



Washington State Department of
Labor & Industries

Industries and Risk Classifications Eligible for Ergonomic Rulemaking

November 2024

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Executive Summary

Work-related musculoskeletal disorders (WMSDs) account for nearly one-third of all workers’ compensation claims that result in time-loss, and are a common cause of long-term disability in Washington state.

Engrossed Substitute Senate Bill (ESSB) 5217, passed by the 2023 Legislature and codified under RCW 49.17.520 and RCW 49.17.020(11), repeals the prohibition on rulemaking to prevent work related musculoskeletal injuries and disorders and allows the Washington State Department of Labor & Industries (L&I, or “the department”) to adopt one rule for either one industry or one risk classification in a 12-month period, but no rule may be in effect before July 1, 2026. The law also requires the department to publish annually by November a list of industries and risk classifications eligible for rulemaking. To be eligible for inclusion, the industry or risk classification must be at least twice the statewide rate of WMSDs. For this report, the statewide rate is 4.3 per 1,000 full-time-equivalent employees (FTEs).

L&I must also provide a list of industries or risk classifications most likely to be selected for future rulemaking and prioritize efforts to provide technical assistance to those employers. This second, prioritized list is referred to as the “high-priority list.”

Considerations for inclusion in the high-priority list were based on a holistic assessment of many different factors. Some of the factors considered included industries and risk classifications with a high annual number and high annual rate of compensable WMSD claims and industries and risk classifications that represent a range of industry sectors in Washington. The following industries and risk classifications, listed simply in numerical order for both the North American Industry Classification System (NAICS) and risk classification, are included in the high priority list, making them most likely to be selected for future rulemaking. The high-priority list was further narrowed down the top 5 industries and risk classes.

Top 5	NAICS Code	NAICS industry description (and excluded NAICS)
	23814	Masonry Contractors
	31171	Seafood Product Preparation and Packaging
	31181	Bread and Bakery Product Manufacturing
	31211	Soft Drink and Ice Manufacturing
ü	42441	General Line Grocery Merchant Wholesalers
	42481	Beer and Ale Merchant Wholesalers
	44413	Hardware Stores
	44511	Supermarkets and Other Grocery (except Convenience) Stores
	45291	Warehouse Clubs and Supercenters
	48111	Scheduled Air Transportation

	48412	General Freight Trucking, Long-Distance
	48421	Used Household and Office Goods Moving
	492	Couriers and Messengers
	562	Waste Management and Remediation Services (exclude 5629)
	62191	Ambulance Services
	62321	Residential Intellectual and Developmental Disability Facilities
	92216	Fire Protection

Top 5	Risk classifications (4-digit) code	Risk classifications (four-digit) description and excluded sub-classifications
	0302	Masonry Construction
	0507	Roof Work – Construction and Repair
	2002	Freight Handling Services (exclude 2002-31)
ü	2103	Fulfillment Centers
	3403	Aircraft Manufacturing
	3906	Bakeries, Cracker, Pasta, Confection-Manufacturing/Wholesale, NOC (exclude 3906-05)
ü	6108	Nursing and Convalescent Homes
	6402	Supermarkets
ü	6407	Wholesale Stores, NOC incl. wholesale/retail combination
ü	6802	Scheduled Airlines – Ground Crew (exclude 6802-01)
	6904	County and City Fire fighters – Salaried
	7201	State Patient and Health Care Personnel, NOC

In addition, L&I will prioritize efforts to provide technical assistance to employers on this high-priority list as required by RCW 49.17.520(8)(c). To date, technical assistance from L&I has generally been an underutilized resource among priority industry employers.

On Oct. 29, 2024, L&I announced it selected Scheduled Airlines – Ground Crew Operations under Risk Classification 6802 for the first rulemaking effort and initiated the formal rulemaking process. To select ground crews employed by businesses operating scheduled airlines in risk class 6802, L&I reviewed the November 2023 report, gathered stakeholder feedback, and narrowed the list to five industries.

In the coming months, L&I will start the first rule-development process by gathering input from interested parties across all industries on components of ergonomic rules that could be consistent across all industry-specific rules. Then the department will begin developing the specific language for the Scheduled Airlines Ground Crew Operation rules.

With this report, L&I is announcing the second rulemaking effort will be for Fulfillment Centers, Risk Classification 2103. L&I expects to start the formal rulemaking process for this industry in 2025.

Introduction

Overview and purpose

L&I's Division of Occupational Safety and Health (DOSH) administers the Washington Industrial Safety and Health Act (WISHA), under chapter 49.17 RCW, by developing and enforcing rules that protect workers from workplace hazards, and providing training, outreach, education, and assistance to help ensure employers keep workers safe.

In 2023, the Washington State Legislature enacted ESSB 5217, codified under RCW 49.17.520 and RCW 49.17.020(11). The law authorizes L&I to adopt rules to regulate WMSD hazards for industries¹ or risk classifications² with WMSD workers' compensation compensable claim rates that are greater than two-times the overall state rate. L&I may only adopt one rule for either one industry or one risk classification in a 12-month period, with an effective date of July 1, 2026, or later for the first rule.

The law requires L&I to publish annually by November a list of industries and risk classifications eligible for rulemaking. From this list L&I must identify a list of industries or risk classifications most likely to be selected for future rule making.

The department refers to this as the "high-priority" list. L&I must also publish the results of the review of compensable workers' compensation claims to ensure the data used to establish eligibility for rulemaking are consistent with the definition of musculoskeletal injuries or disorders as detailed in RCW 49.17.020(11). The purpose of this report is to provide both of these lists, the results of the claim review, and an update on the next steps for implementation of the new statute, including current and future rulemaking activities.

¹ RCW 49.17.520(11) defines an "industry" as any classification in the North American Industry Classification System (NAICS) that defines an industry subsector at the three-digit level, industry group at the four-digit level, and industry at the five-digit level. NAICS is a federal standard for classifying business establishments by type of economic activity. The NAICS structure is hierarchical: the first two digits are sector-level classification of general categories of economic activities, followed by three-digit subsectors, four-digit industry groups, five-digit industries, and six-digit national industries.

² Risk classification is a method for grouping risks with similar characteristics to set insurance rates. Washington has its own risk classification system that is based on the degree of hazard for each occupation or industry and tailored to Washington's businesses and industries. L&I's Insurance Services division assigns each employer one or more risk classifications based on the nature of its business. Each risk classification has separate base workers' compensation premium rates that apply to the employers and workers in that classification.

Background

Work-related musculoskeletal disorders

WMSDs are injuries or disorders of the muscles, nerves, tendons, joints, cartilage, and spinal discs associated with exposure to risk factors in the workplace. Musculoskeletal injuries and disorders include sprains, strains, tears, back pain, soreness, pain, carpal tunnel syndrome, musculoskeletal system or connective tissue diseases and disorders when the event or exposure leading to the injury or illness is a bodily reaction from bending, climbing, crawling, reaching, twisting, sitting, or standing; being rubbed or abraded by kneeling on a surface; being rubbed, abraded, or jarred by vibration; overexertion; or repetition.

These injuries and disorders occur when the physical requirements (intensity, frequency, and duration) of the job exceed the physical capacity of the human body. WMSDs are generally caused by overuse or overexertion, repetitive motions or postures, unnatural positions, and/or vibration. They do not include injuries resulting from impact, such as falls, struck by or against, cuts, or motor vehicle crashes.

WMSDs often develop gradually over time, with an accumulation of exposures leading to wear and tear on the body. They may also appear as an immediate effect of certain exposures, which are more common with high-force exertions.

WMSDs are common in Washington state and are costly to workers and their families, industry, and the workers' compensation system. Washington workers' compensation claims involving WMSDs account for nearly one-third of all workers' compensation compensable claims. Compensable claims are those in which the worker's injury or illness was serious enough to cause them to miss work and qualify for wage replacement benefits, referred to as time-loss compensation. They involve wage replacement for lost work time of four or more days or restricted duty, permanent disability, fatality, or a worker kept on salary by the employer during disability.

WMSDs are preventable. They can be prevented by reducing the frequency, intensity, and duration of work tasks that have excessive force, high repetition, awkward postures, and vibration.

History of L&I regulation of WMSD hazards

In 2000, L&I adopted the Workplace Ergonomic Rule, which required employers to reduce worker exposure to hazards that cause or contribute to WMSDs. The rule had a delayed implementation schedule phased in over a four-year period, with the first compliance date set to start July 1, 2004. In 2003, the rule was repealed by a statewide voter initiative, codified under RCW 49.17.370. The initiative also prohibited L&I from adopting any new or amended rules dealing with musculoskeletal disorders, or that address the same or similar activities as the repealed rules unless required by federal law. Employers, however, are required to provide employees with a workplace free from recognized hazards that cause or are likely to cause serious injuries to their employees, per RCW 49.17.060(1). Under this provision, L&I retained the ability to take enforcement action for WMSD hazards.

Engrossed Substitute Senate Bill 5217

In 2023, the Legislature passed ESSB 5217, which repealed RCW 49.17.370 and restored L&I's authority to regulate working practices to prevent WMSDs.

The new law, codified under RCW 49.17.520 and RCW 49.17.020(11), limits L&I's WMSD rulemaking authority, such that L&I may:

- Adopt only one set of rules, either for one industry or one workers' compensation risk classification per 12-month period.
- Adopt rules only for industries or risk classifications in which the WMSD compensable claims rate was greater than two-times the overall state WMSD compensable claim rate over a recent five-year period. If the selected industry or risk classification has subdivisions that were less than two-times the statewide rate, they are excluded from rulemaking. The rules would apply to an establishment engaged in activities as defined by the industry or risk classification.³
- Not adopt emergency rules, or rules applicable to home offices.

L&I is required to publish annually by November a list of industries and risk classifications eligible for rulemaking, and identify those industries or risk classifications most likely to be selected for future rulemaking.

The department must prioritize efforts to provide technical assistance to employers most likely to be selected for future rulemaking. Additionally, the Legislature directed L&I to review claims to verify the data used to identify industries and risk classifications is consistent with the definition of WMSDs in the new law.

When selecting an industry or risk classification for rulemaking, L&I is to consider whether the trend of the WMSD compensable claim rate in an industry or risk classification is:

- demonstrating a statistical downward trend in the claims rate that is greater than the statewide average; and
- whether the statistical trend suggests the industry or risk classification will have a rate lower than two-times the state average in the next three years.

Within 90 days of starting the formal rulemaking process, L&I is required to provide a report to the

³ An establishment is generally a single physical location where business is conducted or where services or industrial operations are performed. For activities where employees do not work at a single physical location (such as construction; transportation; communications, electric, gas and sanitary services; and similar operations), the establishment is represented by main or branch offices, terminals, stations, etc., that either supervise such activities or are the base from which personnel carry out these activities. An enterprise (company) may consist of more than one establishment. Under the NAICS system, an establishment is classified in a NAICS industry when its primary activity meets the definition for that industry.

members of the relevant legislative committees, including the criteria L&I used to select the industry or risk classification and information on how L&I will develop the rules.

As part of the rule development process, L&I must convene an advisory committee of business and labor representatives. L&I must also consider options for an employer to demonstrate alternative control methods in which:

- the alternative methods are at least as effective as the rule requirements;
- affected employees are trained and monitored for compliance; and
- the employer has documented all efforts.

In addition, L&I is directed to solicit input on the effective date for each rule, which must be at least 120 days following the rule adoption. No rule may be effective prior to July 1, 2026.

