

CHAPTER 89.

[S. H. B. 482.]

INDUSTRIAL INSURANCE AND MEDICAL AID.

AN ACT relating to the compensation, medical, and surgical care of workmen injured, providing for the classification, rates, and the fixing and collection of premiums from employers engaged in extrahazardous industry, or covered by elective adoption, and amending section 4 of chapter 74 of the Laws of 1911, as amended by section 1, chapter 188 of the Laws of 1915, as amended by section 2 of chapter 120 of the Laws of 1917, as amended by section 3, chapter 131 of the Laws of 1919, as amended by section 1, chapter 136 of the Laws of 1923, as amended by section 3, chapter 310 of the Laws of 1927, as amended by section 1 of chapter 104 of the Laws of 1931, as amended by section 1 of chapter 193 of the Laws of 1933, (section 7676 of Remington's Revised Statutes); and declaring that this act shall take effect immediately.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That section 4 of chapter 74 of the Laws of 1911 as amended by section 1, chapter 188 of the Laws of 1915, as amended by section 2 of chapter 120 of the Laws of 1917, as amended by section 3, chapter 131 of the Laws of 1919, as amended by section 1, chapter 136 of the Laws of 1923, as amended by section 3, chapter 310 of the Laws of 1927, as amended by section 1 of chapter 104 of the Laws of 1931, as amended by section 1 of chapter 193 of the Laws of 1933, (section 7676 of Remington's Revised Statutes) be amended to read as follows:

Section 4. Inasmuch as industry should bear the greater portion of the burden of the cost of its accidents, each employer shall prior to the fifteenth day of every month, pay into the state treasury (1) for the accident fund and (2) for the medical aid fund, a certain number of cents for each man hour worked by the workmen in his employ, engaged in extrahazardous employment; if, however, there should be

Amends
§ 7676 Rem.
Rev. Stat.
(§ 3471 P. C.)

Employer
to pay per-
centage of
payroll.

Accident
fund.

Medical
aid fund.

Deficits.

a deficit in any class or subclass the director of labor and industries, through the supervisor of industrial insurance, is hereby authorized and directed to assess the same against all the contributors to such class or subclass during the calendar year or fraction thereof in which said deficit was incurred or created. The director of the department of labor and industries shall have the power to promulgate, change and revise such rates according to the condition of the accident and medical aid funds, and to establish rates for industries declared to be extra-hazardous subsequent to the taking effect of this amendment and/or which voluntarily seek coverage under the elective adoption provisions of this act.

Assessments.

Authority to change rates.

Payments into accident fund, how determined.

The amounts to be paid into the accident fund shall be determined as follows: The department of labor and industries shall, prior to the first day of January of each year determine for each class and/or subclass, a basic premium rate for the ensuing calendar year, and in so doing, shall take into consideration, first, the cost experience of each class and subclass over the two-year period immediately preceding September first of the year in which the basic rate is being fixed; second, the then condition of each class and/or subclass account.

Department to make annual estimate of premium rate.

The department of labor and industries shall also, prior to the first day of January of each year determine the premium rate to be paid into said accident fund during the ensuing year by each employer to be credited to each class and/or subclass account, applicable to the employer's operations or business, and in so doing, shall take into consideration, the average cost experience of each employer for each workman hour reported by him during each fiscal year in each such class or subclass over the five-year period immediately preceding September first of the year in which the rate is being determined,

and in so computing, the cost experience of any employer, the fixed sum of four thousand five hundred dollars (\$4,500.00) shall be charged against his experience for each injury resulting in death or total permanent disability of a workman instead of the actual cost to the accident fund of such injury. The actual premium rate which any employer shall be required to pay for the accident fund shall be forty per cent (40%) of the basic rate, plus sixty per cent (60%) of the employer's cost rate for each workman hour reported by him during each fiscal year over the five-year period next preceding the then last September first, but in no case shall the total rate exceed one hundred sixty per cent (160%) of the basic rate. Actual rate.

The basic premium rates for the accident fund and the medical aid fund, effective immediately upon the passage of this act until so modified by the director of the department of labor and industries, shall be in accordance with the following classifications, subclassifications and schedules:

(The letters "N. O. S." as used in this section shall mean "Not Otherwise Specified.")

CLASS 1.

(Rates and classifications subject to change by departmental order when indicated as herein provided.)	<i>Industrial Insurance Cents per Workman Hour</i>	<i>Medical Aid Cents per Workman Hour</i>	Classifications and schedules.
1-1 Ditches and canals (N. O. S.).....	3.5	.5	
Canals other than irrigation.....	3.5	.5	
Excavations (N. O. S.).....	3.5	.5	
Grading (N. O. S.).....	3.5	.5	
Diking	3.5	.5	
Dredging (includes all marine dredging local in character).....	3.5	.5	
Well drilling	3.5	.5	
Asphalt mixing	3.5	.5	
Asphalt paving	3.5	.5	
Bituminous paving (all types).....	3.5	.5	
Block paving	3.5	.5	
Concrete street pavements.....	3.5	.5	
Paving, brick (construction and repair)	3.5	.5	

