorial-type services.

Company and Contact

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Filing Company Information

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901 Peninsula Corporate Circle	Group Code:	Company Type:
Boca Raton, FL 33487	Group Name:	State ID Number:
(561) 893-3186 ext. [Phone]	FEIN Number: 65-0439698	

State: Texas **Filing Company:** National Council on Compensation Insurance, Inc.
TOI/Sub-TOI: 16.0 Workers Compensation/16.0004 Standard WC
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Filing Fees

State Fees

Fee Required? No

Retaliatory? No

Fee Explanation:

State Specific

1. [PII] Does this filing contain any personally identifiable information (PII)? (See SERFF General Instructions for the definition and examples of PII.) Answer either YES or NO:: No
2. [Associated filing] Provide the TDI file number or SERFF tracking number for all associated filings:: N/A
3. [Deemer date] Do you waive the deemer for form, endorsement, and certificate of insurance filings under 28 TAC 5.9325? Answer either YES or NO:: Yes
4. Do you waive the limits on requests for information for rate/rule filings under 28 TAC 5.9336? Answer either YES or NO:: Yes
5. [Replacement number] Provide the TDI file number or SERFF tracking number of the previously approved forms and endorsements or accepted rates, rules, or rate/rules that you are replacing:: S692689
6. [Reference/adopt] Provide the TDI file number or SERFF tracking number that contains approved forms and endorsements or accepted rates, rules, or rate/rules that you are referencing/adopting.: N/A
7. [Interline] State if this is an interline filing and list all lines of insurance the endorsement or rate/rules applies to.: N/A
8. [Policy form] What policy form do these endorsements and forms go with? List the TDI file number or SERFF tracking number where the policy form was approved or referenced:: N/A
9. [RPG] Will this filing be used for a Risk Purchasing Group? Answer either YES or NO. If yes, provide the name:: No

State:Texas

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TOI/Sub-TOI:16.0 Workers Compensation/16.0004 Standard WC

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Project Name/Number:/

Rate Information

Rate data applies to filing.

Filing Method:

Rate Change Type:Neutral

Overall Percentage of Last Rate Revision:0.000%

Effective Date of Last Rate Revision:

Filing Method of Last Filing:

SERFF Tracking Number of Last Filing:

Company Rate Information

Company Name:	Overall % Indicated Change:	Overall % Rate Impact:	Written Premium Change for this Program:	Number of Policy Holders Affected for this Program:	Written Premium for this Program:	Maximum % Change (where req'd):	Minimum % Change (where req'd):
National Council on Compensation Insurance, Inc.	0.000%	0.000%	\$0	0	\$0	0.000%	0.000%

State:Texas

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TOI/Sub-TOI:16.0 Workers Compensation/16.0004 Standard WC

Product Name:B-1450 Revisions to Basic Manual Classifications for Hazardous Material Remediation and Military Reservation--Construction--Iron or Steel Erection--Not Over Two Stories in Height

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Rate/Rule Schedule

Item No.	Schedule Item Status	Exhibit Name	Rule # or Page #	Rate Action	Previous State Filing Number	Attachments
1		Exhibit 7	Iron or Steel—Erection—Construction of Dwellings Not Over Two Stories in Height	Replacement	S692689	Exhibit 7 TX.pdf

Item B-1450—Revisions to Basic Manual Classifications for Hazardous Material Remediation and Military Reservation—Construction—Iron or Steel Erection—Not Over Two Stories in Height

**Exhibit 7-Rule
Basic Manual—Texas**

~~Asbestos Insulation Removal From Pipes or Boilers & Drivers~~

~~Code 5183~~ ● ~~Construction~~

~~Phrase ID: BM-5183-APP42~~

~~Effective Date: April 1, 2022~~

~~Painting NOC & Drivers~~

~~Code 5474~~ ● ~~Construction~~

~~Phrase ID: BM-5474-PAC0D~~

~~Effective Date: April 1, 2022~~

This phraseology includes the painting of (a) balconies, (b) fire escapes, (c) sashes, (d) shutters, (e) staircases, or (f) window frames.

~~Operations to be separately rated~~

Painting of the following is to be separately rated:

- ◆ ~~bridges~~
- ◆ ~~metal structures over two stories in height, and~~
- ◆ ~~ship hulls.~~

~~Asbestos Insulation Removal From Buildings & Drivers~~

~~Code 5479~~ ● ~~Construction~~

~~Phrase ID: BM-5479-APP98~~

~~Effective Date: April 1, 2022~~

~~Cleaning of New Homes by Specialty Contractors~~

~~Code 9014~~

~~Phrase ID: BM-9014-CLE80~~

~~Effective Date: April 1, 2022~~

~~Janitor Service by Contract~~

~~Code 9014~~

~~Phrase ID: BM-9014-JAID5~~

~~Effective Date: April 1, 2022~~

~~Window Cleaning NOC~~

~~Code 9014~~

~~Phrase ID: BM-9014-WEE15~~

~~Effective Date: April 1, 2022~~

~~Window Cleaning—Exterior—Buildings Over Two Stories in Height & Drivers~~

~~Code 9170~~

~~Phrase ID: BM-9170-WEE9E~~

~~Effective Date: April 1, 2022~~

Item B-1450—Revisions to Basic Manual Classifications for Hazardous Material Remediation and Military Reservation—Construction—Iron or Steel Erection—Not Over Two Stories in Height

**Exhibit 7-Rule (Cont'd)
Basic Manual—Texas****Asbestos Removal Operations—Contractor—Pipe and Boiler Work Exclusively & Drivers****Code 5472 ● Construction****Phrase ID: BM-5472-APP00****Effective Date: July 1, 2026**

This phraseology applies to employers that perform asbestos removal or encapsulation on pipes or boilers exclusively. This phraseology includes construction work that is performed as part of the asbestos removal or encapsulation on pipes or boilers exclusively.