Eligible List

Overview

This report relies on Washington workers' compensation claims data. In Washington state, all employers are required to obtain workers' compensation insurance through L&I (the "State Fund") unless they are able to self-insure, are covered under an alternative workers' compensation program (e.g., federal government, harbor and longshore workers), or are self-employed. Other minor exemptions exist, including children employed on a family farm and select domestic servants. A complete list can be found in Chapter 51.12 RCW.

Occupational Injury and Illness Classification System coding

Identifying WMSDs in the workers' compensation data relies on Bureau of Labor Statistics (BLS) Occupational Injury and Illness Classification System (OIICS) codes. Trained coders assign OIICS codes to a claim using the information on the Report of Accident (ROA) or Report of Industrial Injury or Occupational Disease (ROIID). When a worker is injured or made ill at work, generally, the worker and health care provider initiate a workers' compensation claim by filing an ROA/ROIID. The ROA/ROIID contains employment information and information from the health care provider regarding the initial medical diagnoses and treatment. On the ROA/ROIID, the worker and health care provider describe the injury event and resulting injury. These worker and physician descriptions are then coded to assign BLS OIICS codes for the Nature of the Injury or Illness (Nature), Event or Exposure (Event), Part of Body Affected (Body Part) and Source of Injury or Illness (Source). The BLS OIICS is the standard national classification system for occupational injury and illnesses; Washington uses BLS OIICS v 1.01. The definition of a WMSD in Washington state law relies on using the BLS OIICS codes⁴ and is codified in RCW 49.17.020.

Industry and risk classification codes

Each insured employer's account and business location has a NAICS six-digit hierarchical code identifying the employer's primary economic activity.

For the purposes of providing workers' compensation insurance coverage, Washington law (RCW 51.16.035) requires L&I to develop a classification plan. This plan groups industries by their level of hazard and business processes in accordance with recognized principles of workers' compensation insurance, similar to those in other states. It also reflects Washington's industries and workers' compensation laws (WAC 296-17-31011). These groupings are called 'Risk Classifications.' Risk classifications are listed and defined under chapter 296-17A WAC.

During 2018–2022, there were more than 300 active major risk classifications subdivided into just over 8008 detailed classifications in the Washington industrial insurance classification system. When

⁴ Marcum, J. Case Definition for Surveillance of Work-Related Musculoskeletal Disorders (WMSDs) in the Washington Workers' Compensation System, September 2020. SHARP Technical Report 99-05-2020. Washington State Department of Labor & Industries, Safety and Health Assessment and Research for Prevention (SHARP) program. Olympia, WA.

an injury or illness occurs and a workers' compensation claim starts, the claim is linked to the employer's account and assigned the appropriate risk classification. Washington requires State Fund employers to pay quarterly workers' compensation premiums based on the aggregated number of hours worked by their employees. Self-insured employers are also required to report hours to L&I quarterly. Hours worked by each individual employee are not reported to the workers' compensation insurance system. At the account level, employers report each quarter the sum of all employee work hours by specific industrial insurance risk classifications.

As technology and business practices change, it is sometimes necessary to adjust these classifications to adhere to insurance principles (WAC 296-17-31029). L&I may create, modify, or discontinue risk classifications through the rulemaking process with public notice and comment. When a risk classification is changed, L&I reviews affected accounts based on the newly refined descriptions of the industry and business processes and determines the appropriate classification. Claims and hours history follow the employer to their new risk classification. Because premiums must be established specifically to ensure State Fund solvency, historically it has been only State Fund experience that has been converted to the new classifications.

L&I's Employer Services reviews State Fund accounts for accurate risk classification assignment. In evaluating self-insured accounts and the assigned risk classifications for this report, there were claims and hours reported in 'inactive' risk classifications and incorrect risk sub-classifications. In other words, the risk classifications assigned to self-insured accounts were not kept up-to-date with the current set of active risk classifications and sub-classifications. Employer Services is working to update those risk classification assignments for each of the self-insured employers. For this report, many of those past inactive or invalid risk classifications were converted based on the State Fund historical changes. Some of the historical conversions were complex and required further review of accounts.

When a risk classification assignment is changed, whether it is the initial notice for new accounts, notice of assignment of additional risk classification based on account review, or a change in assigned risk classification due to account review or a change/modification in the risk classification rules — a letter is sent to the employer of the change and a new Rate Notice which can be protested and appealed to the Board of Industrial Insurance Appeals.

Industry and risk classification code structure and rulemaking

Regarding the scope of regulations when using NAICS and risk classes, RCW 49.17.520 includes specific restrictions on L&I's rulemaking authority. NAICS is a six-digit hierarchical coding system, with each additional digit indicating a more detailed description of the primary economic activity of the employer's establishment. The example below demonstrates the progression from the two-digit NAICS 'sector' code through the six-digit NAICS 'national industry' code.

Example Table #1: NAICS

Number of Digits	NAICS Description	Example
2	Sector	72 – Accommodation and Food Services
3	Subsector	722 – Food Services and Drinking Places

4	Industry Group	7223 – Special Food Services
5	Industry	72232 – Caterers
6	National Industry	722320 – Caterers

The Washington state risk classification system uses a simple hierarchical structure with two levels: a main risk classification level with four digits, which can then be subdivided into six-digit sub-risk classifications.

Example Table #2: Washington Risk Classes

Number of Digits	Risk Classification Description	Example
4	Main	6904
6	Sub-classification	6904-00 – Salaried firefighters of cities or towns
6	Sub-classification	6904-01 – Salaried firefighters of counties and taxing districts

Under the new law, when L&I regulates an industry (defined as a three-, four-, or five-digit NAICS code) or a risk classification, an industry subdivision or risk classification is excluded when the rate is less than two-times the overall state workers' compensation compensable claim rate for musculoskeletal injuries and disorders. The language of the law [RCW 49.17.520 (3)(b-d)] is below.

- b) When adopting rules by industry subsector at the three-digit level, the department must exclude from regulation North American industry classification system industry group at the four-digit level and industry classification at the five-digit level within the industry subsector that have a musculoskeletal injuries and disorders rate less than two times the overall state workers' compensation compensable claim rate for musculoskeletal injuries and disorders over a recent five-year period.
- c) When adopting rules by industry group at the four-digit level, the department must exclude from regulation North American industry classification system industry classifications at the five-digit level within the industry group that have a musculoskeletal injuries and disorders rate less than two times the overall state workers' compensation compensable claim rate for musculoskeletal injuries and disorders over a recent five-year period.
- d) When adopting rules by risk classification at the four-digit level, the department must exclude six-digit risk classifications within the four-digit risk classification if they have a musculoskeletal injuries and disorders rate less than two times the overall state workers' compensation compensable claim rate for musculoskeletal injuries and disorders over a recent five-year period.

Compensable claims, compensable claim rates, and claim rate ratios

Workers' compensation claims may be accepted or rejected as work-related injuries or illnesses in accordance with state laws, regulations, and case law. Accepted claims are divided into medical-only claims and compensable claims. Medical-only claims involve those with medical expenses only. Compensable claims have additional expenses, including payments for time-loss, permanent partial

disability awards, total permanent disability, and survivor benefits. Kept-on salary claims, in which the employer continues to pay the injured worker's wages in lieu of paying time-loss, are considered compensable claims. In accordance with RCW 49.17.520, WMSD rates are calculated for compensable claims.

A compensable claim rate is calculated by dividing the number of compensable claims by the number of full time equivalent (FTE) workers. Hours reported by employers for premium payments in the State Fund and by self-insured employers are converted to FTE, with one FTE being equal to 2,000 hours. Compensable claim rates for each industry or risk classification are calculated by dividing the number of compensable claims by 1,000 FTE.

A compensable claim rate ratio is a comparison of two compensable claim rates. The rate ratio is calculated by dividing the compensable WMSD claim rate of the specific industry or risk classification by the overall statewide compensable WMSD claim rate. For example, if an industry's claim rate is 12.9 per 1,000 FTE, the rate ratio comparing it to the statewide rate (4.3 per 1,000) would be 3.0 [$12.9 \div 4.3 = 3.0$].

Compensable claim rate trends

A compensable claim rate trend is the direction the rate is moving over a period of time. Trends can be decreasing (a negative trend) or increasing (a positive trend). Alternatively, if the rate isn't changing over time, it is considered to have no observed trend direction. L&I calculated compensable WMSD claim rates over a ten-year period (calendar years 2013–2022) and a five-year period (calendar years 2018–2022) for each individual industry and risk classification. The ten-year history period provided more years of data from which to estimate a trend line, giving the statistical procedures more power to detect significant decreases or increases. With the five-year history, the department wanted to consider more recent claim activity. The results from the five-year history trends are only reported here for the high-priority industries and risk classifications.

L&I used the annually observed rates for industries and risk classes to estimate their trend line using negative binomial regression modeling. Regression modeling is the statistical technique used to measure how the WMSD claim rate changed over time and whether that change was statistically meaningful (i.e., statistically significant). When selecting an industry or risk class from the priority list for rulemaking, RCW 49.17.520(3)(e) directs L&I to “consider if the industry is demonstrating a statistical downward trend in the claims rates that is greater than the statewide average.” This was determined using statistics calculated from the regression model. Statistically significant decreasing trends were determined by the estimated annual percent change and the *P* value ($\alpha=0.05$).

Determining if an industry's trend was greater than the statewide average was based on the common conservative method of comparing their 95% confidence intervals. If the confidence interval for the estimated annual percent change in the ‘All Statewide’ trend does not overlap with the confidence interval for the estimated annual percent change for the specific industry, there is a statistically significant difference between the two trends.

The estimated trend line obtained from the regression modeling technique also enables the department to predict the WMSD claim rate in a subsequent year based on the previous years' trend. RCW 49.17.520 (8)(a) requires L&I “identify low priority industries and risk classifications for

whom the statistical trend suggests the industry or risk classification will have a rate lower than two times the state average in the next three years.” For this report, the department estimated the claim rate in 2025 (three years from the last data point in 2022) using the trend information from the regression models to determine if the rate was likely to go below two-times the statewide average.

Eligible list

On Oct. 2, 2024, L&I gathered compensable claims with a date of injury from calendar year 2013 to 2022. Per RCW 49.17.520, the time period from 2018 through 2022 is under analysis for WMSD compensable claim rates. During this period, there were nearly 59,000 compensable WMSD claims and more than 13.5 million FTE, with an overall WMSD compensable claim rate statewide of 4.3 compensable claims per 1,000 FTE.

This report focuses on those industries and risk classes that meet the eligibility criteria for possible rulemaking under the law (compensable WMSD claim rate ratio above two as compared to statewide). All industries and risk classes eligible for rulemaking are listed in Appendix A. Among the eligible industries and risk classes, L&I has identified those with a statistically significant decreasing trend that suggests the industry or risk classification will have a rate lower than two-times the statewide average in the next three years. These industries and risk classes are considered low priority for rulemaking at this time.

High-priority industries and risk classes are discussed further in the next section of this report. WMSD data for all industries and risk classes (i.e., those currently eligible and ineligible for rulemaking) are summarized on the [Ergonomics Rulemaking webpage](#).

Changes in eligibility from last year’s report

Industries and risk classifications whose eligibility status changed from last year’s report are listed in Appendix B. These tables contain industries and risk classifications that were at or below two-times the statewide average (i.e., ineligible for rulemaking) in the previous report using 2017–2021 claim data but were two-times higher than the statewide average (i.e., eligible) using the 2018–2022 data as detailed in this report. The tables also contain those that were eligible in the previous report but are ineligible due to the more recent data in this report.