CLASS 1—Continued

Classifications and schedules.	(Rates and classifications subject to change by departmental order when indicated as herein provided.)	Industrial Insurance Cents per Workman Hour	Medical Aid Cents per Workman Hour
1-1	Concrete sidewalks (excludes sidewalks and driveways in connection with building construction).....	3.5	.5
	Plank roads (construction).....	3.5	.5
	Sidewalks (plank)	3.5	.5
	Streets, planking	3.5	.5
	Highway street and road construction (includes grubbing and clearing in connection with street and highway grading), (excludes logging roads), (excludes tunneling in connection with road construction)	3.5	.5
	Grading streets and highways (includes grubbing and clearing in connection with street and highway grading), (excludes logging roads)	3.5	.5
	Road grading (this subclass is exclusively for road, street and highway grading), (includes grubbing and clearing in connection with street and highway grading), (excludes logging roads).....	3.5	.5
	Back filling (incidental to pipe laying)	3.5	.5
	Crushed stone surfacing.....	3.5	.5
	Conduit (construction)	3.5	.5
	Pipe laying	3.5	.5
	Sewers	3.5	.5
	Trenches	3.5	.5
	Water mains (construction).....	3.5	.5
	Pit crusher and bunker operations in connection with road, street, and highway construction.....	3.5	.5
	Land clearing	3.5	.5
	(Maintenance and repair of equipment and machinery in connection with above types of work subject to this Class 1-1.)		
1-3	Shaft sinking (N. O. S.).....	3.2	.8
	Well digging	3.2	.8
1-5	Tunnels (N. O. S.).....	6.	1.3
1-6	Tunnels (railroad), (includes lining)	4.	1.5

CLASS 1—Continued

(Rates and classifications subject to change by departmental order when indicated as herein provided.)		Industrial Insurance Cents per Workman Hour	Medical Aid Cents per Workman Hour	Classifications and schedules.
1-8	Grading, railroad (excludes logging railroads)	1.	.8	
	Railroads (grading)	1.	.8	
	Railroads (construction work other than bridge work).....	1.	.8	

CLASS 2.

2-1	Breakwater, construction	8.	1.5	
	Bridge building (steel, wood, concrete)	8.	1.5	
	Bridge foundations and approaches.	3.	1.5	
	Bulkhead construction	8.	1.5	
	Concrete culverts (or other types with span more than 12 feet)....	8.	1.5	
	Concrete piles in docks and trestles.	8.	1.5	
	Jetties	8.	1.5	
	Marine railways (construction)....	8.	1.5	
	Pile driving (includes marine pile driving local in character).....	8.	1.5	
	Railroads (bridge and trestle work)	8.	1.5	
	Subaqueous work	8.	1.5	
	Trestles (framed or pile) and approaches	8.	1.5	
	Viaducts	8.	1.5	
	Wharf and pier construction.....	8.	1.5	
	Overhead crossings	8.	1.5	
	Undercrossings	8.	1.5	
	(All excavations, back filling, construction, dismantling, erection, and tearing down of forms, and installing of road beds in connection with any of the above types of work is subject to this Class 2-1.)			

CLASS 5.

5-1	Washing buildings	1.	.4	
	Window washing (excludes domestics regularly employed for other purposes), (includes the actual time of all workmen engaged in washing windows)	1.	.4	
5-2	Brick work (construction).....	1.8	.6	
	Chimney (brick)	1.8	.6	
	Flooring compositions (hot or cold)	1.8	.6	

CLASS 5—Continued

Classifications and schedules.	(Rates and classifications subject to change by departmental order when indicated as herein provided.)	Industrial Insurance Cents per Workman Hour	Medical Aid Cents per Workman Hour
5-2	Marble, tile, terra cotta (all types in connection with construction).	1.8	.6
	Mantel setting	1.8	.6
	Slate work	1.8	.6
	Stonework on buildings.....	1.8	.6
5-3	Furnaces (installation)	1.	.5
	Heating systems (installation)....	1.	.5
	Plumbing work	1.	.5
	Ventilating systems (installation)..	1.	.5
	Automatic sprinklers (installation).	1.	.5
	Boiler (installation)	1.	.5
	Boiler (covering)	1.	.5
	Metal weather stripping (installation)	1.	.5
	Steam pipe covering (installation).	1.	.5
5-4	Frescoing	1.2	.5
	Kalsomining	1.2	.5
	Painting, building or structures....	1.2	.5
	Painting (inside or outside work)..	1.2	.5
	Paper hanging	1.2	.5
	Sign painting (inside and outside), (excludes inside shop work)....	1.2	.5
	Whitewashing	1.2	.5
5-5	Elevators, freight or passenger (construction and repairs).....	3.5	1.2
	Fireproof doors and shutters (erection and repair).....	3.5	1.2
	Galvanized iron or tin work (roof or cornice), (installation or repair).	3.5	1.2
	Grain elevators (wood), (construction), (repairs)	3.5	1.2
	Hothouse construction and repair..	3.5	1.2
	Metal ceiling work.....	3.5	1.2
	Roof work (all types), (construction and repair)	3.5	1.2
	Stair building (wooden).....	3.5	1.2
	Store or bank fixtures (installation and removal)	3.5	1.2
	Advertising signs (wood or metal), (construction and installation)...	3.5	1.2
	Carpenter work (includes all carpenter work in connection with alterations, repairs, and installation)	3.5	1.2
	Chimneys, concrete	3.5	1.2