Operations to be separately rated

Construction operations performed after asbestos removal or encapsulation on pipes or boilers has concluded are to be separately rated.

Construction operations performed after asbestos removal or encapsulation

Refer to NCCI's **Basic Manual** rule, Rule for assigning more than one basic classification for specific operations, for the assignment of codes related to construction operations performed after asbestos removal or encapsulation has concluded.

Asbestos and Mold Removal Operations—Contractor—NOC & Drivers**Code 5473 ● Construction****Phrase ID: BM-5473-APPEA****Effective Date: July 1, 2026**

This phraseology applies to employers that perform asbestos or mold removal or encapsulation.

Included operations

This phraseology includes

- dusting, wiping walls, and general cleaning when performed in conjunction with the employer's asbestos or mold removal or encapsulation operations, and
- construction work that is performed as part of the asbestos removal or encapsulation operations.

Operations to be separately rated

Construction operations performed after asbestos or mold removal or encapsulation work has concluded are to be separately rated.

Pipe or boiler asbestos operations

Refer to Code 5472 for employers that perform asbestos removal or encapsulation performed on pipes or boilers exclusively.

Lead paint abatement operations

Refer to Code 5474 for lead paint abatement operations.

Construction operations performed after asbestos or mold removal or encapsulation

Refer to NCCI's **Basic Manual** rule, Rule for assigning more than one basic classification for specific operations, for the assignment of codes related to construction operations performed after asbestos or mold removal or encapsulation has concluded.

Item B-1450—Revisions to Basic Manual Classifications for Hazardous Material Remediation and Military Reservation—Construction—Iron or Steel Erection—Not Over Two Stories in Height

**Exhibit 7-Rule (Cont'd)
Basic Manual—Texas****Lead Paint Abatement & Shop Operations, Drivers****Code 5474 ● Construction****Phrase ID: BM-5474-LABAC****Effective Date: July 1, 2026**

This phraseology applies to employers that remove or seal lead-painted surfaces.

Painting NOC & Shop Operations, Drivers**Code 5474 ● Construction****Phrase ID: BM-5474-PAC31****Effective Date: July 1, 2026**

This phraseology includes the painting of (a) balconies, (b) fire escapes, (c) metal storage tanks, (d) sashes, (e) shutters, (f) staircases, or (g) window frames.

Operations to be separately rated

Painting of the following is to be separately rated:

- bridges
- metal structures over two stories in height, or
- ship hulls.

Waterproofing operations

This phraseology applies to specialist contractors who apply waterproofing material by means of brush or hand-pressured caulking gun. This classification treatment applies to waterproofing, other than roofing or subaqueous work, when performed as a separate operation not a part of, or incidental to, any other construction operation performed by the same contractor at the same job or location.

Janitorial Services by Contractors—No Window Cleaning Above Ground Level & Drivers**Code 9014****Phrase ID: BM-9014-JAI9C****Effective Date: July 1, 2026**

This phraseology includes inside and outside cleaning of windows from ground level.

Window cleaning above ground level

Window cleaning when performed above ground level is to be separately rated to Code 9170.

Verifiable payroll records

If verifiable records are not maintained, assign the entire payroll to the highest-rated classification that applies to the job or location where the window cleaning is performed.

Operations to be separately rated

Maintenance, painting, or repair at any location where the contractor does not also perform janitorial services is to be separately rated.

Cleaning service contractors

Cleaning service contractors who provide cleanup crews to prepare residential properties for future occupants are classified to Code 9014.

Important Employees of a construction company who perform janitorial-type cleaning services before, during, or after construction are included as miscellaneous employees of the construction company and are assigned to the governing classification of the business. Refer to NCCI's ***Basic Manual*** rule, Miscellaneous Employees.

Item B-1450—Revisions to Basic Manual Classifications for Hazardous Material Remediation and Military Reservation—Construction—Iron or Steel Erection—Not Over Two Stories in Height

**Exhibit 7-Rule (Cont'd)
Basic Manual—Texas**

Construction debris removal

Employees involved exclusively in debris removal in connection with construction or erection operations are classified to Code 9014.

Waterproofing operations

This phraseology applies to specialist contractors who apply waterproofing material to exterior walls of foundations or subterranean structures by means of an apparatus inserted in the ground. This classification treatment applies to waterproofing, other than roofing or subaqueous work, when performed as a separate operation not a part of, or incidental to, any other construction operation performed by the same contractor at the same job or location.

Important Excavation incidental to waterproofing operations must be separately classified to Code 6219.

Janitorial Services by Contractors—Includes Window Cleaning Above Ground Level & Drivers

Code 9170

Phrase ID: BM-9170-JAICB

Effective Date: July 1, 2026

This phraseology includes inside and outside cleaning of windows above ground level.

Window cleaning when performed at ground level

Window cleaning when performed at ground level is to be separately rated to Code 9014.

Verifiable payroll records

If verifiable records are not maintained, assign the entire payroll to the highest-rated classification that applies to the job or location where the window cleaning is performed.

Operations to be separately rated

Maintenance, painting, or repair at any location where the contractor does not also perform janitorial services is to be separately rated.

Cleaning service contractors

Cleaning service contractors who provide cleanup crews to prepare residential properties for future occupants are classified to Code 9014.

Important Employees of a construction company who perform janitorial-type cleaning services before, during, or after construction are included as miscellaneous employees of the construction company and are assigned to the governing classification of the business. Refer to NCCI's *Basic Manual* rule, *Miscellaneous Employees*.