Most industries or risk classifications that changed eligibility status from last year’s report either were very close to the eligibility cutoff or had few claims. A very small change in rate could lead to changes in eligibility when an industry or risk classification was already very close to the cutoff. For example, NAICS 623 ‘Nursing and Residential Care Facilities’ changed eligibility status, as its rate ratio compared to the statewide ratio went from 1.848 to 2.004 in last year’s and this year’s reports, respectively. Additionally, rates based on small numbers are subject to large changes year to year. For example, NAICS 3312 ‘Steel Product Manufacturing from Purchased Steel’ changed eligibility, as the rate ratio went from 2.2 to 1.6 last year and this year, respectively, and has fewer than five claims per year.

As discussed above, L&I updated inactive risk classifications and incorrect sub-classifications assigned to self-insured accounts to active risk classifications in accordance with the established processes used in the State Fund. Risk classifications 6105 (Hospitals, NOC) and 6121 (Acute Care

Hospitals, without safe patient handling) changed eligibility status from the 2023 report because of these updates (6015 became ineligible and 6121 became eligible). The updates to these specific risk classifications is detailed in Appendix C.

High-Priority List

As mandated in the new legislation, per RCW 49.17.520(8)(c), L&I is required to publish a list of industries and risk classifications that are likely to be selected for future rulemaking — a ‘high-priority’ list. These high-priority industries and risk classes are also prioritized to receive safety and health technical assistance and consultation resources. L&I believes that voluntary efforts by industry associations, labor groups, individual employers, and the occupational safety and health community to identify and implement best practices are essential to reducing WMSDs in Washington state. Further, significant engagement by industries and their partners to reduce WMSDs and improve workplace safety takes time to implement and demonstrate a positive impact. Thus, this high-priority list represents current priorities for 2024 and will likely change in future years due to voluntary efforts by the business and labor community to reduce WMSD rates and make workplaces safer.

Considerations for inclusion on the high-priority list

For the high-priority list in the 2023 report, L&I considered many different factors. No one factor was determinative, rather a holistic assessment was made. First and foremost, all industries and risk classifications meet the criteria and were eligible for rulemaking as having the WMSD compensable claim rate of two times the statewide average. Some of the factors considered included industries and risk classifications with a high annual number and high annual rate of compensable WMSD claims and industries and risk classifications that represent a range of industry sectors in Washington.

In April 2024, L&I narrowed the high-priority list to five industries and risk classifications most likely to be selected for the initial rulemaking efforts. For a more detailed discussion of factors considered, see Appendix F.

For this report, L&I maintained the 2023 high-priority list and the top five high-priority list, with the exception of two risk classifications that were removed. Risk Classification 6105 – Hospitals, NOC is no longer eligible for rulemaking as discussed above and in Appendix C. Risk classification 6108 – Scheduled Airlines Flight Crews was removed because federal OSHA has jurisdiction over the work performed by these employees.

Considerations for not including an industry or risk classification on the high-priority list

Some industries and risk classifications with a WMSD rate more than twice the statewide average are eligible for rulemaking but were not included on the 2023 high-priority list. Reasons include:

- As of this report, they were considered unlikely to be subject to future ergonomic rulemaking.
- Having fewer FTEs or a small number of WMSDs annually (most common reason for not being included).

- A predicted rate below two-times the state average based on a 10-year trend.
- Risk classes that involved temporary agencies were not selected as high-priority this year. L&I is exploring the relationship between temporary agencies and permanent risk classifications for future regulatory approaches.

The following is the “High-Priority List” with identification of top five for 2024, in order of NAICS or risk classification:

High-priority list for Industry based on NAICS Codes; Washington State WMSD Compensable¹ Claims, 2018–2022

Top 5	NAICS code	NAICS description	WMSD claim rate compared to all statewide (Rate Ratio)	WMSD claim rate per 1,000 FTE ²	Average number of compensable WMSD claims per year	10-year trend analysis: predicted rate ratio <2 2025 ³	10-year trend analysis: statistical downward trend greater than statewide ⁴
	23814	Masonry Contractors	2.9	12.6	21.8	N	N
	31171	Seafood Product Preparation and Packaging	2.5	10.9	38.8	N	N
	31181	Bread and Bakery Product Manufacturing	2.4	10.4	57.0	N	N
	31211	Soft Drink and Ice Manufacturing	2.5	11.0	28.8	N	N
Ü	42441	General Line Grocery Merchant Wholesalers	5.2	22.7	145.2	N	N
	42481	Beer and Ale Merchant Wholesalers	3.3	14.1	41.4	N	N
	44413	Hardware Stores	2.5	10.9	95.6	N	N
	44511	Supermarkets and Other Grocery Retailers (except Convenience Retailers)	2.7	11.6	453.4	N	N
	45291	Warehouse Clubs and Supercenters	2.9	12.7	414.0	N	N
	48111	Scheduled Air Transportation	5.1	21.9	247.4	N	N
	48412	General Freight Trucking, Long-Distance	2.3	10.2	101.2	N	N
	48421	Used Household and Office Goods Moving	3.6	15.5	28.0	N	N
	492	Couriers and Messengers	4.7	20.5	350.4	N	N
	562 ⁵	Waste Management and Remediation Services	2.4	10.5	109.6	N	N
	62191	Ambulance Services	4.4	19.2	46.6	N	Y
	62321	Residential Intellectual and Developmental Disability Facilities	3.4	14.7	37.0	N	N
	92216	Fire Protection	3.4	14.7	86.8	N	N

¹Only compensable claims were used for this analysis. Compensable claims have expenses beyond medical treatment, including payments for time-loss, permanent partial disability awards, total permanent disability, and survivor benefits. Kept-on salary claims are considered compensable claims.

²FTE (full time equivalent): 1 FTE = 2,000 hours

³RCW 49.17.520(8)(a) requires L&I to annually publish industries and risk classifications for which the statistical trend suggests they will have a rate ratio lower than two in the next three years. Trend analysis of a ten-year period (2013–2022) was used to predict the claim rates in 2025, which were then used to calculate the 2025 predicted rate ratio. See Appendix D for more details on trends. Y = yes; N = no.

⁴When selecting an industry or risk classification for rulemaking, RCW 49.17.520(3)(e) requires L&I to consider if the industry is demonstrating a statistical downward trend greater than statewide. An industry must have a larger annual percent decrease than statewide, and a 95% confidence interval (CI) that does not overlap with the statewide 95% CI to be classified as having a “statistical downward trend greater than statewide.” See Appendix D for more details on trends. Y = yes; N = no.

⁵NAICS 5629 ‘Remediation and Other Waste Management Services’ is currently ineligible for rulemaking.

High-priority list for Washington Risk Classifications; Washington State WMSD Compensable¹ Claims, 2018–2022

Top 5	Risk class code	Risk class description	WMSD claim rate compared to all statewide (Rate Ratio)	WMSD claim rate per 1,000 FTE ²	Average number of compensable WMSD claims per year	10-year trend analysis: 2025 predicted rate ratio 2025 <2 ³	10-year trend analysis: statistical downward trend greater than statewide ⁴
	0302	Masonry Construction	3.8	16.6	23.0	N	N
	0507	Roof Work - Construction and Repair	2.9	12.5	51.4	N	Y
	2002 ⁵	Freight Handling Services	3.0	12.9	64.6	N	N
Ü	2103	Fulfillment Centers	10.1	43.9	349.6	N	N
	3403	Aircraft Manufacturing	2.4	10.2	514.4	N	N
	3906 ⁵	Bakeries, Cracker, Pasta, Confection - Manufacturing/Wholesale, NOC	3.1	13.5	64.2	N	N
Ü	6108	Nursing and Convalescent Homes	2.2	9.5	163.0	N	N
	6402	Supermarkets	2.8	12.1	475.4	N	N
Ü	6407	Wholesale Stores, NOC incl. wholesale/retail combination	2.7	11.8	250.8	N	N
Ü	6802 ⁵	Scheduled Airlines - Ground Crew	10.8	46.9	174.0	N	N
	6904	County and City Fire fighters - Salaried	4.9	21.4	208.0	N	N
	7201	State Patient and Health Care Personnel, NOC	4.3	18.8	66.0	N	Y

¹Only compensable claims were used for this analysis. Compensable claims have expenses beyond medical treatment, including payments for time-loss, permanent partial disability awards, total permanent disability, and survivor benefits. Kept-on salary claims are considered compensable claims.

²FTE (full time equivalent): 1 FTE = 2,000 hours

³RCW 49.17.520(8)(a) requires L&I to annually publish industries and risk classifications for which the statistical trend suggests they will have a rate ratio lower than two in the next three years. Trend analysis of a ten-year period (2013–2022) was used to predict the claim rates in 2025, which were then used to calculate the 2025 predicted rate ratio. See Appendix D for more details on trends. Y = yes; N = no.

⁴When selecting an industry or risk classification for rulemaking, RCW 49.17.520(3)(e) requires L&I to consider if the industry is demonstrating a statistical downward trend greater than statewide. An industry must have a larger annual percent decrease than statewide, and a 95% confidence interval (CI) that does not overlap with the statewide 95% CI to be classified as having a “statistical downward trend greater than statewide”. See Appendix D for more details on trends. Y = yes; N = no.

⁵Risk classifications 2002-31 ‘Refrigeration Cars - Loading and Unloading’, 3906-05 ‘Confectionery and Chewing Gum: Mfg.’, 6802-01 ‘Hot Air Balloon - Ground Crew’ are currently ineligible for rulemaking.

Claim Review

L&I reviewed compensable workers' compensation claims used in this report to ensure that the data only reflects injuries or disorders consistent with the definition in the new law. The new law, codified at RCW 49.17.020(11), states:

“Work-related musculoskeletal injuries and disorders’ means injuries or disorders of the muscles, nerves, tendons, joints, cartilage, and spinal discs associated with exposure to risk factors in the workplace. Musculoskeletal injuries and disorders include sprains, strains, tears, back pain, soreness, pain, carpal tunnel syndrome, musculoskeletal system or connective tissue diseases and disorders when the event or exposure leading to the injury or illness is bodily reaction from bending, climbing, crawling, reaching, twisting, sitting, or standing; being rubbed or abraded by kneeling on a surface; being rubbed, abraded, or jarred by vibration; overexertion; or repetition. The Department may update this definition in accordance with changes to the United States Department of Labor’s definition or updates to the United States Bureau of Labor Statistics’ Occupational Injury and Illness Classification System (BLS OIICS).”

This definition aligns with specific OIICS codes describing the nature of the injury or illness and the event or exposure that led to injury or illness. The OIICS codes that define a WMSD case for the Washington state workers' compensation system are described in detail in the Eligible List section of this report.

The department reviewed the OIICS nature and event codes for all claims identified in this analysis, and the results of that review are in Appendix E. All claims used in this analysis were consistent with the definition presented above.

Next Steps

Initiation and Development of the first rule

In fall 2024, L&I selected Scheduled Airlines – Ground Crew Operations, Risk Class 6802, for the first rulemaking effort.