CLASS 5—Continued

(Rates and classifications subject to change by departmental order when indicated as herein provided.)	Industrial Insurance Cents per Workman Hour	Medical Aid Cents per Workman Hour	Classifica- tions and schedules.
5-5 Concrete buildings (includes all operations in connection with the construction of a concrete building with the exception of structural steel work).....	3.5	1.2	
Concrete construction (N. O. S.), (includes erection and tearing down of forms)	3.5	1.2	
Concrete construction, reinforced (N. O. S.), (includes erection and tearing down of forms).....	3.5	1.2	
Concrete culverts (or other types with span less than 12 feet), (excludes bridge and trestle approaches)	3.5	1.2	
Concrete floors and foundations (includes erection and tearing down of forms)	3.5	1.2	
Concrete sidewalks and driveways in connection with building construction	3.5	1.2	
Fences, concrete, iron, steel, and wood (erection and repair).....	3.5	1.2	
Glass (installation)	3.5	1.2	
House and building moving and wrecking	3.5	1.2	
Installation and repair of all fixtures and equipment in houses or buildings (N. O. S.).....	3.5	1.2	
Lathing	3.5	1.2	
Ornamental metal work in and on buildings	3.5	1.2	
Ornamental tile work on buildings.	3.5	1.2	
Plastering	3.5	1.2	
Safes and vaults (installation and removals)	3.5	1.2	
Street and building decorating.....	3.5	1.2	
Stuccoing	3.5	1.2	
(Excavations and back filling in connection with building construction, subject to this Class 5-5.)			
5-8 Chimneys, metal (erection).....	12.	4.	
Iron frame structures (other than bridges), (erection)	12.	4.	
Steel frame structures (other than bridges), (erection)	12.	4.	

Classifications and schedules.	CLASS 5—Continued (Rates and classifications subject to change by departmental order when indicated as herein provided.)	Industrial Insurance Cents per Workman Hour	Medical Aid Cents per Workman Hour
	5-8 Steeple (erection)	12.	4.
	Tanks, metal (erection).....	12.	4.
	Tanks, wooden (erection).....	12.	4.
	Towers, wood or metal (erection)..	12.	4.
	Structural steel (erection in buildings)	12.	4.
	Water towers, metal or wood (erection)	12.	4.
	Windmills, wood or metal (erection)	12.	4.
	(This class to include dismantling of above types of structures.)		
	5-9 Hardwood floors (laying).....	2	3
	5-10 Temporary employers engaged in any phase of building or general construction and repairing.....	15.	3.
	CLASS 6.		
	6-1 Conduits (placing wires in).....	1.7	.4
	Electric apparatus (installing systems in buildings).....	1.7	.4
	Fire alarms (installation).....	1.7	.4
	Electrical installations (servicing and repairs N. O. S.), (excludes shop-work)	1.7	.4
	6-2 Cable railways (construction)....	1.	.4
	Electric railways (construction)....	1.	.4
	Street railway construction (excludes all bridge and trestle work).....	1.	.4
	Street railway grading.....	1.	.4
	Telephone and telegraph systems (construction)	1.	.4
	Transmission lines (construction)..	1.	.4
	6-3 Belts (erection of shafting, etc.)...	1.	.6
	Dynamos (installation)	1.	.6
	Engine (installation)	1.	.6
	Gas machine (installation).....	1.	.6
	Machinery (N. O. S.).....	1.	.6
	Machinery (dismantling)	1.	.6
	Machinery (installation)	1.	.6
	Machinery (servicing away from shop premises)	1.	.6
	Railroad (dismantling), (excludes bridges, trestles and snowshed wrecking)	1.	.6
	6-4 Junk dealers	2.6	.7

CLASS 7.

(Rates and classifications subject to change by departmental order when indicated as herein provided.)	Industrial Insurance Cents per Workman Hour	Medical Aid Cents per Workman Hour	Classifications and schedules.
7-1 Dam construction (includes every operation)	3.4	.75	

CLASS 8.

8-3 Irrigation ditches, repair and maintenance	1.1	.3	
Highway department of state, counties, and cities (all operations in connection with highway maintenance), (excludes all new highway construction, grading, or bridge building, which operation must be reported in respective classifications)	1.1	.3	
8-4 Commercial production of sand, gravel, clay, and stone products..	5.5	1.	

CLASS 9.

9-1 Boat building (steel hulls).....	1.	1.	
Shipbuilding (steel hulls, includes all operations within shipyard)..	1.	1.	
9-2 Boat building (wooden hulls).....	3.2	.7	
Shipbuilding (wooden hulls, includes all operations within shipyard)..	3.2	.7	
9-4 Ferries, steamboats, tugs (operations) .....	.4	.2	

CLASS 10.