State:	Texas	Filing Company:	National Council on Compensation Insurance, Inc.
TOI/Sub-TOI:	16.0 Workers Compensation/16.0004 Standard WC		
Product Name:	B-1450 Revisions to Basic Manual Classifications for Hazardous Material Remediation and Military Reservation--Construction--Iron or Steel Erection--Not Over Two Stories in Height		
Project Name/Number:	/		

Supporting Document Schedules

Bypassed - Item:	Does this filing contain confidential information?
Bypass Reason:	N/A
Attachment(s):	
Item Status:	
Status Date:	

Bypassed - Item:	Exhibit A
Bypass Reason:	N/A
Attachment(s):	
Item Status:	
Status Date:	

Bypassed - Item:	Exhibit C
Bypass Reason:	N/A
Attachment(s):	
Item Status:	
Status Date:	

Satisfied - Item:	Filing Memorandum (Rates/Rules)
Comments:	
Attachment(s):	Filing Memo.pdf
Item Status:	
Status Date:	

Bypassed - Item:	Third-party data information (Rate/Rule)
Bypass Reason:	N/A
Attachment(s):	
Item Status:	
Status Date:	

Bypassed - Item:	Third-party model information (Rate/Rule)
Bypass Reason:	N/A
Attachment(s):	
Item Status:	
Status Date:	

State:

TOI/Sub-TOI:

Product Name:

Project Name/Number:

Texas

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B-1450 Revisions to Basic Manual Classifications for Hazardous Material Remediation and Military Reservation--Construction--Iron or Steel Erection--Not Over Two Stories in Height

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Filing Company:

National Council on Compensation Insurance, Inc.

Satisfied - Item:	Side by Side
Comments:	
Attachment(s):	B-1450 Side_by_side TX_.pdf
Item Status:	
Status Date:	

Item B-1450—Revisions to Basic Manual Classifications for Hazardous Material Remediation and Military Reservation—Construction—Iron or Steel Erection—Not Over Two Stories in Height

Filing Memorandum

Purpose

This item revises the

- treatment for classifications related to hazardous material remediation services for asbestos, mold, and lead paint in NCCI's **Basic Manual for Workers Compensation and Employers Liability Insurance (Basic Manual)**, and
- phraseology for Code 5059—Military Reservation—Construction—Iron or Steel Erection—Not Over Two Stories in Height in NCCI's **Basic Manual**.

Additionally, this item clarifies the classification treatment for employees of construction companies that perform janitorial-type services.

Background

Hazardous Material Remediation

Hazardous asbestos, mold, and lead paint can be present on materials or surfaces in various forms. For instance, they may be found in porous building materials, such as sheets of drywall that are covered in an organic fungus, like black mold. Manufactured products may contain asbestos, or a painted surface could be covered in lead paint. The remediation operations for these hazardous materials have evolved over the years, incorporating new methods that can vary depending on the specific materials and conditions involved. Several different trades can be involved in addressing a major issue, but there are also full-service remediation companies that can manage the entire process. The tools and equipment used in handling these hazardous materials are often the same or similar, and the remediation processes share similar hazards, injury risks, and disease potential. Asbestos and mold remediation processes involve assessing the severity of the contamination through inspections, erecting containment barriers, encapsulating or removing the asbestos or mold, and finally reinspecting the area.

NCCI's current classification system does not adequately address many of these new hazardous material remediation operations. NCCI determined that clarification is needed for the following classifications, which are currently assigned to asbestos, mold, and lead paint remediation operations:

1. Code 5472—Asbestos Removal Operations—Contractor—Pipe and Boiler Work Exclusively & Drivers
2. Code 5473—Asbestos Removal Operations—Contractor—NOC & Drivers
3. Code 5474—Painting NOC & Shop Operations, Drivers

In addition, certain additional codes related to asbestos, mold, and lead paint remediation need to be revised to ensure clarity and consistency between the codes.

Construction Company Miscellaneous Employees

According to NCCI's **Basic Manual** rule, Rule for assigning miscellaneous employees to the governing classification, "[Carriers] must assign the governing classification to miscellaneous employees who perform duties that are commonly conducted for separate operations that are subject to more than one basic classification." NCCI's **Basic Manual** rule, Governing classifications, states: "The governing classification at a specific job or location is the basic classification, other than a standard exception classification."

NCCI determined that clarification is needed for the following classifications to clarify that employees of a construction company that perform janitorial-type services are included as miscellaneous employees of the construction company and are assigned to the governing classification of the business.

1. Code 9014—Janitorial Services by Contractors—No Window Cleaning Above Ground Level & Drivers

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Item B-1450—Revisions to Basic Manual Classifications for Hazardous Material Remediation and Military Reservation—Construction—Iron or Steel Erection—Not Over Two Stories in Height

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2. Code 9170—Janitorial Services by Contractors—Includes Window Cleaning Above Ground Level & Drivers

Military Reservation Construction

Item B-1444—NCCI's Basic Manual for Workers Compensation and Employers Liability Insurance introduced a new edition of NCCI's **Basic Manual**.¹ Since the implementation of Item B-1444, NCCI has completed a review of Code 5059 in NCCI's **Basic Manual**. This review identified that the phraseology for Code 5059—Military Reservation—Construction—Iron or Steel Erection—Not Over Two Stories in Height needs to be updated to reflect that this code is not restricted to the construction or repair of buildings designed for the housing and welfare of personnel. Instead, Code 5059 is assigned to all types of iron or steel erection not over two stories in height that are performed in connection with the construction or repair of military reservation buildings.