L&I began the formal rulemaking process by filing the notice of intent to adopt rules/preproposal statement of inquiry (CR-101) with the Office of the Code Reviser for publication in the Washington State Register in October 2024. In the coming months, L&I will begin the rule-development process by gathering input from interested parties across all industries on components of ergonomic rules that could be consistent across all industries and will then transition to developing the specific language for the Scheduled Airlines Ground Crew Operation rules.⁵

According to RCW 49.17.520(7), the effective date of any rule may not be less than 120 days after adoption, and no rule may be effective before July 1, 2026. In addition, by Jan. 27, 2024 (within 90 days of filing the CR-101), L&I will provide a report to the members of the relevant legislative committees regarding the decision to select Scheduled Airlines Ground Crew Operations as the first industry for regulation.

Selection of High Priority Industry or Risk Classification for Next Rulemaking

The next rulemaking for high-priority industries and risk classifications will be for Fulfillment Centers, Risk Classification 2103. The Fulfillment Center risk classification applies to employers who operate warehouses that store, select, pack and ship customer orders and use automated vehicles and robotics. Common tasks include loading and unloading trailers, unpacking cases, picking and packing orders, and sorting items for final delivery. L&I will not start the formal rulemaking process until later in 2025 to allow time to consider input gathered as part of the initial broad-based conversations with interested parties as part of the first rulemaking.

Technical assistance

The Legislature directed L&I to provide additional ergonomists to offer technical assistance that can/will help employers voluntarily reduce WSMD hazards. The department will use these new and existing resources to work collaboratively with industry associations, employers, employees, and labor advocates to provide technical assistance from DOSH consultation services related to WMSD hazards, prioritizing employers in industries included on the high-priority list in this report as required by RCW 49.17.520(8)(c). Consultation services are free and confidential, with no fines or penalties resulting from identified hazards. As part of the consultation, however, employers must agree to correct any serious identified hazards.

To date, technical assistance from L&I has been an underutilized resource among priority industry

⁵ For more information on the rulemaking process for Scheduled Airline – Ground Crew Operations, Risk Class 6802, including a rule development roadmap, see <https://lni.wa.gov/safety-health/safety-rules/rulemaking-stakeholder-information/air-transportation-ergo>.

employers. One exception has been employers of professional firefighters under the County and City Fire fighters – Salaried, Risk Classification 6904 that are participating in the [Firefighter Injury and Illness Reduction \(FIIRE\) Program](#).⁶

Continued data review and annual reports

The new law contemplates ongoing rulemaking — no more than one rule adoption per year — to reduce WMSD hazards. While the industries and risk classifications included are currently divided into “high-priority,” “eligible for rule-making” and “not eligible for rulemaking” over time, these lists are expected to change as claims data change. Technology changes, industry-mix of hours, and adoption of best practices are just a few factors expected to influence an industry or risk class inclusion on one of these lists. The department will continue to review data and publish these annual lists as required by the new law.

⁶ The goal of the FIIRE Program, started in 2022, is to reduce incidence of firefighter occupational injuries and illnesses through proactive risk management and implementation of best practices, according to RCW 51.04.170. 66 Fire Departments under the State Fund participated 2024. For information on the FIIRE Program, see <https://www.lni.wa.gov/safety-health/grants-committees-partnerships/fiire/participant-information>.

Appendix

A1. Compensable¹ WMSD claims by NAICS three-digit subsector code, Washington State, 2018–2022

The “Eligible List” – Industries with a rate greater than two-times the statewide rate.

NAICS code	NAICS description	WMSD claim rate compared to all statewide (Rate Ratio)	WMSD claim rate per 1,000 FTE ²	Predicted ³ rate ratio <2 2025	Number of workers' compensation accounts ⁴	Average number of WMSD claims per year	Average number of FTE ² per year
---	All statewide	1.0	4.3	-	283,890	11,776.4	2,717,228.6
114	Fishing, Hunting and Trapping	2.6	11.4	N	78	7.0	612.7
445	Food and Beverage Retailers	2.2	9.5	N	3,061	481.2	50,603.0
452	General Merchandise Stores	2.5	11.0	N	248	490.8	44,759.8
481	Air Transportation	4.9	21.3	N	129	247.6	11,651.3
482	Rail Transportation	7.4	32.3	N	1	0.2	6.2
484	Truck Transportation	2.3	10.0	N	3,606	213.6	21,356.4
485	Transit and Ground Passenger Transportation	2.2	9.6	N	334	81.4	8,442.2
491	Postal Service	4.6	19.8	N	68	11.8	597.3
492	Couriers and Messengers	4.7	20.5	N	694	338.8	16,538.0
562	Waste Management and Remediation Services	2.3	10.1	N	725	112.0	11,116.3
622	Hospitals	2.0	8.8	Y	91	854.2	97,298.6
623	Nursing and Residential Care Facilities	2.0	8.7	Y	3,396	489.8	56,397.0

¹Only compensable claims were used for this analysis. Compensable claims have expenses beyond medical treatment, including payments for time-loss, permanent partial disability awards, total permanent disability, and survivor benefits. Kept-on salary claims are considered compensable claims.

²FTE (full time equivalent): 1 FTE = 2,000 hours.

³Trend analysis of a ten-year period (2013–2022) used to predict claim rate in 2025, and was compared to the predicted statewide claim rate in 2025 to calculate the rate ratio. Y = yes; N = no.

⁴Number of workers' compensation accounts reporting any hours during 2018–2022.

A2. Compensable¹ WMSD claims by NAICS four-digit industry group code, Washington State, 2018–2022

The “Eligible List” – industries with a rate greater than two-times the statewide rate.

NAICS code	NAICS description	WMSD claim rate compared to all statewide (Rate Ratio)	WMSD claim rate per 1,000 FTE ²	Predicted ³ rate ratio <2 2025	Number of workers' compensation accounts ⁴	Average number of WMSD claims per year	Average number of FTE ² per year
----	All statewide	1.0	4.3	-	283,890	11,776.4	2,717,228.6
1141	Fishing	2.6	11.4	N	78	7.0	612.7
3115	Dairy Product Manufacturing	2.0	8.8	N	42	17.8	2,014.1
3117	Seafood Product Preparation and Packaging	2.5	10.9	N	65	38.8	3,574.7
3118	Bakeries and Tortilla Manufacturing	2.2	9.3	N	700	60.6	6,486.1
3161	Leather and Hide Tanning and Finishing	14.0	60.5	N	5	0.2	3.3
3262	Rubber Product Manufacturing	2.1	8.9	N	22	4.6	516.2
3313	Alumina and Aluminum Production and Processing	2.1	9.2	N	15	14.2	1,550.6
3315	Foundries	2.1	9.3	N	43	18.8	2,032.3
3325	Hardware Manufacturing	2.1	9.1	N	15	0.8	87.5
4244	Grocery and Related Product Merchant Wholesalers	2.5	11.0	N	1,499	281.6	25,697.3
4248	Beer, Wine, and Distilled Alcoholic Beverage Merchant Wholesalers	3.2	13.8	N	316	73.4	5,304.7
4451	Grocery and Convenience Retailers	2.4	10.3	N	1,993	460.2	44,889.2
4483	Jewelry, Luggage, and Leather Goods Stores	3.1	13.3	N	293	235.6	17,724.2
4529	Other General Merchandise Stores	2.8	12.0	N	209	440.2	36,601.2
4811	Scheduled Air Transportation	5.1	21.9	N	53	247.4	11,281.7
4821	Rail Transportation	7.4	32.3	N	1	0.2	6.2
4841	General Freight Trucking	2.4	10.2	N	1,907	138.8	13,575.9
4842	Specialized Freight Trucking	2.2	9.6	Y	1,703	74.8	7,780.6

NAICS code	NAICS description	WMSD claim rate compared to all statewide (Rate Ratio)	WMSD claim rate per 1,000 FTE ²	Predicted ³ rate ratio <2 2025	Number of workers' compensation accounts ⁴	Average number of WMSD claims per year	Average number of FTE ² per year
4851	Urban Transit Systems	2.1	9.2	Y	21	34.0	3,681.4
4852	Interurban and Rural Bus Transportation	4.2	18.2	N	5	11.8	648.2
4855	Charter Bus Industry	2.8	12.0	N	34	22.2	1,850.9
4859	Other Transit and Ground Passenger Transportation	2.0	8.8	N	125	10.4	1,185.9
4879	Scenic and Sightseeing Transportation, Other	3.1	13.5	N	13	0.2	14.9
4911	Postal Service	4.6	19.8	N	68	11.8	597.3
4921	Couriers and Express Delivery Services	5.2	22.4	N	355	237.4	10,583.6
4922	Local Messengers and Local Delivery	3.9	17.0	N	340	101.4	5,954.4
5621	Waste Collection	3.2	14.1	N	238	51.4	3,655.4
5622	Waste Treatment and Disposal	2.8	11.9	N	52	35.0	2,931.2
6219	Other Ambulatory Health Care Services	2.6	11.3	N	174	50.4	4,458.9
6221	General Medical and Surgical Hospitals	2.1	8.9	Y	63	817.4	91,902.1
6231	Nursing Care Facilities (Skilled Nursing Facilities)	2.3	10.2	N	272	249.2	24,545.7
6232	Residential Intellectual and Developmental Disability, Mental Health, and Substance Abuse Facilities	2.4	10.2	N	73	40.0	3,908.4

¹Only compensable claims were used for this analysis. Compensable claims have expenses beyond medical treatment, including payments for time-loss, permanent partial disability awards, total permanent disability, and survivor benefits. Kept-on salary claims are considered compensable claims.

²FTE (full time equivalent): 1 FTE = 2,000 hours.

³Trend analysis of a ten-year period (2013–2022) used to predict claim rate in 2025, and was compared to the predicted statewide claim rate in 2025 to calculate the rate ratio. Y = yes; N = no.

⁴Number of workers' compensation accounts reporting any hours during 2018–2022.

A3. Compensable¹ WMSD claims by NAICS five-digit industry code, Washington State, 2018–2022

The “Eligible List” – industries with a rate greater than two-times the statewide rate.

