

State: Texas **Filing Company:** National Council on Compensation Insurance, Inc.
TOI/Sub-TOI: 16.0 Workers Compensation/16.0004 Standard WC
Product Name: B-1451 Revisions to NCCI's Basic Manual Rules and Classifications Related to Clerical Telecommuter Employees
Project Name/Number: /

Filing at a Glance

Company: National Council on Compensation Insurance, Inc.
Product Name: B-1451 Revisions to NCCI's Basic Manual Rules and Classifications Related to Clerical Telecommuter Employees
State: Texas
TOI: 16.0 Workers Compensation
Sub-TOI: 16.0004 Standard WC
Filing Type: Rate/Rule
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Author(s): Nancy Mattei, Tyler Santos, Mario Morales, Delisa Fairley, Donna Riggi
Reviewer(s): David Boon (primary), David Trautman
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State: Texas **Filing Company:** National Council on Compensation Insurance, Inc.
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Created By: Nancy Mattei Submitted By: Nancy Mattei
Corresponding Filing Tracking Number:
State TOI: Workers Compensation State Sub-TOI: Workers Compensation

Filing Description:

This item clarifies rules and classifications related to clerical telecommuter employees in NCCI's Basic Manual for Workers Compensation and Employers Liability Insurance (Basic Manual).

Company and Contact

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Filing Company Information

National Council on Compensation Insurance, Inc. CoCode: State of Domicile: Florida
901 Peninsula Corporate Circle Group Code: Company Type:
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Filing Fees

State Fees

Fee Required? No

Retaliatory? No

Fee Explanation:

State Specific

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

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Rate Information

Rate data applies to filing.

Filing Method:

Rate Change Type:

Neutral

Overall Percentage of Last Rate Revision:

%

Effective Date of Last Rate Revision:

Filing Method of Last Filing:

SERFF Tracking Number of Last Filing:

Company Rate Information

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

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Rate/Rule Schedule

Item No.	Schedule Item Status	Exhibit Name	Rule # or Page #	Rate Action	Previous State Filing Number	Attachments
1		Exhibit 7	Standard exception classifications	Replacement	S692689	TX Exhibit 7.pdf
2		Exhibit 8	Texas Table of classifications by hazard group	Replacement	S692689	TX Exhibit 8.pdf

Item B-1451—Revisions to Basic Manual Rules and Classifications Related to Clerical Telecommuter Employees

Exhibit 7 Basic Manual—Texas

Standard exception classifications

Rule ID: **BM-STAN-SF4DC**

Effective Date: ~~April 1, 2022~~ July 1, 2026

Standard exception classifications describe occupations that are common to many businesses. These common occupations are not included in a basic classification unless specified in the classification phraseology.

The standard exception classification codes are

- Code 8810: Clerical Office Employees NOC
- Code 8810: Drafting Employees
- Code 8871: Clerical Telecommuter Employees
- Code 7380: Drivers, Chauffeurs, and Their Helpers NOC—Commercial
- Code 8742: Salespersons, Collectors or Messengers—Outside, and
- Code 8809: Executive Officers NOC—Performing Clerical or Outside Salespersons Duties Only.

Rules for assigning Code 8810

Rule ID: **BM-STAN-R64A7**

Effective Date: ~~April 1, 2022~~ July 1, 2026

Assign Code 8810 when all of these conditions are met:

- The basic classification wording applicable to the business does not include clerical office or drafting employees.
- Other rules do not prohibit the assignment of Code 8810.
- Employees meet the specifications for Code 8810 and Code 8871 clerical job duties and other requirements, and Code 8810 clerical office employee workstations.

Rule for assigning Code 8810 to autonomous drone aircraft computer system designers or programmers

Assign Code 8810 to autonomous drone aircraft computer system designers or programmers who

- qualify as clerical office employees in accordance with [Rules for assigning Code 8810](#), and
- do not pilot or operate drone aircraft.

References

Refer to

- [Code 8810 and Code 8871 clerical job duties and other requirements, and](#)
- [Code 8810 clerical office employee workstations](#), ~~and~~
- ~~[Rules for assigning Code 8810](#).~~

Rules for assigning Code 8871

Rule ID: **BM-STAN-R6738**

Effective Date: July 1, 2026

Assign Code 8871 when all of these conditions are met:

- The basic classification wording applicable to the business does not include clerical telecommuter employees.
- Other rules do not prohibit the assignment of Code 8871.
- Employees meet the specifications for Code 8810 and Code 8871 clerical job duties and other requirements, and Code 8871 clerical telecommuter employee workstations.