Proposal

This item proposes the following revisions in NCCI's **Basic Manual**:

1. Revise the phraseology for Code 5472—Asbestos Removal Operations—Contractor—Pipe and Boiler Work Exclusively & Drivers to clarify the operations included within this phraseology
2. Revise the phraseology for Code 5473—Asbestos Removal Operations—Contractor—NOC & Drivers to reflect mold removal operations and clarify the operations included within this phraseology
3. Establish a new phraseology for Lead Paint Abatement & Shop Operations, Drivers in Code 5474 to address the removal or sealing of lead-painted surfaces
4. Revise the phraseology for Code 9014—Janitorial Services by Contractors—No Window Cleaning Above Ground Level & Drivers to clarify the classification of miscellaneous employees of a construction company who perform janitorial-type services
5. Revise the phraseology for Code 9170—Janitorial Services by Contractors—Includes Window Cleaning Above Ground Level & Drivers to clarify the classification of miscellaneous employees of a construction company who perform janitorial-type services
6. Revise the phraseology for Code 5059—Military Reservation—Construction—Iron or Steel Erection—Not Over Two Stories in Height to clarify that Code 5059 is assigned to all types of iron or steel erection not over two stories in height that are performed in connection with the construction or repair of military reservation buildings

Impact

The proposed revisions to NCCI's **Basic Manual** as a result of this item may result in a decrease, an increase, or no change in employer premium. There is expected to be little movement of payroll and, hence, no large impacts to premium since the updates to the multistate phraseology for each classification is a clarification of when the identified classifications apply on a policy.

Due to the clarifications added to Code 5472, Code 5473, and Code 5474, some payroll may transfer amongst all three classifications and from Code 5472 and Code 5473 to the appropriate construction classification.

Due to the clarifications added to Code 9014 and Code 9170, some payroll may transfer from Code 9014 and Code 9170 to the governing classification of the business.

¹Item B-1444 was withdrawn in Florida and refiled as Item 03-FL-2022—NCCI's Basic Manual for Workers Compensation and Employers Liability Insurance for Florida, which was subsequently approved.

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Item B-1450—Revisions to Basic Manual Classifications for Hazardous Material Remediation and Military Reservation—Construction—Iron or Steel Erection—Not Over Two Stories in Height**Filing Memorandum**

The amount of payroll that may transfer cannot be identified using current industry data sources. The impact to individual employers will depend on the amount of payroll (if any) that transfers from classification to classification as well as their associated rates and loss costs.

The clarification proposed for Code 5059 is not expected to result in any payroll movement.

The statewide premium resulting from the proposed changes is not quantifiable but is expected to be negligible.

State-Specific Proposals and Impacts

In addition to the above multistate proposals, NCCI proposes the following state-specific revisions:

Florida Proposal

Item B-1435—Revisions to Basic Manual Classifications and Appendix E—Classifications by Hazard Group, Including Trucking and Towing was filed and approved in most NCCI states with an effective date of January 1, 2018. This item eliminated several classifications with low credibility and reassigned these classifications to other classifications. Item B-1435 eliminated Code 5069 and its associated phraseologies and reassigned this classification to Code 5059. Item B-1435 was not filed in Florida.

NCCI proposes the following for Florida:

1. Eliminate the following Florida-specific classification code and related phraseologies to align with the multistate approach:
 - Code 5069—Iron or Steel—Erection—Construction of Dwellings Not Over Two Stories in Height
 - Code 5069—Military Reservation—Construction—Iron or Steel Erection—Not Over Two Stories in Height
2. Establish the following multistate phraseologies to align with the multistate approach:
 - Code 5059—Iron or Steel—Erection—Construction of Dwellings Not Over Two Stories in Height
 - Code 5059—Military Reservation—Construction—Iron or Steel Erection—Not Over Two Stories in Height
3. Revise the Florida-specific phraseology for Code 5223—Swimming Pool Construction, Installation or Repair—Not Iron or Steel—Drivers in NCCI's **Basic Manual** for Florida to remove the reference to Code 5069
4. Revise the following Florida-specific rules in NCCI's **Basic Manual** for Florida to remove references to Code 5069:
 - Contracting classifications, (Rule ID: BM-FLPP-C4413)
 - Florida Table of classifications by hazard group, (Rule ID: BM-HAZT-T640A)
5. Revise the Florida Contracting Classification Premium Adjustment Program Workers Compensation Premium Credit Application (Form 09-4E) to remove Code 5069 in NCCI's **Forms Manual of Workers Compensation and Employers Liability Insurance (Forms Manual)**

Florida Impact

In Florida, it is expected that employers will transfer from Florida-specific Code 5069 to multistate Code 5059. Initially, the rate for multistate Code 5059 will be payroll-weighted with the rate for Florida-specific Code 5069, which may result in a decrease in premium for employers currently assigned to Florida-specific Code 5069. The impact to individual employers will depend on the amount of payroll that transfers from Florida-specific Code 5069 to multistate Code 5059.

Historical experience from the discontinued Florida-specific Code 5069 will be reassigned to the corresponding multistate

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Item B-1450—Revisions to Basic Manual Classifications for Hazardous Material Remediation and Military Reservation—Construction—Iron or Steel Erection—Not Over Two Stories in Height

Filing Memorandum

Code 5059.

The statewide premium impact is expected to be negligible.

Hawaii Proposal

NCCI proposes to revise the Hawaii-specific phraseology for Code 9014—Janitorial Services by Contractors—No Window Cleaning Above Ground Level & Drivers in NCCI's **Basic Manual** for Hawaii for clarity and consistency with the proposed multistate revisions.

Hawaii Impact

Due to the clarification added to Code 9014 in Hawaii, some payroll may transfer from Code 9014 to the governing classification of the business. The amount of payroll that may transfer cannot be identified using current industry data sources. The impact to individual employers will depend on the amount of payroll (if any) that transfers from classification to classification as well as their associated loss costs.

The statewide premium impact is not quantifiable but is expected to be negligible.

Oregon Proposal

NCCI proposes to revise the Oregon-specific phraseology for Code 9014—Domestics—Janitorial Services by Contractors & Drivers in NCCI's **Basic Manual** for Oregon for clarity and consistency with the proposed multistate revisions.

Oregon Impact

Due to the clarification added to Code 9014 in Oregon, some payroll may transfer from Code 9014 to the governing classification of the business. The amount of payroll that may transfer cannot be identified using current industry data sources. The impact to individual employers will depend on the amount of payroll (if any) that transfers from classification to classification as well as their associated rates and loss costs.