NAICS code	NAICS description	WMSD claim rate compared to all statewide (Rate Ratio)	WMSD claim rate per 1,000 FTE ²	Predicted ³ rate ratio <2 2025	Number of workers' compensation accounts ⁴	Average number of WMSD claims per year	Average number of FTE ² per year
-----	All statewide	1.0	4.3	-	283,890	11,776.4	2,717,228.6
11211	Beef Cattle Ranching and Farming, including Feedlots	2.5	11.0	N	317	21.0	1,909.2
11232	Broilers and Other Meat Type Chicken Production	3.4	14.6	N	12	0.4	27.4
11242	Goat Farming	2.2	9.7	N	23	0.2	20.7
11293	Fur-Bearing Animal and Rabbit Production	6.3	27.4	N	8	0.4	14.6
11411	Fishing	2.6	11.4	N	78	7.0	612.7
23814	Masonry Contractors	2.9	12.6	N	577	21.8	1,734.8
23815	Glass and Glazing Contractors	2.0	8.7	N	264	18.4	2,107.3
31123	Breakfast Cereal Manufacturing	3.1	13.4	N	10	0.2	15.0
31151	Dairy Product (except Frozen) Manufacturing	2.1	8.9	N	35	17.6	1,975.2
31171	Seafood Product Preparation and Packaging	2.5	10.9	N	65	38.8	3,574.7
31181	Bread and Bakery Product Manufacturing	2.4	10.4	N	674	57.0	5,467.6
31183	Tortilla Manufacturing	3.0	12.8	N	6	0.4	31.3
31191	Snack Food Manufacturing	2.8	12.3	N	16	18.6	1,517.9
31211	Soft Drink and Ice Manufacturing	2.5	11.0	N	56	28.8	2,627.3
31323	Nonwoven Fabric Mills	2.1	9.0	N	2	0.4	44.4
31611	Leather and Hide Tanning and Finishing	14.0	60.5	N	5	0.2	3.3
32592	Explosives Manufacturing	2.8	12.2	N	2	0.2	16.4
32621	Tire Manufacturing	4.6	19.9	N	7	2.8	140.7
32791	Abrasive Product Manufacturing	4.5	19.4	N	1	1.0	51.7

NAICS code	NAICS description	WMSD claim rate compared to all statewide (Rate Ratio)	WMSD claim rate per 1,000 FTE ²	Predicted ³ rate ratio <2 2025	Number of workers' compensation accounts ⁴	Average number of WMSD claims per year	Average number of FTE ² per year
33131	Alumina and Aluminum Production and Processing	2.1	9.2	N	15	14.2	1,550.6
33151	Ferrous Metal Foundries	2.1	9.1	N	25	10.6	1,164.9
33152	Nonferrous Metal Foundries	2.2	9.5	N	18	8.2	867.3
33251	Hardware Manufacturing	2.1	9.1	N	15	0.8	87.5
33634	Motor Vehicle Brake System Manufacturing	3.5	15.2	N	3	0.2	13.2
33636	Motor Vehicle Seating and Interior Trim Manufacturing	2.3	10.1	N	6	0.4	39.7
33791	Mattress Manufacturing	2.8	12.1	Y	13	2.0	165.2
42313	Tire and Tube Merchant Wholesalers	2.7	11.5	N	39	3.4	295.9
42441	General Line Grocery Merchant Wholesalers	5.2	22.7	N	179	145.2	6,394.9
42442	Packaged Frozen Food Merchant Wholesalers	2.4	10.5	N	78	11.4	1,081.1
42443	Dairy Product (except Dried or Canned) Merchant Wholesalers	2.0	8.7	N	64	3.8	436.4
42444	Poultry and Poultry Product Merchant Wholesalers	3.0	13.1	N	14	8.6	654.3
42445	Confectionery Merchant Wholesalers	2.4	10.2	N	104	7.6	743.9
42481	Beer and Ale Merchant Wholesalers	3.3	14.1	N	96	41.4	2,926.2
42482	Wine and Distilled Alcoholic Beverage Merchant Wholesalers	3.1	13.5	N	220	32.0	2,378.4
44132	Tire Dealers	2.2	9.4	N	280	35.6	3,794.9
44413	Hardware Stores	2.5	10.9	N	332	95.6	8,738.2
44511	Supermarkets and Other Grocery Retailers (except Convenience Retailers)	2.7	11.6	N	897	453.4	39,000.0
44831	Jewelry Stores	3.1	13.4	N	269	234.6	17,546.1

NAICS code	NAICS description	WMSD claim rate compared to all statewide (Rate Ratio)	WMSD claim rate per 1,000 FTE ²	Predicted ³ rate ratio <2 2025	Number of workers' compensation accounts ⁴	Average number of WMSD claims per year	Average number of FTE ² per year
45291	Warehouse Clubs and Supercenters	2.9	12.7	N	12	414.0	32,633.4
48111	Scheduled Air Transportation	5.1	21.9	N	53	247.4	11,281.7
48211	Rail Transportation	7.4	32.3	N	1	0.2	6.2
48412	General Freight Trucking, Long-Distance	2.5	10.7	N	1,440	112.8	10,495.4
48421	Used Household and Office Goods Moving	3.6	15.5	N	414	28.0	1,808.2
48511	Urban Transit Systems	2.1	9.2	Y	21	34.0	3,681.4
48521	Interurban and Rural Bus Transportation	4.2	18.2	N	5	11.8	648.2
48551	Charter Bus Industry	2.8	12.0	N	34	22.2	1,850.9
48599	Other Transit and Ground Passenger Transportation	2.0	8.8	N	125	10.4	1,185.9
48799	Scenic and Sightseeing Transportation, Other	3.1	13.5	N	13	0.2	14.9
49111	Postal Service	4.6	19.8	N	68	11.8	597.3
49211	Couriers and Express Delivery Services	5.2	22.4	N	355	237.4	10,583.6
49221	Local Messengers and Local Delivery	3.9	17.0	N	340	101.4	5,954.4
49319	Other Warehousing and Storage	2.7	11.9	N	41	4.6	387.0
51114	Directory and Mailing List Publishers	2.6	11.1	N	12	16.4	1,474.0
52592	Trusts, Estates, and Agency Accounts	2.2	9.6	N	21	0.6	62.7
52593	Real Estate Investment Trusts	5.9	25.5	N	4	0.2	7.8
56174	Carpet and Upholstery Cleaning Services	2.3	10.1	N	290	8.6	850.3
56211	Waste Collection	3.2	14.1	N	238	51.4	3,655.4
56221	Waste Treatment and Disposal	2.8	11.9	N	52	35.0	2,931.2

NAICS code	NAICS description	WMSD claim rate compared to all statewide (Rate Ratio)	WMSD claim rate per 1,000 FTE ²	Predicted ³ rate ratio <2 2025	Number of workers' compensation accounts ⁴	Average number of WMSD claims per year	Average number of FTE ² per year
62191	Ambulance Services	4.4	19.2	N	60	46.6	2,422.4
62211	General Medical and Surgical Hospitals	2.1	8.9	Y	63	817.4	91,902.1
62311	Nursing Care Facilities (Skilled Nursing Facilities)	2.3	10.2	N	272	249.2	24,545.7
62321	Residential Intellectual and Developmental Disability Facilities	3.4	14.7	N	23	37.0	2,515.6
81141	Home and Garden Equipment and Appliance Repair and Maintenance	2.1	8.9	N	168	5.0	560.7
92111	Executive Offices	2.2	9.7	N	44	195.8	20,215.2
92216	Fire Protection	3.4	14.7	N	278	86.8	5,892.9

¹Only compensable claims were used for this analysis. Compensable claims have expenses beyond medical treatment, including payments for time-loss, permanent partial disability awards, total permanent disability, and survivor benefits. Kept-on salary claims are considered compensable claims.

²FTE (full time equivalent): 1 FTE = 2,000 hours.

³Trend analysis of a ten-year period (2013–2022) used to predict claim rate in 2025, and was compared to the predicted statewide claim rate in 2025 to calculate the rate ratio. Y = yes; N = no.

⁴Number of workers' compensation accounts reporting any hours during 2018–2022.

A4. Compensable¹ WMSD claims by Washington State four-digit Risk Class, Washington State, 2018–2022

The “Eligible List” – risk classifications with a rate greater than two-times the statewide rate.

Risk class	Risk classification description	WMSD claim rate compared to all statewide (Rate Ratio)	WMSD claim rate per 1,000 FTE ²	Predicted ³ rate ratio <2 2025	Number of workers' compensation accounts ⁴	Average number of WMSD claims per year	Average number of FTE ² per year
----	All statewide	1.0	4.3	-	283,890	11,776.4	2,717,228.6
0105	Fence Erection and Repair, NOC	2.5	10.9	Y	1,220.0	11.6	1,063.4
0106	Tree Care and Pruning Services, NOC	2.2	9.5	Y	961.0	11.6	1,215.4
0202	Pile Construction, Wharf, Pier & Dock Construction, Diving Operations	2.4	10.6	N	218.0	5.2	491.5
0212	Asphalt Paving or Surfacing, NOC	2.1	9.2	N	325.0	6.4	696.1
0214	Concrete Work - Highways, Streets, Roads and Sidewalks	2.2	9.6	Y	535.0	11.2	1,167.4
0301	Landscape Construction and Renovation	2.4	10.5	N	3,580.0	56.8	5,390.7
0302	Masonry Construction	3.8	16.6	N	1,011.0	23.0	1,385.1
0303	Plastering, Stuccoing and Lathing: Buildings	2.7	11.6	N	205.0	3.8	327.0
0502	Floor and Counter Covering Installation	2.2	9.4	Y	3,532.0	19.0	2,014.6
0507	Roof Work - Construction and Repair	2.9	12.5	N	3,473.0	51.4	4,096.1
0510	Wood Frame Building Construction and Alterations	2.2	9.6	Y	7,644.0	81.2	8,440.4
0511	Glass Installation: Buildings	3.9	16.8	N	847.0	30.6	1,816.2
0514	Garage Door Installation, Service and Repair	3.2	13.8	N	584.0	10.6	770.0
0516	Building Repair, Remodeling and Carpentry, NOC	2.2	9.4	Y	11,659.0	101.6	10,792.7
0517	Factory Built Home Set-up by Contractor/Manufacturer	3.0	12.9	N	110.0	1.0	77.4
0540	Wallboard Installation - Discounted Rate	4.1	18	N	190.0	15.2	845.7

Risk class	Risk classification description	WMSD claim rate compared to all statewide (Rate Ratio)	WMSD claim rate per 1,000 FTE ²	Predicted ³ rate ratio <2 2025	Number of workers' compensation accounts ⁴	Average number of WMSD claims per year	Average number of FTE ² per year
0550	Wallboard Installation - Undiscounted Rate	4.1	17.7	N	843.0	9.4	531.8
0604	Scrap Metal Dealers and Processors	2.0	8.8	N	80.0	6.6	751.1
0606	Vending Machine Installation, Service and Repair	2.1	9.2	Y	206.0	9.0	974.0
0607	Appliance Install, Svc, Repair & Store Display Svs Contractor	2.6	11.2	N	1,265.0	42.4	3,789.6
0803	Cities and Towns - All Other Employees, NOC	3.0	12.8	N	296.0	167.2	13,029.6
1002	Sawmills and Automated Shake and Shingle Mills	2.1	8.9	Y	96.0	39.8	4,477.3
1101	Delivery Services	5.4	23.5	N	2,710.0	554.4	23,557.5
1102	Trucking, NOC	2.3	9.9	N	3,067.0	103.8	10,451.7
1108	Glass Merchants	2.2	9.4	N	302.0	17.8	1,894.2
1303	Telephone Companies - All Other Employees, NOC	2.9	12.6	N	188.0	20.8	1,652.3
1404	Cabulance and Paratransit	2.1	9	Y	140.0	6.8	759.2
1405	Ambulance Services	2.1	9.1	Y	43.0	46.0	5,064.7
1407	Bus Companies	3.0	12.9	N	143.0	41.6	3,231.0
1501	County and Tribal Councils - All Other Employees, NOC	3.6	15.7	N	556.0	288.4	18,336.8
2002	Freight Handling Services	3.0	12.9	N	434.0	64.6	5,009.2
2103	Fulfillment Centers	10.1	43.9	N	5.0	349.6	7,960.5
2105	Beer, Wine, and Soft Drink Distributors	4.4	19	N	135.0	96.0	5,057.9
2202	Carpet Cleaning	3.0	13	N	291.0	6.6	507.5
2905	Furniture and Casket Manufacturing - Wood	2.1	9	N	145.0	3.6	398.5
3102	Stone Wool Insulation Manufacturing	3.2	13.7	N	3.0	0.4	29.1