10-2 Lath mills, planing mills, saw mills and tie mills (operation and maintenance)	1.7	.75	
Masts (with or without machinery).	1.7	.75	
Pole yards (independent of logging operations)	1.7	.75	
Fuel and lumber yards with power driven machinery (includes teamsters, drivers, and helpers).....	1.7	.75	
Spars (with or without machinery).	1.7	.75	
10-3 Shingle mills (operation and maintenance)	2.	.75	
10-6 Creosote works	1.4	.5	
Pile and pole treating works.....	1.4	.5	
10-7 Lumber inspectors .....	.1	.1	

CLASS 11.

Classifications and schedules.	(Rates and classifications subject to change by departmental order when indicated as herein provided.)	<i>Industrial Insurance Cents per Workman Hour</i>	<i>Medical Aid Cents per Workman Hour</i>
11-1	Drayage (transfer and storage), (includes teamsters, drivers and helpers)	3.	.7
	General hauling (N. O. S.) and trucking (excludes log trucking)	3.	.7
	Auto freight transportation	3.	.7
11-3	Fuel and lumber yards without power driven machinery	1.8	.35

CLASS 13.

13-1	Bridge tenders (electrically operated bridges) .....	.8	.3
	Electric light and power plants .....	.8	.3
	Electric systems (N. O. S.) .....	.8	.3
13-2	Steam heat and power plants .....	.3	.3
13-3	Intrastate telephone system (operation and maintenance), (excludes telephone operators)	2.5	.4

CLASS 14.

14-1	Street railways (electric interurban railroad), (operation) .....	.3	.12
	City or town passenger bus operation (includes those operated by municipalities in connection with street railway system or as a replacement of street railway system and also those operated by others operating under a municipal franchise) .....	.3	.12

CLASS 15.

15-1	City and county operation and maintenance (includes all extrahazardous operations in connection with regular functions of city and county government), (excludes all operations in connection with the maintenance of highways by state, counties and cities. See Class 8-3.) (New construction of bridges, grading and paving of roads shall be reported in respective classifications)	2.3	.3
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CLASS 16.

(Rates and classifications subject to change by departmental order when indicated as herein provided.)		<i>Industrial Insurance Cents per Workman Hour</i>	<i>Medical Aid Cents per Workman Hour</i>	Classifications and schedules.
16-1	Coal mines (includes shaft sinking and all tunneling in connection with all coal mines).....	3.	.8	
	Coke ovens (operation), (excludes office force only).....	3.	.8	

CLASS 17.

17-2	Mines, all types (other than coal), (includes all shaft sinking and tunneling in connection with mines other than coal).....	2.	.6	
	Ore reduction (by wet or dry process without application of heat at mine)	2.	.6	
	Shaft sinking (metal mines).....	2.	.6	
	Tunneling (metal mines).....	2.	.6	
17-3	Quarries	5.	.8	
	Stone cutting (quarry hazard).....	5.	.8	
	Open cut mining.....	5.	.8	

CLASS 18.

18-1	Blast furnaces (operation).....	.3	.3	
	Rolling mills (operation).....	.3	.3	
	Steel and iron making.....	.3	.3	
	Open hearth furnaces (operation)..	.3	.3	
	Smelters (operation).....	.3	.3	
	Copper, lead, zinc, etc. (smelting)..	.3	.3	

CLASS 19.

19-1	Gas works (operation), (excludes meter readers, complaint men, solicitors, and store room employees)	1.6	.3	
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CLASS 21.

21-1	Chop, feed, and flour mills (operation)7	.2	
	Seed cleaning.....	.7	.2	
21-2	Grain warehouse and elevators (operation)4	.1	
	General warehouse and storage (operation), (excludes operations in connection with Class 11-1).....	.4	.1	
	Fruit warehouses (includes all operations in connection with grading, sorting, and packing of fresh fruits) .....	.4	.1	

Classifications and schedules.	(Rates and classifications subject to change by departmental order when indicated as herein provided.)	<i>Industrial Insurance Cents per Workman Hour</i>	<i>Medical Aid Cents per Workman Hour</i>
CLASS 22.			
22-1	Laundries (operation), (includes drivers and helpers).....	.15	.1
	Dye works and cleaners (includes drivers and helpers).....	.15	.1
CLASS 23.			
23-1	Water works (operation), (other than municipal which is to be reported in Class 15-1).....	2.	.2
CLASS 24.			
24-1	Paper mills (operation and maintenance) .....	.7	.3
	Pulpmills (operation).....	.7	.3
CLASS 29.			
29-1	Cooperage (manufacturing).....	1.2	.4
	Staves, barrel, tub (manufacturing)	1.2	.4
	Barrels, kegs, pails (manufacturing)	1.2	.4
	Basket manufacturing.....	1.2	.4
29-2	Sash, door, blinds, etc. (manufacturing) .....	.75	.4
	Glazing, beveling and setting glass (in shops and factories).....	.75	.4
	Sash and door factories (all factory operations) .....	.75	.4
29-3	Excelsior (manufacturing).....	.75	.4
	Veneering (manufacturing).....	.75	.4
	Cabinet works.....	.75	.4
	Furniture (manufacturing).....	.75	.4
	Boxes and packing cases (manufacturing) .....	.75	.4
	Wooden and fibre ware (manufacturing) .....	.75	.4
	Wood working (N. O. S.), (shop work only).....	.75	.4
	Kindling wood.....	.75	.4
	Wood pipe (manufacturing).....	.75	.4
	Pattern shops (independent).....	.75	.4
CLASS 31.			
31-1	Building material (N. O. S.).....	.7	.4
	Concrete blocks and tiles (manufacturing) .....	.7	.4
	Lime (manufacturing).....	.7	.4
	Oils and paints (manufacturing)...	.7	.4
	Staves (cement).....	.7	.4