The statewide premium impact is not quantifiable but is expected to be negligible.

Texas Proposal

To align with the multistate approach, NCCI proposes the following revisions in NCCI's **Basic Manual** for Texas:

1. Eliminate the Texas-specific phraseology for Code 5183—Asbestos Insulation Removal From Pipes or Boilers & Drivers and establish the corresponding proposed multistate phraseology for Code 5472—Asbestos Removal Operations—Contractor—Pipe and Boiler Work Exclusively & Drivers
2. Eliminate the Texas-specific phraseology for Code 5474—Painting NOC & Drivers and establish the corresponding multistate phraseology
3. Eliminate the Texas-specific phraseology for Code 5479—Asbestos Insulation Removal From Buildings & Drivers and establish the proposed multistate phraseology for Code 5473—Asbestos and Mold Removal Operations—Contractor—NOC & Drivers
4. Eliminate the following Texas-specific phraseologies for Code 9014 and establish the corresponding proposed multistate phraseology:
 - Cleaning of New Homes by Specialty Contractors
 - Janitor Service by Contract
 - Window Cleaning NOC

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Item B-1450—Revisions to Basic Manual Classifications for Hazardous Material Remediation and Military Reservation—Construction—Iron or Steel Erection—Not Over Two Stories in Height

Filing Memorandum

5. Eliminate the Texas-specific phraseology for Code 9170—Window Cleaning—Exterior—Buildings Over Two Stories in Height & Drivers and establish the corresponding proposed multistate phraseology
6. Establish the newly proposed multistate phraseology for Code 5474—Lead Paint Abatement & Shop Operations, Drivers

Texas Impact

In Texas, some Texas-specific phraseologies for Code 5474, Code 9014, and Code 9170 will be eliminated and reassigned to the corresponding multistate phraseologies for Code 5474, Code 9014, and Code 9170.

The Texas-specific phraseology for Code 5183—Asbestos Insulation Removal From Pipes or Boilers & Drivers will be eliminated and reassigned to the newly established multistate phraseology for Code 5472—Asbestos Removal Operations—Contractor—Pipe and Boiler Work Exclusively & Drivers. It is expected that employers will transfer from the Texas-specific phraseology for Code 5183 into the newly established multistate phraseology for Code 5472. The starting loss cost for multistate Code 5472 will be equal to Texas-specific Code 5183 until there is enough data for multistate Code 5472 to be rated on its own.

The Texas-specific phraseology for Code 5479—Asbestos Insulation Removal From Buildings & Drivers will be eliminated and reassigned to the newly established multistate phraseology for Code 5473—Asbestos and Mold Removal Operations—Contractor—NOC & Drivers. It is expected that employers will transfer from Texas-specific phraseology for Code 5479 into the newly established multistate phraseology for Code 5473. The starting loss cost for multistate Code 5473 will be equal to Texas-specific Code 5479 until there is enough data for multistate Code 5473 to be rated on its own.

Due to the establishment of multistate Code 5472, Code 5473, and Code 5474, some payroll may transfer amongst the codes identified for Texas and from the discontinued Texas-specific Code 5183 and the discontinued Texas-specific Code 5479 to the appropriate construction code.

Due to the establishment of multistate Code 9014 and Code 9170, some payroll may transfer from Texas-specific Code 9014 and Texas-specific Code 9170 to the governing classification code of the business.

The amount of payroll that may transfer cannot be identified using current industry data sources.

The premium impact to the employers due to these changes is expected to be negligible, and no statewide premium impact is expected.

Virginia Proposal

With the implementation of Item B-1444, the multistate phraseology for Code 5059—Military Reservation—Construction—Iron or Steel Erection—Not Over Two Stories in Height was inadvertently omitted from NCCI's **Basic Manual** for Virginia. This item proposes to add the multistate phraseology for Code 5059—Military Reservation—Construction—Iron or Steel Erection—Not Over Two Stories in Height in NCCI's **Basic Manual** for Virginia.

In addition, to align with the multistate approach, NCCI proposes the following revisions in NCCI's **Basic Manual** for Virginia:

1. Eliminate the following Virginia-specific phraseologies and establish the corresponding proposed multistate codes and phraseologies:
 - Code 5472—Asbestos Removal Operations—Contractor—Pipe and Boiler Work Exclusively & Drivers
 - Code 5473—Asbestos Removal Operations—Contractor—NOC & Drivers

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Item B-1450—Revisions to Basic Manual Classifications for Hazardous Material Remediation and Military Reservation—Construction—Iron or Steel Erection—Not Over Two Stories in Height

Filing Memorandum

2. Revise the Virginia-specific phraseology for Code 5651—Military Reservation Construction to remove the reference to Code 5069

Virginia Impact

In Virginia, Code 5472 and Code 5473 Virginia-specific phraseologies will be eliminated and reassigned to the same multistate phraseologies for Code 5472 and Code 5473. Due to the establishment of the proposed multistate Code 5472 and Code 5473 and the clarification added to multistate Code 5474, some payroll may transfer amongst all three classifications and from Virginia-specific Code 5472 and Code 5473 to the appropriate construction classification.

The amount of payroll that may transfer cannot be identified using current industry data sources. The impact to individual employers will depend on the amount of payroll (if any) that transfers from classification to classification as well as their associated rates and loss costs.

There is expected to be little movement of payroll since the multistate phraseology for each classification is similar to the Virginia-specific phraseology and is only a clarification for when the classifications apply on a policy.

The addition of the multistate phraseology for Code 5059 and the revision to the Virginia-specific phraseology for Code 5651 are expected to have no impact on statewide premium.

There is expected to be no impact to overall statewide premium as a result of these changes.