Item B-1451—Revisions to Basic Manual Rules and Classifications Related to Clerical Telecommuter Employees

Exhibit 7 (Cont'd) Basic Manual—Texas

Rule for assigning Code 8871 to autonomous drone aircraft computer system designers or programmers

Assign Code 8871 to autonomous drone aircraft computer system designers or programmers who

- qualify as clerical telecommuter employees in accordance with Rules for assigning Code 8871, and
- do not pilot or operate drone aircraft.

References

Refer to

- [Code 8810 and Code 8871 clerical job duties and other requirements](#)
- [Code 8871 clerical telecommuter employee workstations](#), and
- [Clerical](#).

Code 8871 clerical telecommuter employee workstations

Rule ID: BM-STAN-C4A74

Effective Date: July 1, 2026

Workstations for clerical telecommuter employees assigned to Code 8871 must be separate and distinct from any location of the employer.

Clerical job duties for employees assigned to Code 8871 must take place in a

- clerical workstation located within the residence of the clerical telecommuter employee, or
- shared office space away from any location of the employer.

Note Code 8871 must not be assigned when the basic classification wording applicable to the employer includes “clerical” in the phraseology, even if the clerical telecommuter employee’s workstation is in a state where the employer has no additional operations.

References

Refer to

- [Rules for assigning Code 8871](#)
- [Code 8810 and Code 8871 clerical job duties and other requirements](#), and
- [Clerical](#).

Code 8810 and Code 8871 clerical job duties and other requirements

Rule ID: BM-STAN-C59F7

Effective Date: ~~April 1, 2022~~ July 1, 2026

Job duties of employees assigned to Code 8810 or Code 8871 must meet the criteria for acceptable clerical and nonclerical activities.

Acceptable clerical work activities for Code 8810 and Code 8871

Duties of employees assigned to Code 8810 or Code 8871 must be limited to one or more of the following work activities:

- Create or maintain
 - employer records
 - correspondence
 - computer programs, or
 - files.
- Perform drafting.
- Perform telephone duties, including telephone sales.

Item B-1451—Revisions to Basic Manual Rules and Classifications Related to Clerical Telecommuter Employees

Exhibit 7 (Cont'd) Basic Manual—Texas

- Perform data entry or word processing.
- Operate a photocopier or fax machine, unless the employer's business provides photocopy or fax services to the public.
- Perform other similar general office work.

Acceptable nonclerical work activities for Code 8810 and Code 8871

Employees who meet the requirements of Code 8810 and Code 8871 are permitted to perform certain nonclerical duties. These duties include

- preparing technical drawings
- depositing funds in a bank
- picking up or delivering mail
- purchasing office supplies, or
- entering another area of the workplace for clerical purposes, such as to deliver paychecks.

Unacceptable work activities for Code 8810 and Code 8871

Employees are disqualified from assignment to Code 8810 and Code 8871 if their job duties involve

- conducting outside sales or meeting with outside representatives
- directly supervising nonclerical employees at a work area that does not meet the criteria described in Code 8810 clerical office employee workstations
- performing physical labor, ~~demonstration, or instruction,~~ or
- performing any work in an area exposed to operative hazards, such as a stock or tally clerk, that is necessary, incidental, or related to any operations of the business other than a clerical office, ~~or~~
- performing work that is included in the basic classification for the employer.

References

Refer to

- [Code 8810 clerical office employee workstations](#), and
- [Code 8871 clerical telecommuter employee workstations](#).

Rule for assigning payroll to Code 8810 and Code 8871 for interchange of labor

Rule ID: BM-INTL-R1E8B

Effective Date: July 1, 2026

When an interchange of labor exists between Code 8810 and Code 8871

- assign payroll to Code 8810 when the employee spends 50% or less of the time worked telecommuting as described by the Rules for assigning Code 8871, or
- assign payroll to Code 8871 when the employee spends more than 50% of the time worked telecommuting as described by the Rules for assigning Code 8871.

References

Refer to

- [Rules for assigning Code 8810](#)
- [Rules for assigning Code 8871](#), and
- [NCCI's Basic Manual User's Guide](#) for examples.

Exceptions for standard exception classifications

Rule ID: BM-INTL-DFCAA

Effective Date: ~~April 1, 2022~~ July 1, 2026

The following standard exception classifications are not available for division of payroll for the interchange of labor: Code 7380, Code 8742, Code 8809, ~~and~~ Code 8810, and Code 8871.

Item B-1451—Revisions to Basic Manual Rules and Classifications Related to Clerical Telecommuter Employees

Exhibit 7 (Cont'd) Basic Manual—Texas

Clerical

Rule ID: BM-WORW-CA2E4

Effective Date: ~~April 1, 2022~~ July 1, 2026

Clerical means office employees, telecommuters, and drafting employees as defined in Rules for assigning Code 8810 and Rules for assigning Code 8871.