CLASS 31—Continued

(Rates and classifications subject to change by departmental order when indicated as herein provided.)		Industrial Insurance Cents per Workman Hour	Medical Aid Cents per Workman Hour	Classifications and schedules.
31-1	Cement (manufacturing) .....	.7	.4	
	Paving blocks (cutting).....	.7	.4	
	Stone cutting (away from quarry) .	.7	.4	

CLASS 33.

33-1	Fish canneries and fish trap (operation) .....	.6	.3	
33-2	Fish oil (manufacturing).....	.3	.3	
	Fish products.....	.3	.3	
	Oyster beds and cannery (operations) .....	.3	.3	

CLASS 34.

34-1	Automobile painting.....	.5	.3	
	Vulcanizing .....	.5	.3	
	Automobile body construction and repair .....	.5	.3	
	Auto sales agencies and garages (includes only those operations in connection with storage, servicing, and repairing), (gas and oil service stations performing auto repairing subject to this class).....	.5	.3	
34-2	Blacksmith shops, with machinery..	.6	.4	
	Boiler works .....	.6	.4	
	Foundries .....	.6	.4	
	Machine shops (N. O. S.).....	.6	.4	
	Wood working (in connection with car building) .....	.6	.4	
34-3	Airplane (manufacturing) .....	.2	.2	
34-4	Cans (manufacturing) .....	.4	.25	
	Galvanized iron works (manufacturing) .....	.4	.25	
	Hardware (manufacturing) .....	.4	.25	
	Metal (stamping) plating and polishing .....	.4	.25	
	Sheet metal works.....	.4	.25	
	Stamping tin or metal.....	.4	.25	
	Tin works .....	.4	.25	
	(This class for shop operations only.)			
34-6	Gas service stations (excludes auto repairing) .....	.2	.1	
	Oil service stations (excludes auto repairing) .....	.2	.1	
34-7	Merchandising of oils (includes drivers and helpers).....	1.2	.2	

CLASS 35.

Classifications and schedules.	(Rates and classifications subject to change by departmental order when indicated as herein provided.)	Industrial	Medical
		Insurance Cents per Workman Hour	Aid Cents per Workman Hour
35-1	Brick (manufacturing) .....	.35	.3
	Earthenware (manufacturing) ....	.35	.3
	Fire clay products (manufacturing) .35	.35	.3
	Porcelain ware (manufacturing) ...	.35	.3
	Pottery (manufacturing) .....	.35	.3
	Terra Cotta (manufacturing) .....	.35	.3
	Tile (manufacturing) .....	.35	.3
35-2	Briquettes (manufacturing)	4.	.3
	Charcoal burning	4.	.3
	Peat Fuel (manufacturing)	4.	.3
35-3	Glass (manufacturing) .....	.2	.2

CLASS 37.

37-1	Alcohol (manufacturing) .....	.6	.3
	Ammonia (manufacturing) .....	.6	.3
	Nitrogen (manufacturing) .....	.6	.3
	Oxygen (manufacturing) .....	.6	.3
	Chemical and assaying laboratories.	.6	.3
	Chemical (manufacturing) .....	.6	.3
	Distilleries .....	.6	.3
37-2	Bottling works (includes drivers and helpers) .....	.4	.3
	Breweries (includes drivers and helpers) .....	.4	.3
	Wineries (includes drivers and help- ers) .....	.4	.3

[CLASS 38].

38-1	Brooms (manufacturing) .....	.05	.16
	Brushes (manufacturing) .....	.05	.16
	Cordage (manufacturing) .....	.05	.16
	Asbestos products (manufacturing)	.05	.16
	Leather (working in) .....	.05	.16
	Rubber (working in) .....	.05	.16
38-2	Cloth (working in) .....	.03	.1
	Textiles (manufacturing) .....	.03	.1
	Textiles (N. O. S.) .....	.03	.1
	(Class 38-2 includes all operations in connection with manufacturing, alteration, and repair of cloth and textiles.)		
38-5	Paper (working in) .....	.4	.2
	Paper products (manufacturing) ...	.4	.2

CLASS 39.

39-1	Bakeries (includes drivers and help- ers) .....	.2	.1
	Candy or cracker (manufacturing) .	.2	.1
	Macaroni making .....	.2	.1
	Confectionery (manufacturing) ...	.2	.1

CLASS 39—Continued

(Rates and classifications subject to change by departmental order when indicated as herein provided.)		Industrial Insurance Cents per Workman Hour	Medical Aid Cents per Workman Hour	Classifica- tions and schedules.
39-2	Canneries (fruit and vegetables) ..	.5	.2	
	Foodstuffs (working in), (N. O. S.)..	.5	.2	
	Fruits (canning) .....	.5	.2	
	Dehydrators (all operations).....	.5	.2	
39-3	Sugar refineries (all operations), (includes drivers and helpers)...	3.	.8	
39-4	Handling, processing, and adapting for sale, butter, eggs, poultry and egg meat products (N. O. S.)....	.3	.15	

CLASS 40.