Exhibit Comments and Implementation Summary

Exhibit	Exhibit Comments	Implementation Summary
	Multistate Exhibits	
1-Rule	Displays the revisions to the phraseology for Code 5472—Asbestos Removal Operations—Contractor—Pipe and Boiler Work Exclusively & Drivers in NCCI's Basic Manual . <ul style="list-style-type: none">Applies in AK, AL, AR, AZ, CO, CT, DC, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, MT, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, UT, VT, WVRefer to state exhibits for TX, VA	<ul style="list-style-type: none">In all states where applicable, except Hawaii and Texas, this item is to become effective for new and renewal policies with effective dates on and after 12:01 a.m. on January 1, 2026.In Hawaii, the effective date will be determined upon regulatory approval of the individual carrier's election to adopt these changes.In Texas, this item is to become effective for new and renewal policies with effective dates on and after 12:01 a.m. on July 1, 2026.
2-Rule	Displays the revisions to the phraseology for Code 5473—Asbestos Removal Operations—Contractor—NOC & Drivers in NCCI's Basic Manual . <ul style="list-style-type: none">Applies in AK, AL, AR, AZ, CO, CT, DC, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, MT, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, UT, VT, WVRefer to state exhibits for TX, VA	
3-Rule	Displays the establishment of a new phraseology for Code 5474—Lead Paint Abatement & Shop Operations, Drivers in NCCI's Basic Manual . <ul style="list-style-type: none">Applies in AK, AL, AR, AZ, CO, CT, DC, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, MT, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, UT, VA, VT, WVRefer to state exhibit for TX	

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Item B-1450—Revisions to Basic Manual Classifications for Hazardous Material Remediation and Military Reservation—Construction—Iron or Steel Erection—Not Over Two Stories in Height**Filing Memorandum**

Exhibit	Exhibit Comments	Implementation Summary
4-Rule	Displays the revisions to the phraseology for Code 9014—Janitorial Services by Contractors—No Window Cleaning Above Ground Level & Drivers in NCCI's Basic Manual . <ul style="list-style-type: none"> Applies in AK, AL, AR, AZ, CO, CT, DC, FL, GA, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, MT, NE, NH, NM, NV, OK, RI, SC, SD, TN, UT, VA, VT, WV Refer to state exhibits for HI, OR, TX 	
5-Rule	Displays the revisions to the phraseology for Code 9170—Janitorial Services by Contractors—Includes Window Cleaning Above Ground Level & Drivers in NCCI's Basic Manual . <ul style="list-style-type: none"> Applies in AK, AL, AR, AZ, CO, CT, DC, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, MT, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, UT, VA, VT, WV Refer to state exhibit for TX 	
6-Rule	Displays the revisions to the phraseology for Code 5059—Military Reservation—Construction—Iron or Steel Erection—Not Over Two Stories in Height in NCCI's Basic Manual . <ul style="list-style-type: none"> Applies in AK, AL, AR, AZ, CO, CT, DC, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, NE, NH, NM, NV, OK, OR, RI, SC, SD, TN, UT, VT, WV Refer to state exhibits for FL, VA 	
	State Exhibits	
7-Rule	Displays the revisions to the following phraseologies in NCCI's Basic Manual for Florida: <ul style="list-style-type: none"> Elimination of the following phraseologies: <ul style="list-style-type: none"> Code 5069—Iron or Steel—Erection—Construction of Dwellings Not Over Two Stories in Height Code 5069—Military Reservation—Construction—Iron or Steel Erection—Not Over Two Stories in Height Establishment of the following multistate phraseologies: <ul style="list-style-type: none"> Code 5059—Iron or Steel—Erection—Construction of Dwellings Not Over Two Stories in Height Code 5059—Military Reservation—Construction—Iron or Steel Erection—Not Over Two Stories in Height Revisions to the phraseology for Code 5223—Swimming Pool Construction, Installation or Repair—Not Iron or Steel—Drivers 	To become effective for new and renewal policies with effective dates on and after 12:01 a.m. on January 1, 2026.
8-Rule	Displays the revisions to the rule, Contracting classifications (Rule ID: BM-FLPP-C4413) in NCCI's Basic Manual for Florida.	
9-Rule	Displays the revisions to the Florida Table of classifications by hazard group (Rule ID: BM-HAZT-T640A) in NCCI's Basic Manual for Florida.	

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Item B-1450—Revisions to Basic Manual Classifications for Hazardous Material Remediation and Military Reservation—Construction—Iron or Steel Erection—Not Over Two Stories in Height**Filing Memorandum**

Exhibit	Exhibit Comments	Implementation Summary
10-Form	Displays the revisions to the Florida Contracting Classification Premium Adjustment Program Workers Compensation Premium Credit Application (Form 09-4E) in NCCI's Forms Manual .	
7-Rule	Displays the revisions to the phraseology for Code 9014—Janitorial Services by Contractors—No Window Cleaning Above Ground Level & Drivers in NCCI's Basic Manual for Hawaii.	The effective date will be determined upon regulatory approval of the individual carrier's election to adopt this change.
7-Rule	Displays the revisions to the phraseology for Code 9014—Domestics—Janitorial Services by Contractors & Drivers in NCCI's Basic Manual for Oregon.	To become effective for new and renewal policies with effective dates on and after 12:01 a.m. on January 1, 2026.
7-Rule	<p>Displays the revisions to the following phraseologies in NCCI's Basic Manual for Texas:</p> <ul style="list-style-type: none"> • Elimination of the following Texas-specific phraseologies: <ul style="list-style-type: none"> – Code 5183—Asbestos Insulation Removal From Pipes or Boilers & Drivers – Code 5474—Painting NOC & Drivers – Code 5479—Asbestos Insulation Removal From Buildings & Drivers – Code 9014: <ul style="list-style-type: none"> ○ Cleaning of New Homes by Specialty Contractors ○ Janitor Service by Contract ○ Window Cleaning NOC – Code 9170—Window Cleaning—Exterior—Buildings Over Two Stories in Height & Drivers • Establishment of the following multistate phraseologies: <ul style="list-style-type: none"> – Code 5472—Asbestos Removal Operations—Contractor—Pipe and Boiler Work Exclusively & Drivers – Code 5473—Asbestos and Mold Removal Operations—Contractor—NOC & Drivers – Code 5474—Lead Paint Abatement & Shop Operations, Drivers – Code 5474—Painting NOC & Shop Operations, Drivers – Code 9014—Janitorial Services by Contractors—No Window Cleaning Above Ground Level & Drivers – Code 9170—Janitorial Services by Contractors—Includes Window Cleaning Above Ground Level & Drivers 	To become effective for new and renewal policies with effective dates on and after 12:01 a.m. on July 1, 2026.