Risk class	Risk classification description	WMSD claim rate compared to all statewide (Rate Ratio)	WMSD claim rate per 1,000 FTE ²	Predicted ³ rate ratio <2 2025	Number of workers' compensation accounts ⁴	Average number of WMSD claims per year	Average number of FTE ² per year
3403	Aircraft Manufacturing	2.4	10.2	N	36.0	514.4	50,284.0
3415	Factory Built Housing Dealers	2.9	12.6	N	45.0	2.0	159.1
3501	Brick and Clay Product Manufacturing, NOC	6.4	27.7	N	6.0	1.8	64.9
3902	Fruit/Vegetable Canneries/Food Product Manufacturing, NOC	2.0	8.7	N	562.0	141.4	16,281.9
3906	Bakeries, Cracker, Pasta, Confection - Manufacturing/Wholesale, NOC	3.1	13.5	N	299.0	64.2	4,762.3
4201	Port Districts	2.1	9.1	N	63.0	14.4	1,584.1
4301	Meat Products Manufacturing/ Slaughter and Packing Houses	3.8	16.6	N	64.0	63.2	3,817.1
4305	Solid Waste Collection Services/Landfill Operations	3.6	15.4	N	476.0	68.0	4,406.1
4402	Ice Manufacturing and Dealers	2.5	10.7	N	21.0	1.0	93.8
5001	Logging Operations, NOC	2.4	10.4	N	471.0	3.8	364.7
5003	Log Hauling	2.9	12.6	N	386.0	8.0	633.9
5103	Foundries, NOC	2.2	9.7	N	36.0	9.8	1,008.9
6104	Schools, Churches and Day Care - All Other Staff	2.8	12.2	N	4,463.0	279.4	22,989.6
6108	Nursing and Convalescent Homes	2.2	9.5	N	346.0	163.0	17,225.2
6110	Home Health Services and Nursing Care, NOC	2.4	10.5	N	282.0	54.4	5,187.3
6121	Acute Care Hospitals without Safe Patient Handling	2.3	9.9	Y	29.0	850.8	85,967.6
6201	Mortuaries	2.4	10.3	N	155.0	6.0	583.7
6202	Cemeteries	3.1	13.6	N	99.0	3.2	235.9
6306	Furniture and Appliance Stores	2.0	8.7	N	1,037.0	66.0	7,593.2

Risk class	Risk classification description	WMSD claim rate compared to all statewide (Rate Ratio)	WMSD claim rate per 1,000 FTE ²	Predicted ³ rate ratio <2 2025	Number of workers' compensation accounts ⁴	Average number of WMSD claims per year	Average number of FTE ² per year
6402	Supermarkets	2.8	12.1	N	494.0	475.4	39,141.2
6405	Tire Sales and Service Centers	2.3	10	N	427.0	40.4	4,056.9
6407	Wholesale Stores, NOC incl. wholesale/retail combination	2.7	11.8	N	1,808.0	250.8	21,312.6
6801	Scheduled Airlines - Flight Crew	3.2	13.8	N	29.0	65.6	4,747.5
6802	Scheduled Airlines - Ground Crew	10.8	46.9	N	41.0	174.0	3,713.6
6809	Baseball, Basketball and Soccer Teams	4.4	19.1	N	16.0	1.2	63.0
6904	County and City Fire fighters - Salaried	4.9	21.4	N	262.0	208.0	9,706.7
6907	Moving and Storage Companies	4.5	19.3	N	476.0	33.8	1,748.0
7108	Temp. Help - Warehousing Services	2.2	9.6	N	139.0	30.2	3,140.6
7112	Temp. Help - Agricultural Services	3.4	14.9	N	50.0	5.0	336.0
7113	Temp. Help - Maintenance Services	2.8	12	N	145.0	12.2	1,020.2
7114	Temp. Help - Assembly Work and Freight Handling	3.9	17	N	203.0	59.0	3,473.3
7115	Temp. Help - Food Processing Services	3.1	13.4	N	82.0	23.6	1,761.9
7117	Temp. Help - Machine Operators and Skilled Craftsmen	3.7	16.1	N	286.0	26.4	1,636.4
7118	Temp. Help - Flagging for Construction Services NOC	4.3	18.5	N	226.0	22.8	1,232.6
7119	Temp. Help - Vehicle Operations	5.2	22.5	N	111.0	9.4	417.7
7122	Temp. Help - Laborers for Manufacturing	4.3	18.7	N	148.0	31.6	1,687.5
7201	State Patient and Health Care Personnel, NOC	4.3	18.8	N	44.0	66.0	3,514.5

Risk class	Risk classification description	WMSD claim rate compared to all statewide (Rate Ratio)	WMSD claim rate per 1,000 FTE ²	Predicted ³ rate ratio <2 2025	Number of workers' compensation accounts ⁴	Average number of WMSD claims per year	Average number of FTE ² per year
7204	Preferred Workers	5.2	22.3	N	688.0	4.4	197.0

¹Only compensable claims were used for this analysis. Compensable claims have expenses beyond medical treatment, including payments for time-loss, permanent partial disability awards, total permanent disability, and survivor benefits. Kept-on salary claims are considered compensable claims.

²FTE (full time equivalent): 1 FTE = 2,000 hours.

³Trend analysis of a ten-year period (2013–2022) used to predict claim rate in 2025, and was compared to the predicted statewide claim rate in 2025 to calculate the rate ratio. Y = yes; N = no.

⁴Number of workers' compensation accounts reporting any hours during 2018–2022.

B1. Industries (at the NAICS three-digit subsector level) that became eligible as compared to the previous report

Eligibility status based on industry’s compensable WMSD claim rate as compared to the overall statewide rate, or the “rate ratio.” Where the claims rate in the “current report” is greater than 2.0, the industry is now eligible.

NAICS code	NAICS description	WMSD claim ¹ rate compared to all statewide (Rate Ratio): Previous report ²	WMSD claim rate compared to all statewide (Rate Ratio): Current report ²	Average number of WMSD claims per year, 2018–2022
623	Nursing and Residential Care Facilities	1.848	2.004	489.8

¹Only compensable claims were used for this analysis. Compensable claims have expenses beyond medical treatment, including payments for time-loss, permanent partial disability awards, total permanent disability, and survivor benefits. Kept-on salary claims are considered compensable claims.

²Previous report published November 2023, using 2017–2021 claims; current report uses claims 2018–2022.

B2. Industries (at the NAICS four-digit industry group level) that changed eligibility status as compared to the previous report

Eligibility status based on industry’s compensable WMSD claim rate as compared to the overall statewide rate, or the “rate ratio.” Where the claims rate in the “current report” is greater than 2.0, the industry is now eligible. Where the claims rate is equal to or lower than 2.0, the industry is now ineligible.

NAICS code	NAICS description	WMSD claim ¹ rate compared to all statewide (Rate Ratio): Previous report ²	WMSD claim rate compared to all statewide (Rate Ratio): Current report ²	Average number of WMSD claims per year, 2018–2022
3131	Fiber, Yarn, and Thread Mills	2.153	1.170	1.2
3252	Resin, Synthetic Rubber, and Artificial Synthetic Fibers and Filaments Manufacturing	2.520	1.800	0.4
3262	Rubber Product Manufacturing	1.844	2.056	4.6
3312	Steel Product Manufacturing from Purchased Steel	2.150	1.553	1
3325	Hardware Manufacturing	1.997	2.110	0.8
3379	Other Furniture Related Product Manufacturing	2.097	1.773	2.2
6231	Nursing Care Facilities	1.956	2.343	249.2

¹Only compensable claims were used for this analysis. Compensable claims have expenses beyond medical treatment, including payments for time-loss, permanent partial disability awards, total permanent disability, and survivor benefits. Kept-on salary claims are considered compensable claims.

²Previous report published November 2023, using 2017–2021 claims; current report uses claims 2018–2022.

B3. Industries (at the NAICS five-digit industry level) that changed eligibility status as compared to the previous report

Eligibility status based on industry’s compensable WMSD claim rate as compared to the overall statewide rate, or the “rate ratio.” Where the claims rate in the “current report” is greater than 2.0, the industry is now eligible. Where the claims rate is equal to or lower than 2.0, the industry is now ineligible.

NAICS code	NAICS description	WMSD claim ¹ rate compared to all statewide (Rate Ratio): Previous report ²	WMSD claim rate compared to all statewide (Rate Ratio): Current report ²	Average number of WMSD claims per year, 2018–2022
11242	Goat Farming	0.000	2.232	0.2
23815	Glass and Glazing Contractors	1.821	2.015	18.4
23816	Roofing Contractors	2.006	1.860	48.6
23834	Tile and Terrazzo Contractors	2.463	1.917	7.8
31311	Fiber, Yarn, and Thread Mills	2.153	1.170	1.2
31323	Nonwoven Fabric Mills	0.972	2.076	0.4
32521	Resin and Synthetic Rubber Manufacturing	2.520	1.812	0.4
33121	Iron and Steel Pipe and Tube Manufacturing from Purchased Steel	2.513	1.804	1.0
33152	Nonferrous Metal Foundries	1.981	2.181	8.2
33251	Hardware Manufacturing	1.997	2.110	0.8
33511	Electric Lamp Bulb and Part Manufacturing	7.920	0.000	0.0
33635	Motor Vehicle Transmission and Power Train Parts Manufacturing	2.743	0.000	0.0
33636	Motor Vehicle Seating and Interior Trim Manufacturing	1.704	2.326	0.4
42445	Confectionery Merchant Wholesalers	1.945	2.357	7.6
44132	Tire Dealers	1.892	2.165	35.6
48411	General Freight Trucking, Local	2.024	1.947	26.0
48423	Specialized Freight (except Used Goods) Trucking, Long-Distance	2.014	1.806	22.0

NAICS code	NAICS description	WMSD claim ¹ rate compared to all statewide (Rate Ratio): Previous report ²	WMSD claim rate compared to all statewide (Rate Ratio): Current report ²	Average number of WMSD claims per year, 2018–2022
48811	Airport Operations	2.056	1.863	17.2
56179	Other Services to Buildings and Dwellings	2.006	1.899	14.0
62311	Nursing Care Facilities	1.956	2.023	114.0
81141	Home and Garden Equipment and Appliance Repair and Maintenance	1.655	2.058	5.0

¹Only compensable claims were used for this analysis. Compensable claims have expenses beyond medical treatment, including payments for time-loss, permanent partial disability awards, total permanent disability, and survivor benefits. Kept-on salary claims are considered compensable claims.

²Previous report published November 2023, using 2017–2021 claims; current report uses claims 2018–2022.

B4. Risk classifications that changed eligibility as compared to the previous report

Eligibility status based on the risk classification’s compensable WMSD claim rate as compared to the overall statewide rate, or the “rate ratio.” Where the claims rate in the “current report” is greater than 2.0, the industry is now eligible. Where the claims rate is equal to or lower than 2.0, the industry is now ineligible.