40-1	Condensed milk (all operations), (includes drivers and helpers)...	.4	.2	
40-2	Cheese making (includes drivers and helpers) .....	.5	.2	
	Creameries and dairies (operation), (includes drivers and helpers)...	.5	.2	
	Ice cream (manufacturing), (in- cludes drivers and helpers).....	.5	.2	

CLASS 41.

41-1	Electrotyping .....	.1	.1	
	Engraving (photo-engraving) .....	.1	.1	
	Lithographing .....	.1	.1	
	Photo-engraving .....	.1	.1	
	Linotype operators (includes all em- ployees in room with machinery)	.1	.1	
	Printing .....	.1	.1	
	Jewelry (manufacturing) .....	.1	.1	
	Jewelry engraving .....	.1	.1	
	Sign and card printing and painting (inside shop operations only) ....	.1	.1	

CLASS 42.

42-1	Longshoring and stevedoring.....	3.	.6	
	Wharf and pier (operation).....	3.	.6	

CLASS 43.

43-1	Fertilizer (manufacturing), (includes drivers and helpers).....	.5	.4	
	Lard making (includes drivers and helpers) .....	.5	.4	
	Meat products (canneries), (includes drivers and helpers).....	.5	.4	

CLASS 43—Continued

Classifications and schedules.	(Rates and classifications subject to change by departmental order when indicated as herein provided.)	Industrial Insurance Cents per Workman Hour	Medical Aid Cents per Workman Hour
43-1	Packing houses (includes all operations in connection with the meat packing industry), (includes drivers and helpers).....	.5	.4
	Slaughter houses (includes drivers and helpers).....	.5	.4
	Stockyards (operations), (includes drivers and helpers).....	.5	.4
	Tallow making (includes drivers and helpers).....	.5	.4
	Tanneries (includes drivers and helpers) .....	.5	.4
	Garbage works (includes drivers and helpers) .....	.5	.4
	Incinerators (includes drivers and helpers) .....	.5	.4
	Meat, fish, and poultry markets (with power machinery), (includes drivers and helpers).....	.5	.4
	Soap making (includes drivers and helpers) .....	.5	.4

CLASS 44.

44-1	Cold storage plants (refrigeration), (includes drivers and helpers)...	.5	.4
	Ice, artificial (manufacturing and delivery), (includes drivers and helpers) .....	.5	.4
	Refrigeration or cold storage plants (operation), (includes drivers and helpers) .....	.5	.4
	Ice, natural (harvesting and handling), (includes drivers and helpers) .....	.5	.4

CLASS 45.

45-1	Moving picture operators.....	.1	.15
	Theatre stage employees (except ushers, performers, and office employees not engaged in any maintenance work).....	.1	.15

CLASS 46.

46-1	Powder works (manufacturing), (includes all operations).....	4.	1.5
46-2	Fireworks (manufacturing), (includes all operations).....	4.	.5

CLASS 47.

(Rates and classifications subject to change by departmental order when indicated as herein provided.)	Industrial Insurance Cents per Workman Hour	Medical Aid Cents per Workman Hour	Classifications and schedules.
47-1 Combined chemicals and explosives (manufacturing)	6.	1.5	

CLASS 48.

Elective adoption (subclasses as follows):			
48-1	Caretakers (N. O. S.).....	.1	.1
	Clerks (N. O. S.).....	.1	.1
	Janitors .....	.1	.1
	Office employees (N. O. S.).....	.1	.1
	Inside occupations (N. O. S.).....	.1	.1
	Outside occupations (N. O. S.).....	.1	.1
48-2	Automobile and truck drivers, chauffeurs (where general occupation is not extrahazardous)....	1.	.15
	Taxi drivers.....	1.	.15
	Outside salesmen, demonstrators, and collectors using automobiles.	1.	.15
48-3	Agricultural Workers.....	1.6	.4
48-7	Temporary building construction by home owner on own home to be used as a place of abode.....	5.	2.

CLASS 49.

49-1	Foresters (forest rangers, timber cruisers, surveyors and engineers)	.8	.2
	Guards (penitentiary and other penal institutions), (employed by state) .....	.8	.2
	Peace officers, on salary having police powers (excludes town, city, and county peace officers, see Class 15-1).....	.8	.2
	Wardens, fish, and game (employed by state).....	.8	.2
	Inspectors (having police powers and employed by state).....	.8	.2
	State park employees having police powers .....	.8	.2
	Employees of the department of labor and industries.....	.8	.2
49-2	.....	6.	2.
	Highway patrol (state).....	6.	2.

CLASS 50.