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Item B-1450—Revisions to Basic Manual Classifications for Hazardous Material Remediation and Military Reservation—Construction—Iron or Steel Erection—Not Over Two Stories in Height

Filing Memorandum

Exhibit	Exhibit Comments	Implementation Summary
7-Rule	<div>Displays the revisions to the following phraseologies in NCCI's Basic Manual for Virginia:</div> <ul style="list-style-type: none">• Elimination of the following phraseologies:<ul style="list-style-type: none">– Code 5472—Asbestos Removal Operations—Contractor—Pipe and Boiler Work Exclusively & Drivers– Code 5473—Asbestos Removal Operations—Contractor—NOC & Drivers• Establishment of the following multistate phraseologies:<ul style="list-style-type: none">– Code 5472—Asbestos Removal Operations—Contractor—Pipe and Boiler Work Exclusively & Drivers– Code 5473—Asbestos and Mold Removal Operations—Contractor—NOC & Drivers– Code 5059—Military Reservation—Construction—Iron or Steel Erection—Not Over Two Stories in Height• Revisions to the phraseology for Code 5651—Military Reservation Construction	<div>To become effective for new and renewal policies with effective dates on and after 12:01 a.m. on January 1, 2026.</div>

Note: Rule and form filings must be filed separately in Florida. For filing purposes, this memorandum is being provided for both the rule and form exhibits. The rule exhibits are filed with the regulatory authority as Item B-1450-Rule. The form exhibit is filed with the regulatory authority as Item B-1450-Form.

Comparison of Revisions to Basic Manual Classifications for Hazardous Material Remediation and Military Reservation—Construction—Iron or Steel Erection—Not Over Two Stories in Height and Item B-1450*

Current	Proposed	Comments
Basic Manual—Effective 2021—Texas	Basic Manual—Effective 2021—Texas	
<p>Asbestos Insulation Removal From Pipes or Boilers & Drivers Code 5183 ● Construction Phrase ID: BM-5183-APP42</p>	<p>Asbestos Removal Operations—Contractor—Pipe and Boiler Work Exclusively & Drivers Code 5472 ● Construction Phrase ID: BM-5472-APP00</p> <p>This phraseology applies to employers that perform asbestos removal or encapsulation on pipes or boilers exclusively. This phraseology includes construction work that is performed as part of the asbestos removal or encapsulation on pipes or boilers exclusively.</p> <p>Operations to be separately rated</p> <p>Construction operations performed after asbestos removal or encapsulation on pipes or boilers has concluded are to be separately rated.</p> <p>Construction operations performed after asbestos removal or encapsulation</p> <p>Refer to NCCI's <i>Basic Manual</i> rule, Rule for assigning more than one basic classification for specific operations, for the assignment of codes related to construction operations performed after asbestos removal or encapsulation has concluded.</p>	<p>Eliminated the Texas-specific phraseology and adopted the corresponding proposed multistate phraseology in Code 5472 to align with NCCI's multistate approach.</p>
<p>Asbestos Insulation Removal From Buildings & Drivers Code 5479 ● Construction Phrase ID: BM-5479-APP98</p>	<p>Asbestos and Mold Removal Operations—Contractor—NOC & Drivers Code 5473 ● Construction Phrase ID: BM-5473-APPEA</p> <p>This phraseology applies to employers that perform asbestos or mold removal or encapsulation.</p> <p>Included operations</p> <p>This phraseology includes</p> <ul style="list-style-type: none"> • dusting, wiping walls, and general cleaning when performed in conjunction with the employer's asbestos or mold removal or encapsulation operations, and • construction work that is performed as part of the asbestos removal or encapsulation operations. 	<p>Eliminated the Texas-specific phraseology and adopted the corresponding multistate phraseology in Code 5473 to align with NCCI's multistate approach.</p>

*This Comparison is provided as a reference only in order to show the differences between the existing rule(s) or form(s), and the changes being proposed in the item filing. In the unlikely event that there is a conflict between the item filing Exhibits and this Comparison, the item filing Exhibits will control.

Comparison of Revisions to Basic Manual Classifications for Hazardous Material Remediation and Military Reservation—Construction—Iron or Steel Erection—Not Over Two Stories in Height and Item B-1450*