References

Refer to

- [Rules for assigning Code 8810](#), and
- [Rules for assigning Code 8871](#).

Rule for assigning payroll to the highest-rated classification

Rule ID: BM-INTL-R71D3

Effective Date: ~~April 1, 2022~~ July 1, 2026

Some employees, who are not miscellaneous employees, may perform duties directly related to more than one properly assigned classification according to the rules for Assignment of more than one basic classification. An example is an employee who from time to time interchanges between operations subject to more than one classification. When there is such an interchange of labor, you must assign the entire payroll of employees who interchange to the highest-rated classification representing any part of the employee's work. Standard exception Code 7380, Code 8742, Code 8809, ~~and~~ Code 8810, and Code 8871 are not eligible for division of payroll under this rule.

References

Refer to [Assignment of more than one basic classification](#).

Clerical Telecommuter Employees

Code 8871

Phrase ID: BM-8871-CLE61

Effective Date: July 1, 2026

This phraseology is subject to NCCI's *Basic Manual* rule, Rules for assigning Code 8871.

Item B-1451— Revisions to Basic Manual Rules and Classifications Related to Clerical Telecommuter Employees

**Exhibit 8
Basic Manual—Texas*****Texas Table of classifications by hazard group**

Rule ID: BM-HAZT-T640A

Effective Date: ~~July 1, 2024~~ July 1, 2026

The Table of classifications by hazard group lists the classification codes applicable in Texas, the hazard group that each code is assigned to, and the hazard group effective date.

Code	Hazard Group A–G	Hazard Group effective date
<u>8871</u>	Ç	<u>07/01/2026</u>

***NOTE:** This exhibit revises the Table of classifications by hazard group to add Code 8871. The content shown in this table is not a complete replacement of the existing Table of classifications by hazard group.

SERFF Tracking #:

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Filing Company: National Council on Compensation Insurance, Inc.

Supporting Document Schedules

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

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

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

Satisfied - Item:	Filing Memorandum (Rates/Rules)
Comments:	
Attachment(s):	Item B-1451 Filing Memorandum.pdf
Item Status:	
Status Date:	

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

Bypassed - Item:	Third-party model information (Rate/Rule)
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Attachment(s):	
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Satisfied - Item:	Side by Side
Comments:	
Attachment(s):	Side_by_side TX.pdf
Item Status:	
Status Date:	

Item B-1451—Revisions to NCCI's Basic Manual Rules and Classifications Related to Clerical Telecommuter Employees

Filing Memorandum

Purpose

This item clarifies rules and classifications related to clerical telecommuter employees in NCCI's *Basic Manual for Workers Compensation and Employers Liability Insurance (Basic Manual)*.

Background

In recent years, clerical telecommuting work has become an increasingly viable option for employers and their workers. Due to the COVID-19 pandemic, working from home away from the employer's place of business became a necessity for many businesses to continue operating. While some employers are back to in-person operations, some employers are using a fully remote or hybrid work model. In most states, clerical telecommuter employees whose job duties take place in a clerical work area located within the employee's residence are classified to Code 8871—Clerical Telecommuter Employees. NCCI's *Basic Manual* rules specify that certain conditions must be met in order to qualify for Code 8871.

NCCI has received inquiries related to the classification treatment of clerical employees who telecommute in a state where their employer does not have additional operations. NCCI conducted research and determined that clarifying language should be added to NCCI's *Basic Manual* rules to specify that the clerical telecommuter employee's workstation may be located in the same state where the employer has operations or in a state where the employer does not have additional operations.

Additionally, NCCI has received inquiries related to the classification treatment for clerical telecommuter employees living in a state where the employer has no additional operations but the business is assigned to a classification that includes "clerical" in the phraseology. NCCI reviewed the current *Basic Manual* rules and classifications that address clerical telecommuter employees. Various *Basic Manual* rules support the understanding that it is the business of the employer within a state that is classified and not the individual employments, occupations, or operations of a business. This item adds language to NCCI's *Basic Manual* rules to specify that Code 8871 must not be assigned when the basic classification applicable to the business includes "clerical" in the phraseology.