Classifications and schedules.	(Rates and classifications subject to change by departmental order when indicated as herein provided.)	Industrial Insurance Cents per Workman Hour	Medical Aid Cents per Workman Hour
50-1	Grading (logging railroads only)...	6.	1.25
	Logging, operation and maintenance	6.	1.25
	Logging, railroad (construction)....	6.	1.25
	Logging, railroad (grading).....	6.	1.25
	Railroads, logging (operation)....	6.	1.25
	Shingle bolt cutting.....	6.	1.25
	Tie cutting.....	6.	1.25
	Log trucking (includes contract log hauling)	6.	1.25
	Logging roads (construction, grading, and maintenance).....	6.	1.25
50-2	Booming and rafting logs.....	2.	.3
50-3	Cordwood and pulpwood cutting (which figures at rate of 30c per cord)	3.	.75

Employers.

Every employer who shall enter into any business, or who shall resume operations in any work or plant after the final adjustment of his payroll in connection therewith, shall, before so commencing or resuming operations, as the case may be, notify the director of labor and industries of such fact, accompanying such notification with an estimate of his payroll and workmen hours for the first calendar month of his proposed operations, and shall make payment of the premium on such estimate. Every such employer shall be liable for a premium of at least such estimate. Every such employer shall pay the full basic rate until such time as an experience rating in excess of a one, two, three or four year period may be computed as of a first succeeding September first date, and shall be liable for a premium of at least one dollar per month irrespective of the amount of his workman hours reported during said month to the department.

Notification of commencing or resuming operations.

Payroll estimate.

Basic rate paid until experience rate computed.

High cost experience.

To the end that no employer shall evade the burden imposed by an unfavorable or high cost experience, the director of labor and industries shall have the power to determine whether or not an in-

crease, decrease or change (a) of operating property; (b) of interest in operating property; (c) of employer; (d) of personnel or interest in employer is sufficient to show a *bona fide* change which would make inoperative any high cost experience.

Every employer within the provisions of this act shall on or before the fifteenth day of each month hereafter furnish the department with a true and accurate payroll and the aggregate number of workmen hours, during which workmen were employed by him during the preceding calendar month, the total amount paid to such workmen during such preceding calendar month, and a segregation of employment in the different classes provided in this act, and shall pay his premium thereon to the accident fund and medical aid fund. The sufficiency of such statement shall be subject to the approval of the director of labor and industries.

Monthly
report of
payroll.

Every employer shall keep at his place of business a record of his employment from which the above information may be obtained and such record shall at all times be open to the inspection of the director of labor and industries, supervisor of industrial insurance, or the traveling auditors, agents or assistants of the department, as provided in section 7690 of Remington's Revised Statutes of Washington.

Employer
to keep
record of
employment.

In all cases where partners or other persons are excluded on the payroll such statement shall state both the names and occupations of the parties excluded and no such person shall be entitled to compensation unless notice in writing that such excluded person has been included is received by the department prior to the date of injury to such person. Such employer shall at the time of reporting his payroll and workmen hours also state the names and addresses of any contractor or subcontractor operating for or under him.

Partners
or others
excluded.

Failure to report, penalty.

Every person, firm, or corporation who shall fail to keep such record or fail to make such report in the manner and at the time herein provided shall be subject to a penalty of not to exceed one hundred dollars (\$100.00) for each such offense, to be collected by civil action in the name of the state and paid into the accident fund.

Failure to furnish estimate, penalty.

Every employer who shall fail to furnish an estimate of payroll and workmen hours and make payments as above provided shall be liable to a penalty of not to exceed five hundred dollars (\$500.00) and shall also be liable if an accident has been sustained by an employee prior to the time such estimate is received by the department, to a penalty in a sum equal to fifty per cent of the cost to the accident fund and medical aid fund of such accident, to be collected in a civil action in the name of the state, and paid into the accident fund and/or medical aid fund.

Waiver of penalty.

The director of labor and industries may waive the whole or any part of any penalty charged under this act. In respect to any injury happening to any of his workmen during the period such employer shall be in default in the payment of any premium, if such default be after demand for payment, or if such employer shall be in default for failure to furnish the department with an estimated payroll and workmen hours or with monthly reports of his payroll and workmen hours as required by this section, the defaulting employer shall not be entitled to the benefits of this act, but shall be liable to suit by the injured workman (or his beneficiaries and dependents), at his or their option, as he would have been on March 14, 1911, and in any action brought against such employer, it shall be no defense for such employer to show that such injury was caused in whole or in part by the negligence of a fellow servant of the injured workman, that the negligence of the injured workman, other than his wilful act committed

Injury during default.

Action by injured workman.

for the purpose of sustaining the injury contributed to the accident or that the injured workman had knowledge of the danger or assumed the risk which resulted in his injury. If such injured workman or his beneficiaries, or dependents, shall elect to take under this act, such action against the employer shall revert to the state for the benefit of the accident fund and/or medical aid fund.

Election of remedy.

Any employer, who shall misrepresent to the department the amount of his payroll or the number of workmen hours upon which the premium under this act is based, shall be liable to the state in ten times the amount of the difference in premiums paid and the amount the employer should have paid, and shall also be guilty of a misdemeanor if such misrepresentations shall be made knowingly. Civil penalties to the state under this act shall be collected by civil action in the name of the state and paid into the accident fund.