Current	Proposed	Comments
Basic Manual—Effective 2021—Texas	Basic Manual—Effective 2021—Texas	
	<p>Operations to be separately rated</p> <p>Construction operations performed after asbestos or mold removal or encapsulation work has concluded are to be separately rated.</p> <p>Pipe or boiler asbestos operations</p> <p>Refer to Code 5472 for employers that perform asbestos removal or encapsulation performed on pipes or boilers exclusively.</p> <p>Lead paint abatement operations</p> <p>Refer to Code 5474 for lead paint abatement operations.</p> <p>Construction operations performed after asbestos or mold removal or encapsulation</p> <p>Refer to NCCI's <i>Basic Manual</i> rule, Rule for assigning more than one basic classification for specific operations, for the assignment of codes related to construction operations performed after asbestos or mold removal or encapsulation has concluded.</p>	
<p>Painting NOC & Drivers</p> <p>Code 5474 ● Construction</p> <p>Phrase ID: BM-5474-PAC0D</p> <p>This phraseology includes the painting of (a) balconies, (b) fire escapes, (c) sashes, (d) shutters, (e) staircases, or (f) window frames.</p> <p>Operations to be separately rated</p> <p>Painting of the following is to be separately rated:</p> <ul style="list-style-type: none"> • bridges • metal structures over two stories in height, and • ship hulls. 	<p>Painting NOC & Shop Operations, Drivers</p> <p>Code 5474 ● Construction</p> <p>Phrase ID: BM-5474-PAC31</p> <p>This phraseology includes the painting of (a) balconies, (b) fire escapes, (c) metal storage tanks, (d) sashes, (e) shutters, (f) staircases, or (g) window frames.</p> <p>Operations to be separately rated</p> <p>Painting of the following is to be separately rated:</p> <ul style="list-style-type: none"> • bridges • metal structures over two stories in height, or • ship hulls. <p>Waterproofing operations</p> <p>This phraseology applies to specialist contractors who apply waterproofing material by means of brush or hand-pressured caulking gun. This classification</p>	<p>Eliminated the Texas-specific phraseology and established the proposed multistate phraseology to align with NCCI's multistate approach.</p>

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Comparison of Revisions to Basic Manual Classifications for Hazardous Material Remediation and Military Reservation—Construction—Iron or Steel Erection—Not Over Two Stories in Height and Item B-1450*

Current	Proposed	Comments
Basic Manual—Effective 2021—Texas	Basic Manual—Effective 2021—Texas	
	treatment applies to waterproofing, other than roofing or subaqueous work, when performed as a separate operation not a part of, or incidental to, any other construction operation performed by the same contractor at the same job or location.	
<p>Cleaning of New Homes by Specialty Contractors Code 9014 Phrase ID: BM-9014-CLE80</p> <p>Janitor Service by Contract Code 9014 Phrase ID: BM-9014-JAID5</p> <p>Window Cleaning NOC Code 9014 Phrase ID: BM-9014-WEE15</p>	<p>Janitorial Services by Contractors—No Window Cleaning Above Ground Level & Drivers Code 9014 Phrase ID: BM-9014-JAI9C</p> <p>This phraseology includes inside and outside cleaning of windows from ground level.</p> <p>Window cleaning above ground level Window cleaning when performed above ground level is to be separately rated to Code 9170.</p> <p>Verifiable payroll records If verifiable records are not maintained, assign the entire payroll to the highest-rated classification that applies to the job or location where the window cleaning is performed.</p> <p>Operations to be separately rated Maintenance, painting, or repair at any location where the contractor does not also perform janitorial services is to be separately rated.</p> <p>Cleaning service contractors Cleaning service contractors who provide cleanup crews to prepare residential properties for future occupants are classified to Code 9014.</p> <p>Important Employees of a construction company who perform janitorial-type cleaning services before, during, or after construction are included as miscellaneous employees of the construction company and are assigned to the governing classification of the business. Refer to NCCI's <i>Basic Manual</i> rule, Miscellaneous Employees.</p>	<p>Eliminated the Texas-specific phraseology and established the proposed multistate phraseology to align with NCCI's multistate approach.</p>

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Comparison of Revisions to Basic Manual Classifications for Hazardous Material Remediation and Military Reservation—Construction—Iron or Steel Erection—Not Over Two Stories in Height and Item B-1450*

Current	Proposed	Comments
Basic Manual—Effective 2021—Texas	Basic Manual—Effective 2021—Texas	
	<p>Construction debris removal</p> <p>Employees involved exclusively in debris removal in connection with construction or erection operations are classified to Code 9014.</p> <p>Waterproofing operations</p> <p>This phraseology applies to specialist contractors who apply waterproofing material to exterior walls of foundations or subterranean structures by means of an apparatus inserted in the ground. This classification treatment applies to waterproofing, other than roofing or subaqueous work, when performed as a separate operation not a part of, or incidental to, any other construction operation performed by the same contractor at the same job or location.</p> <p>Important Excavation incidental to waterproofing operations must be separately classified to Code 6219.</p>	
<p>Window Cleaning—Exterior—Buildings Over Two Stories in Height & Drivers</p> <p>Code 9170</p> <p>Phrase ID: BM-9170-WEE9E</p>	<p>Janitorial Services by Contractors—Includes Window Cleaning Above Ground Level & Drivers</p> <p>Code 9170</p> <p>Phrase ID: BM-9170-JAICB</p> <p>This phraseology includes inside and outside cleaning of windows above ground level.</p> <p>Window cleaning when performed at ground level</p> <p>Window cleaning when performed at ground level is to be separately rated to Code 9014.</p> <p>Verifiable payroll records</p> <p>If verifiable records are not maintained, assign the entire payroll to the highest-rated classification that applies to the job or location where the window cleaning is performed.</p> <p>Operations to be separately rated</p> <p>Maintenance, painting, or repair at any location where the contractor does not also perform janitorial services is to be separately rated.</p>	<p>Eliminated the Texas-specific phraseology and established the proposed multistate phraseology to align with NCCI's multistate approach.</p>

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Comparison of Revisions to Basic Manual Classifications for Hazardous Material Remediation and Military Reservation—Construction—Iron or Steel Erection—Not Over Two Stories in Height and Item B-1450*

Current	Proposed	Comments
Basic Manual—Effective 2021—Texas	Basic Manual—Effective 2021—Texas	
	<p>Cleaning service contractors</p> <p>Cleaning service contractors who provide cleanup crews to prepare residential properties for future occupants are classified to Code 9014.</p> <p>Important Employees of a construction company who perform janitorial-type cleaning services before, during, or after construction are included as miscellaneous employees of the construction company and are assigned to the governing classification of the business. Refer to NCCI's <i>Basic Manual</i> rule, Miscellaneous Employees.</p>	

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