Proposal

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

1. Revise the rule, Code 8871 clerical office telecommuter employee workstations, to
 - specify that the clerical telecommuter employee's duties must take place within their residence or in a shared office space away from any location of their employer
 - specify that the clerical telecommuter employee's workstation may be located in the same state where the employer has operations or in a state where the employer does not have additional operations
 - specify that Code 8871 must not be assigned when the basic classification assigned to the employer includes "clerical" in the phraseology, even if the clerical telecommuter employee's workstation is in a state where the employer has no additional operations, and
 - revise the title of the rule by removing the word "office" for consistency with the phraseology caption for Code 8871—Clerical Telecommuter Employees.
2. Revise the rule, Rule for assigning payroll to the highest rated classification, to make a minor formatting change to the title.
3. Revise various rules to remove the word "office" for consistency with the revisions to Code 8871.

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Item B-1451—Revisions to NCCI's Basic Manual Rules and Classifications Related to Clerical Telecommuter Employees

Filing Memorandum

4. Revise the rule, Rules for assigning Code 8871, to make a minor wording change.
5. Update various rule references.
6. Establish Code 8871 and related rules in Montana, Oregon, and Texas.
7. Revise state rules and/or classifications for Alaska, Arizona, Florida, Idaho, Montana, Oregon, and Texas as described in the Exhibit Comments and Implementation Summary.
8. Update the content to make minor grammatical revisions.

Impact

Multistate

As a result of this item, an employer's payroll may transfer from Code 8871 to the basic classification assigned to the employer because the changes proposed in this item provide that Code 8871 must not be assigned when the basic classification applicable to the employer includes "clerical" in the phraseology, even if the clerical telecommuter employee's workstation is in a state where the employer has no additional operations. The impact to an individual employer's premium will depend on (a) how much (if any) payroll transfers between Code 8871 and the basic classification assigned to the employer and (b) the loss cost/rate of the codes in relation to each other.

No statewide premium impact is expected from the changes proposed in this item.

Montana-specific

The changes in classification treatment for clerical telecommuter employees will result in the creation of Code 8871 in Montana. The initial loss cost and rating values of Code 8871 will be equal to the loss cost and rating values of Code 8810 until Code 8871 has enough experience to be rated on its own. Employers classified to Code 8810 are expected to experience no change in premium due to the transfer of payroll to Code 8871.

No statewide premium impact is expected from the changes proposed in this item.

Oregon-specific

The changes in classification treatment for clerical telecommuter employees will result in the creation of Code 8871 in Oregon. The initial loss cost and rating values of Code 8871 will be equal to the loss cost and rating values of Code 8810 until Code 8871 has enough experience to be rated on its own. Employers classified to Code 8810 are expected to experience no change in premium due to the transfer of payroll to Code 8871.

No statewide premium impact is expected from the changes proposed in this item.

Texas-specific

The changes in classification treatment for clerical telecommuter employees will result in the creation of Code 8871 in Texas. The initial loss cost and rating values of Code 8871 will be equal to the loss cost and rating values of Code 8810 until Code 8871 has enough experience to be rated on its own. Employers classified to Code 8810 are expected to experience no change in premium due to the transfer of payroll to Code 8871.

No statewide premium impact is expected from the changes proposed in this item.

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Item B-1451—Revisions to NCCI's Basic Manual Rules and Classifications Related to Clerical Telecommuter Employees

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Exhibit Comments and Implementation Summary

Exhibit	Exhibit Comments	Implementation Summary
1	<p>Displays the following revisions in NCCI's Basic Manual:</p> <ul style="list-style-type: none"> • Revisions to the rule, Code 8871 clerical office telecommuter employee workstations (Rule ID: BM-STAN-C4A74) • Revisions to the phraseology caption for Code 8871—Clerical Telecommuter Employees. (Phrase ID: BM-8871-CLE61) • Applies in: AK, AL, AR, AZ, CO, CT, DC, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, NE, NH, NM, NV, OK, RI, SC, SD, TN, UT, VA, VT, and WV • Refer to state exhibits for FL, MT, OR, and TX 	<ul style="list-style-type: none"> • In all states where applicable, except Hawaii and Oregon, this item is to become effective for new and renewal policies with effective dates on and after 12:01 a.m. on July 1, 2026. • In Hawaii, the effective date is determined upon regulatory approval of the individual carrier's election to adopt this change. • In Oregon, this item is to become effective for new and renewal policies with effective dates on and after 12:01 a.m. on January 1, 2027.
2	<p>Displays the revisions to the rule, Standard exception classifications (Rule ID: BM-STAN-SF4DC), in NCCI's Basic Manual.</p> <ul style="list-style-type: none"> • Applies in: AL, AR, CO, CT, DC, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, NE, NH, NM, OK, RI, SC, SD, TN, UT, VA, VT, and WV • Refer to state exhibits for AK, AZ, FL, MT, NV, OR, and TX 	
3	<p>Displays the following revisions in NCCI's Basic Manual:</p> <ul style="list-style-type: none"> • Revisions to the rule, Rules for assigning Code 8810 (Rule ID: BM-STAN-R64A7) • Applies in: AL, AR, AZ, CO, CT, DC, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, NE, NH, NM, NV, OK, RI, SC, SD, TN, UT, VA, VT, and WV • Refer to state exhibits for AK, MT, OR, and TX <hr/> <ul style="list-style-type: none"> • Revisions to the rule, Rules for assigning Code 8871 (Rule ID: BM-STAN-R6738) • Applies in: AL, AR, AZ, CO, CT, DC, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, NE, NH, 	