Misrepresentation by employer, penalty.

For the purpose of such payments into the accident fund, accounts shall be kept with each industry in accordance with the classification herein provided and no class shall be liable for the depletion of the accident fund from accidents happening in any other class. Each class shall meet and be liable for the accidents occurring in such class. The fund thereby created shall be termed the "accident fund" which shall be devoted to the purpose specified for it in this act.

Accounts, accident fund.

The medical aid fund created in section 7713 of Remington's Revised Statutes of Washington shall not be kept by classes and all payments shall be made from the one fund, but accounts shall be kept with each class and subclass of industry in accordance with the classification herein provided for the purpose of computing the medical aid cost experience of such classes and subclasses and determining

Accounts, medical aid fund.

the correctness of the medical aid rates charged such classes and subclasses.

Adjustment
of rates.

It is the intent that the accident fund created under this section shall ultimately become neither more nor less than self-supporting, exclusive of the expense of administration, and if in the adjustment of premium rates by the director of labor and industries the moneys paid into the fund by any class or classes shall be insufficient to properly and safely distribute the burden of accidents occurring therein the department may divide, rearrange or consolidate such class or classes, making such adjustment or transfer of funds as it may deem proper.

Unlawful to
deduct
premiums
from wages.

It shall be unlawful for the employer to deduct or obtain any part of the premium required by this section to be by him paid into the accident fund from the wages or earnings of his workmen or any of them, and the making or attempting to make any such deduction shall be a gross misdemeanor. The director of labor and industries shall make corrections of classifications or subclassifications or changes in rates, classes, and subclasses when the best interests of such classes or subclasses will be served thereby. From the original classification or premium rating or any change made therein, any employer claiming to be aggrieved may appeal to the Joint Board and to the courts in the manner provided for in section 7697 of Remington's Revised Statutes.

Classifica-
tions,
corrected.

Single es-
tablishment,
different risk
classes.

If a single establishment or work comprises several occupations listed in this section in different risk classes, the premium shall be computed according to the workmen hours of each occupation, or in the discretion of the director of labor and industries, a single rate of premium may be charged for the entire establishment based upon the rate of premium of the occupation reporting the largest number of workmen hours: *Provided*, That, when a single es-

tablissement or work comprises distinct different risk classes, each employing a considerable number of persons, the right to have the premium computed according to the number of workmen hours of each occupation shall not be denied the employer without hearing: *Provided, further,* That any employer desiring to report his operations in the various distinct risk classifications subsequent to the passage of this act, must, before so reporting, notify the director of labor and industries in writing of such fact, prior to the first day of the month in which such employer desires to segregate his operations, and inform the director of the segregated classifications he desires. After an employer has segregated his operations into the various distinct risk classifications, unless the employer and the director agree to the contrary, the employer must continue to report in those segregated classifications as long as they exist in his operation and involve a considerable number of employees.

Computation
of premium.

Segregated
classifi-
cations.

The director of labor and industries shall have power to authorize any employee of the department who is an attorney admitted to practice law in the State of Washington to appear for the department in any action instituted for the purpose of collecting industrial insurance premiums.

Department
attorney to
collect
premiums.

That the premiums of employers operating coal mines which shall include shaft sinking and all tunneling in connection with coal mines and the building industry, which shall include, all field activities in connection with the erection, alteration, repairing or demolishing of any building or buildings or part thereof or appurtenance thereto, adapted to residential, business, governmental, educational or manufacturing uses, shall be computed on a base rate only and no merit rating credits or penalties shall be given or imposed on such employers.

Coal mines.

Building
industry.

Rates, etc.,
effective
Jan. 1, 1937.

SEC. 2. The rates and classifications and sub-classifications as provided in section 7676 Remington's Revised Statutes, as amended by section 1 of this act, shall take effect as of January 1, 1937.

Effective
immediately.

SEC. 3. This act is necessary for the immediate support of the state government and its existing public institutions and shall take effect immediately.

Passed the House March 8, 1937.

Passed the Senate March 7, 1937.

Approved by the Governor March 13, 1937.

CHAPTER 90.

[H. B. 511.]

REGULATION OF PUBLIC GRAIN WAREHOUSES.

AN ACT relating to public grain warehouses, repealing sections 6978, 6980, 6981, 6982, 7000, 7000-1 and 7002, Rem. Rev. Stat.; defining terms, prescribing procedure for recovery on warehouse bonds, defining warehousemen's responsibility to store commodities, setting forth the requirements of a public grain warehouse receipt, permitting warehousemen to refuse to store certain commodities, providing for issuance of forms for warehouse receipts, declaring the warehousing of fungible commodities to be a bailment, providing for action by the director of agriculture and the courts in respect to warehouse shortages and the collection of expenses for such action, requiring warehousemen to make reports, and giving the director of agriculture certain powers.

Be it enacted by the Legislature of the State of Washington:

"Grain
warehouse."

SECTION 1. The term "grain warehouse," when used in this act, includes any elevator, mill, warehouse, public grain warehouse, public warehouse or other structure in which grain or other commodities as herein defined are received from the public for storage, shipment or handling.