Risk class	Risk classification description	WMSD claim¹ rate compared to all statewide (Rate Ratio): Previous report²	WMSD claim rate compared to all statewide (Rate Ratio): Current report²	Average number of WMSD claims per year, 2018–2022
0201	Bridge, Bulkhead and Tunnel Construction	2.206	1.974	5.6
0212	Asphalt Paving or Surfacing, NOC	1.912	2.121	6.4
1103	Solid Fuel, Firewood, Composting, Topsoil and Pallet Dealers	2.331	1.855	6.0
3102	Stone Wool Insulation Manufacturing	1.939	3.171	0.4
3104	Soapstone & Plasterboard Manufacturing; Wood preserving	2.195	1.405	12.4
3509	Statuary and Ornament Manufacturing	3.045	1.345	0.4
3902	Fruit/Vegetable Canneries/Food Product Manufacturing, NOC	1.795	2.004	141.4
4201	Port Districts	1.983	2.097	14.4
4302	Custom Meat Cutting	2.328	1.954	1.8
5101	Pipe Manufacturing - Iron or Steel	2.303	1.845	1.2
5106	Blacksmithing and Forging Works	2.636	1.781	0.4
6105	Hospitals, NOC	2.256	1.281	10.8
6121	Acute Care Hospitals without Safe Patient Handling	1.490	2.284	850.8
6207	Carnivals and Circuses - Traveling	2.204	1.619	0.6
6625	Horse racing grooms & asst trainers-major track	83.106	0.000	0.0
7107	Temp. Help - Food Services	2.062	1.491	2.6

¹Only compensable claims were used for this analysis. Compensable claims have expenses beyond medical treatment, including payments for time-loss, permanent partial disability awards, total permanent disability, and survivor benefits. Kept-on salary claims are considered compensable claims.

²Previous report published November 2023, using 2017–2021 claims; current report uses claims 2018–2022.

C. Details regarding changes to hospital risk classifications 6105 and 6121

In 2006, as a result of Washington's Hospital Safe Patient Handling Law (2006's ESHB 1672/RCW 70.41.390), State Fund private sector acute care hospitals⁷ were classified into one of two risk classifications:

- Risk Classification 6120-00 Acute care hospitals, with a fully implemented safe patient-handling program, or
- Risk Classification 6121-00 Acute care hospitals, without a fully implemented safe patient-handling program.

Assignment into either classification requires L&I to 'conduct an on-site survey of each acute care and mental health hospital before assigning the classification' [WAC 296-17-35203(7)(d)] and for hospitals 'to submit a copy of the annual performance evaluation of their safe patient handling program' [WAC 296-17-35203(7)(e)]. Neither of these criteria were applicable to self-insured hospitals, since the criteria were created solely for the State Fund to administer a reduced workers compensation premium for State Fund hospitals that implemented a safe patient-handling program (RCW 51.16.230).

When the two new risk classifications were created in 2006, self-insured acute care hospitals were not reclassified into either risk classification 6120 or 6121 as they were not eligible for the discount. Self-insured acute care hospitals had been classified in risk classification 6105 and this classification was continued until 2023. On review, self-insured hospitals do not meet the inclusion criteria for sub-classification 6105-05 Hospitals: N.O.C.:

Applies to establishments engaged in operating hospitals which are not covered by another classification (N.O.C.) and that do not have routine patient lifting and moving hazard. Types of hospitals covered by this classification include, but are not limited to, alcohol and chemical dependency, physical rehabilitation, and private psychiatric. This classification contemplates all necessary and usual employments found in hospitals including, but not limited to, admissions, clerical and sales staff, medical professionals, pharmacy staff, dietitians and food preparation staff, and laundry, housekeeping, custodial and grounds keeping staff.

This classification excludes acute care hospitals as defined in WAC 296-17-35203(7).

In updating the self-insured hospital's risk classification, self-insured acute care hospitals were assigned to Risk Classification 6121 – Acute care hospitals, without a fully implemented safe patient-handling program. Neither an onsite survey of self-insured hospitals nor an annual performance evaluation of the hospital's safe patient-handling program are available to classify the self-insured hospitals into Risk Classification 6120. With the inclusion of self-insured acute care hospital claims and hours into Risk Classification 6121, the rate increased from 1.5-times the state compensable

⁷ The public sector risk classifications are: Risk Classification 7200-00 - State government - Mental health or acute care hospitals with a fully implemented safe patient-handling program, patient or health care personnel; and Risk Classification 7400-00 - State government - Mental health or acute care hospitals with a fully implemented safe patient-handling program, patient or health care personnel; and State government - Mental health or acute care hospitals without a fully implemented safe patient-handling program - Patient or health care personnel.

WMSD claim rate in the 2023 report to 2.4-times the state compensable WMSD claim rate in this current report, and as such would be eligible for WMSD rulemaking. With these revisions, risk classification, 6105 'Hospitals, N.O.C.' became ineligible (rate < 2-times the overall statewide rate) for rulemaking.

D1. Details on trend analyses for high-priority industries.

NAICS code	NAICS description	Trend using a ten-year history (2013-2022)				Trend using a five-year history (2018-2022)			
		Estimated annual percent change (95% CI)	P value	Predicted rate ratio in 2025 based on trend ¹	Statistical downward trend greater than statewide ²	Estimated annual percent change (95% CI)	P value	Predicted rate ratio in 2025 based on trend ¹	Statistical downward trend greater than statewide ²
-----	All Statewide	-4.9 (-5.8, -4.0)	<0.001	1.0	--	-6.9 (-9.4, -4.5)	<0.001	1.0	--
23814	Masonry Contractors	-2.8 (-7.3, 2.0)	0.244	3.3	N	-7.8 (-19.3, 5.5)	0.237	2.8	N
31171	Seafood Product Preparation and Packaging	2.5 (-1.7, 6.9)	0.242	3.6	N	-9.4 (-18.4, 0.5)	0.062	2.2	N
31181	Bread and Bakery Product Manufacturing	-1.0 (-4.0, 2.0)	0.505	2.9	N	-5.6 (-13.9, 3.5)	0.218	2.6	N
31211	Soft Drink and Ice Manufacturing	-9.0 (-13.5, -4.3)	<0.001	2.2	N	12.1 (-0.9, 26.8)	0.070	6.2	N
42441	General Line Grocery Merchant Wholesalers	13.9 (6.8, 21.4)	<0.001	11.9	N	-5.4 (-18.3, 9.6)	0.461	5.7	N
42481	Beer and Ale Merchant Wholesalers	1.1 (-3.2, 5.6)	0.627	4.2	N	-4.9 (-13.7, 4.8)	0.311	3.6	N
44413	Hardware Stores	-5.9 (-9.1, -2.5)	<0.001	2.3	N	-14.9 (-20.2, -9.2)	<0.001	1.6	N
44511	Supermarkets and Other Grocery (except Convenience) Stores	-0.7 (-3.1, 1.9)	0.606	3.3	N	-4.8 (-10.4, 1.2)	0.115	3.0	N
45291	Warehouse Clubs and Supercenters	-1.8 (-5.8, 2.3)	0.386	3.4	N	-6.6 (-19.6, 8.6)	0.377	3.0	N
48111	Scheduled Air Transportation	1.5 (-2.5, 5.6)	0.483	6.9	N	-5.6 (-17.1, 7.4)	0.382	5.4	N
48412	General Freight Trucking, Long-Distance	-6.0 (-7.7, -4.3)	<0.001	2.4	N	-8.8 (-14.1, -3.3)	0.002	2.2	N
48421	Used Household and Office Goods Moving	-7.8 (-12.2, -3.1)	0.001	3.0	N	-10.0 (-19.9, 1.1)	0.077	3.0	N
492	Couriers and Messengers	5.1 (1.6, 8.7)	0.004	7.6	N	0.2 (-9.1, 10.4)	0.970	6.8	N
562 ³	Waste Management and Remediation Services	-5.4 (-8.1, -2.6)	<0.001	2.3	N	-4.5 (-13.8, 5.8)	0.376	2.7	N
62191	Ambulance Services	-8.8 (-11.4, -6.0)	<0.001	3.8	Y	-3.6 (-12.1, 5.7)	0.435	5.3	N
62321	Residential Mental Retardation Facilities	-6.1 (-9.2, -2.9)	<0.001	3.1	N	-5.8 (-15.1, 4.5)	0.256	3.6	N
92216	Fire Protection	-6.1 (-8.2, -4.0)	<0.001	3.2	N	-3.1 (-9.4, 3.5)	0.350	4.2	N

NAICS = North American Industry Classification System; CI= Confidence Interval.

¹RCW 49.17.520(8)(a) requires L&I to annually publish industries and risk classifications for whom the statistical trend suggests they will have a rate ratio lower than two in the next three years. Trend analyses were used to predict the claim rates in 2025, which were then used to calculate the 2025 predicted rate ratio.

²When selecting an industry or risk classification for rulemaking, RCW 49.17.520(3)(e) requires L&I to consider if the industry is demonstrating a statistical downward trend greater than statewide. An industry must have a larger annual percent decrease than statewide, and a 95% CI that does not overlap with the statewide 95% CI to be classified as having a “statistical downward trend greater than statewide.” Y = yes; N = no.

³NAICS 5629 is currently ineligible for rulemaking.

D2. Details on trend analyses for high-priority risk classifications.

Risk class	Risk class description	Trend using a ten-year history (2013-2022)				Trend using a five-year history (2018-2022)			
		Estimated annual percent change (95% CI)	P value	Predicted rate ratio in 2025 based on trend ¹	Significantly greater decrease than statewide ²	Estimated annual percent change (95% CI)	P value	Predicted rate ratio in 2025 based on trend ¹	Significantly greater decrease than statewide ²
-----	All Statewide	-4.9 (-5.8, -4.0)	<0.001	1.0	--	-6.9 (-9.4, -4.5)	<0.001	1.0	--
0302	Masonry Construction	-7.7 (-11.7, -3.5)	<0.001	3.4	N	-11.6 (-22.5, 0.9)	0.067	2.9	N
0507	Roof Work - Construction and Repair	-10.2 (-13.1, -7.2)	<0.001	2.1	Y	-16.1 (-23.0, -8.5)	<0.001	1.7	N
2002 ³	Freight Handling Services	-3.5 (-10.9, 4.6)	0.388	3.1	N	-25.0 (-35.5, -12.7)	<0.001	1.0	Y
2103	Fulfillment Centers	20.7 (4.6, 39.3)	0.010	39.7	N	-8.0 (-13.0, -2.7)	0.004	10.0	N
3403	Aircraft Manufacturing	-3.0 (-5.2, -0.8)	0.007	2.5	N	-10.9 (-13.3, -8.4)	<0.001	1.9	N
3906 ³	Bakeries, Cracker, Pasta, Confection - Manufacturing/Wholesale, NOC	-0.3 (-3.5, 2.9)	0.834	3.8	N	-3.6 (-10.9, 4.4)	0.368	3.7	N
6108 ³	Nursing and Convalescent Homes	-5.1 (-6.8, -3.3)	<0.001	2.2	N	-2.4 (-7.3, 2.8)	0.365	2.8	N
6402	Supermarkets	-5.0 (-6.9, -3.1)	<0.001	2.8	N	-7.2 (-11.3, -3.0)	<0.001	2.8	N
6407	Wholesale Stores, NOC incl wholesale/retail combination	-2.5 (-5.9, 1.0)	0.157	3.1	N	-9.0 (-19.2, 2.5)	0.120	2.5	N
6802 ²	Scheduled Airlines - Ground Crew	8.1 (2.1, 14.6)	0.008	20.7	N	-8.7 (-19.0, 3.0)	0.140	9.9	N
6904	County and City Fire fighters - Salaried	-5.6 (-7.0, -4.2)	<0.001	4.8	N	-6.2 (-10.1, -2.0)	0.004	5.2	N
7201	State Patient and Health Care Personnel, NOC	-8.6 (-11.2, -5.9)	<0.001	3.6	Y	-3.4 (-10.6, 4.4)	0.383	5.2	N

NAICS = North American Industry Classification System; CI= Confidence Interval.

¹RCW 49.17.520(8)(a) requires L&I to annually publish industries and risk classifications for whom the statistical trend suggests they will have a rate ratio lower than two in the next three years. Trend analyses were used to predict the claim rates in 2025, which were then used to calculate the 2025 predicted rate ratio.

²When selecting an industry or risk classification for rulemaking, RCW 49.17.520(3)(e) requires L&I to consider if the industry is demonstrating a statistical downward trend greater than statewide. An industry must have a larger annual percent decrease than statewide, and a 95% CI that does not overlap with the statewide 95% CI to be classified as having a "statistical downward trend greater than statewide." Y = yes; N = no.

³Risk classifications 2002-31, 3906-05, 6802-01 are currently ineligible for rulemaking.

E. Compensable WMSD claims, Washington workers' compensation system, 2018–2022

Results of claim review

Nature of injury or illness	Event or exposure	Percent of claims (n=58,882)
Musculoskeletal injuries: injuries of muscles, joints, tendons, and ligaments such as sprains, strains, or tears.	Overexertion in lifting, pulling, pushing, turning, wielding, holding, carrying, throwing, or other excessive physical effort directed at the source of injury/illness.	65%
Musculoskeletal injuries: injuries of muscles, joints, tendons, and ligaments such as sprains, strains, or tears.	Repetitive motion.	12%
Musculoskeletal injuries: injuries of muscles, joints, tendons, and ligaments such as sprains, strains, or tears.	Bodily reaction from bending, climbing, crawling, twisting, prolonged sitting or standing, or other single incidents of free bodily motion which imposed stress or strain on body.	5%
Musculoskeletal disorders: Carpal Tunnel Syndrome.	Repetitive motion.	4%
Musculoskeletal disorders: rheumatism in areas other than the back.	Repetitive motion.	2%
Musculoskeletal injuries: soreness, pain, or hurt in areas other than the back.	Overexertion in lifting, pulling, pushing, turning, wielding, holding, carrying, throwing or other excessive physical effort directed at the source of injury/illness.	2%
Musculoskeletal injuries: soreness, pain, or hurt in areas other than the back.	Repetitive motion.	2%
General symptoms or other conditions not classifiable.	Overexertion in lifting, pulling, pushing, turning, wielding, holding, carrying, throwing or other excessive physical effort directed at the source of injury/illness.	1%
Musculoskeletal injuries: back pain, hurt back.	Overexertion in lifting, pulling, pushing, turning, wielding, holding, carrying, throwing or other excessive physical effort directed at the source of injury/illness.	1%
Musculoskeletal disorders: rheumatism in areas other than the back.	Overexertion in lifting, pulling, pushing, turning, wielding, holding, carrying, throwing or other excessive physical effort directed at the source of injury/illness.	1%
Musculoskeletal disorders: dorsopathies.	Overexertion in lifting, pulling, pushing, turning, wielding, holding, carrying, throwing or other excessive physical effort directed at the source of injury/illness.	<1%
Musculoskeletal injuries: dislocations.	Overexertion in lifting, pulling, pushing, turning, wielding, holding, carrying, throwing or other excessive physical effort directed at the source of injury/illness.	<1%
Musculoskeletal injuries: injuries of muscles, joints, tendons,	Rubbed, abraded, or jarred by vibration.	<1%

Nature of injury or illness	Event or exposure	Percent of claims (n=58,882)
and ligaments such as sprains, strains or tears.		
General symptoms or other conditions not classifiable	Repetitive motion.	<1%
Musculoskeletal injuries: injuries of muscles, joints, tendons, and ligaments such as sprains, strains or tears.	Rubbed or abraded by kneeling on a surface.	<1%
Musculoskeletal injuries: soreness, pain, or hurt in areas other than the back.	Bodily reaction from bending, climbing, crawling, twisting, prolonged sitting or standing, or other single incidents of free bodily motion which imposed stress or strain on body.	<1%
General symptoms or other conditions not classifiable	Bodily reaction from bending, climbing, crawling, twisting, prolonged sitting or standing, or other single incidents of free bodily motion which imposed stress or strain on body.	<1%
Musculoskeletal injuries: back pain, hurt back.	Repetitive motion.	<1%
Musculoskeletal disorders: arthropathies.	Repetitive motion.	<1%
Musculoskeletal injuries: back pain, hurt back.	Bodily reaction from bending, climbing, crawling, twisting, prolonged sitting or standing, or other single incidents of free bodily motion which imposed stress or strain on body.	<1%
Musculoskeletal injuries: dislocations.	Bodily reaction from bending, climbing, crawling, twisting, prolonged sitting or standing, or other single incidents of free bodily motion which imposed stress or strain on body.	<1%
Musculoskeletal disorders: dorsopathies.	Repetitive motion.	<1%
Musculoskeletal disorders: dorsopathies.	Bodily reaction from bending, climbing, crawling, twisting, prolonged sitting or standing, or other single incidents of free bodily motion which imposed stress or strain on body.	<1%
Musculoskeletal injuries: injuries to bones, nerves, and spinal cord.	Overexertion in lifting, pulling, pushing, turning, wielding, holding, carrying, throwing or other excessive physical effort directed at the source of injury/illness.	<1%
Musculoskeletal injuries: dislocations.	Repetitive motion.	<1%
Musculoskeletal disorders: bursitis.	Repetitive motion.	<1%
Musculoskeletal disorders: rheumatism in areas other than the back.	Bodily reaction from bending, climbing, crawling, twisting, prolonged sitting or standing, or other single incidents of free bodily motion which imposed stress or strain on body.	<1%
Musculoskeletal disorders: bursitis.	Overexertion in lifting, pulling, pushing, turning, wielding, holding, carrying, throwing or other excessive physical effort directed at the source of injury/illness.	<1%
Musculoskeletal disorders: bursitis.	Bodily reaction from bending, climbing, crawling, twisting, prolonged sitting or standing, or other single incidents of free bodily motion which imposed stress or strain on body.	<1%

Nature of injury or illness	Event or exposure	Percent of claims (n=58,882)
Musculoskeletal injuries: soreness, pain, or hurt in areas other than the back.	Rubbed or abraded by kneeling on a surface.	<1%
Musculoskeletal disorders: disorders of the peripheral nervous system not including Carpal Tunnel Syndrome.	Repetitive motion.	<1%
Musculoskeletal disorders: arthropathies.	Overexertion in lifting, pulling, pushing, turning, wielding, holding, carrying, throwing or other excessive physical effort directed at the source of injury/illness.	<1%
Musculoskeletal injuries: back pain, hurt back.	Rubbed, abraded, or jarred by vibration.	<1%
Musculoskeletal disorders: bursitis.	Rubbed or abraded by kneeling on a surface.	<1%
Musculoskeletal injuries: soreness, pain, or hurt in areas other than the back.	Rubbed, abraded, or jarred by vibration.	<1%
Musculoskeletal disorders: rheumatism in areas other than the back.	Rubbed or abraded by kneeling on a surface.	<1%
Musculoskeletal disorders: osteopathies, chondropathies, and acquired deformities.	Repetitive motion.	<1%
Musculoskeletal disorders: osteopathies, chondropathies, and acquired deformities.	Overexertion in lifting, pulling, pushing, turning, wielding, holding, carrying, throwing or other excessive physical effort directed at the source of injury/illness.	<1%
Musculoskeletal disorders: dorsopathies.	Rubbed, abraded, or jarred by vibration.	<1%
Musculoskeletal disorders: arthropathies.	Bodily reaction from bending, climbing, crawling, twisting, prolonged sitting or standing, or other single incidents of free bodily motion which imposed stress or strain on body.	<1%
Musculoskeletal injuries: dislocations.	Rubbed, abraded, or jarred by vibration.	<1%
Musculoskeletal disorders: disorders of the peripheral nervous system not including Carpal Tunnel Syndrome.	Overexertion in lifting, pulling, pushing, turning, wielding, holding, carrying, throwing or other excessive physical effort directed at the source of injury/illness.	<1%
Musculoskeletal disorders: Carpal Tunnel Syndrome.	Overexertion in lifting, pulling, pushing, turning, wielding, holding, carrying, throwing or other excessive physical effort directed at the source of injury/illness.	<1%
General symptoms or other conditions not classifiable	Rubbed, abraded, or jarred by vibration.	<1%
Musculoskeletal injuries: injuries to bones, nerves, and spinal cord.	Repetitive motion.	<1%
General symptoms or other conditions not classifiable	Rubbed or abraded by kneeling on a surface.	<1%
Musculoskeletal disorders: rheumatism in areas other than the back.	Rubbed, abraded, or jarred by vibration.	<1%

Nature of injury or illness	Event or exposure	Percent of claims (n=58,882)
Musculoskeletal disorders: arthropathies.	Rubbed or abraded by kneeling on a surface.	<1%
Musculoskeletal injuries: injuries to bones, nerves, and spinal cord.	Rubbed, abraded, or jarred by vibration.	<1%
Musculoskeletal injuries: injuries to bones, nerves, and spinal cord.	Bodily reaction from bending, climbing, crawling, twisting, prolonged sitting or standing, or other single incidents of free bodily motion which imposed stress or strain on body.	<1%
Musculoskeletal disorders: osteopathies, chondropathies, and acquired deformities.	Bodily reaction from bending, climbing, crawling, twisting, prolonged sitting or standing, or other single incidents of free bodily motion which imposed stress or strain on body.	<1%
Musculoskeletal injuries: dislocations.	Rubbed or abraded by kneeling on a surface.	<1%
Musculoskeletal injuries: injuries to bones, nerves, and spinal cord.	Bodily reaction from bending, climbing, crawling, twisting, prolonged sitting or standing, or other single incidents of free bodily motion which imposed stress or strain on body.	<1%
Musculoskeletal disorders: osteopathies, chondropathies, and acquired deformities.	Bodily reaction from bending, climbing, crawling, twisting, prolonged sitting or standing, or other single incidents of free bodily motion which imposed stress or strain on body.	<1%
TOTAL		100%

F. Selection Criteria for High Priority List

In determining the High Priority List, L&I considered many different factors. No one factor was determinative, rather a holistic assessment was made. First and foremost, all industries and risk classifications meet the criteria and were eligible for rulemaking as having the WMSD compensable claim rate of two times the statewide average. In addition to the WMSD compensable claim rate, quantitative measures considered included:

- The compensable claim count. Claim count represents the burden of WMSDs to an industry or risk classification, as well as the burden to workers in those industries. By complementing claim rate (risk for injury) with claim count (how common injuries are), prevention resources can be focused on high risk industries while reducing the overall burden of WMSDs.
- Number of workers exposed.
- Number of employer accounts.
- Trend information.

Qualitative factors were also considered and included:

- Whether the WMSD hazards were relatively uniform across the industry, e.g. patient handling in nursing homes, manual material handling in freight handling.
- Whether solutions to control the WMSD hazards were known and available.
- Whether the employer has general control over the worksite to lessen the WMSD hazard, e.g. there is less of a need to interact with a separate employer at a delivery site to mitigate the hazard.
- Whether the work is done at a fixed location.
- Whether information regarding the WMSD injuries that are occurring, including the causes of WMSD injuries, occupations reporting claims, and time loss duration are available.
- Other factors that are known or shared about the industries and the risk classifications that could impact the ability to adopt and implement rules that are effective in reducing WMSD hazards. This included existing statutory or regulatory requirements that have or could have an impact on WMSD exposures, the impact of any formal or informal non-regulatory interventions, and current efforts by employers or trade associations to address WMSD hazards.