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Item B-1451—Revisions to NCCI's Basic Manual Rules and Classifications Related to Clerical Telecommuter Employees

Filing Memorandum

Exhibit	Exhibit Comments	Implementation Summary
	NM, NV, OK, RI, SC, SD, TN, UT, VA, VT, and WV <ul style="list-style-type: none"> Refer to state exhibits for AK, FL, MT, OR, and TX 	
4	Displays the revisions to the rule, Code 8810 and Code 8871 clerical job duties and other requirements (Rule ID: BM-STAN-C59F7), in NCCI's Basic Manual . <ul style="list-style-type: none"> Applies in: AL, AR, AZ, CO, CT, DC, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, NE, NH, NM, NV, OK, RI, SC, SD, TN, UT, VA, VT, and WV Refer to state exhibits for AK, FL, MT, OR, and TX 	
5	Displays the revisions to the rule, Rule for assigning payroll to Code 8810 and Code 8871 for interchange of labor (Rule ID: BM-INTL-R1E8B), in NCCI's Basic Manual . <ul style="list-style-type: none"> Applies in: AK, AL, AR, AZ, CO, CT, DC, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, ME, MO, MS, NE, NH, NM, NV, OK, RI, SC, TN, UT, VA, VT, and WV Refer to state exhibits for MT and TX 	
6	Displays the revisions to the rule, Rule for assigning payroll to the highest rated classification (Rule ID: BM-INTL-R1C79), in NCCI's Basic Manual . <ul style="list-style-type: none"> Applies in: AK, AL, AR, AZ, CO, CT, DC, GA, HI, IA, IL, IN, KS, KY, LA, MD, ME, MO, MS, NE, NH, NM, NV, OK, RI, SC, TN, UT, VA, VT, and WV Refer to state exhibits for FL, ID, and MT 	
State Exhibits		
7	Displays the following revisions in NCCI's Basic Manual for Alaska: <ul style="list-style-type: none"> Revisions to the rule, Standard exception classifications (Rule ID: BM-STAN-SF4DC) Revisions to the rule, Rules for assigning Code 8810 (Rule ID: BM-STAN-R64A7) Revisions to the rule, Code 8810 and Code 8871 	This item is to become effective for new and renewal policies with effective dates on and after 12:01 a.m. on July 1, 2026.

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Item B-1451—Revisions to NCCI's Basic Manual Rules and Classifications Related to Clerical Telecommuter Employees

Filing Memorandum

Exhibit	Exhibit Comments	Implementation Summary
	clerical job duties and other requirements (Rule ID: BM-STAN-C59F7) <ul style="list-style-type: none"> • Revisions to the rule, Rules for assigning Code 8871 (Rule ID: BM-STAN-R6738) 	
7	Displays the revisions to the rule, Standard exception classifications (Rule ID: BM-STAN-SF4DC), in NCCI's Basic Manual for Arizona.	This item is to become effective for new and renewal policies with effective dates on and after 12:01 a.m. on July 1, 2026.
7	Displays the following revisions in NCCI's Basic Manual for Florida: <ul style="list-style-type: none"> • Revisions to the rule, Standard exception classifications (Rule ID: BM-STAN-SF4DC) • Revisions to the rule, Rules for assigning Code 8871 (Rule ID: BM-STAN-R6738) • Revisions to the rule, Code 8871 clerical office telecommuter employee workstations (Rule ID: BM-STAN-C4A74) • Revisions to the rule, Code 8810 and Code 8871 clerical job duties and other requirements (Rule ID: BM-STAN-C59F7) • Revisions to the rule, Rule for dividing payroll among classifications (Rule ID: BM-INTL-R71D3) • Revisions to the rule, Rule for assigning payroll to the highest rated classification (Rule ID: BM-INTL-R1C79) • Revisions to the phraseology caption for Code 8871—Clerical Telecommuter Employees. (Phrase ID: BM-8871-CLE61) 	This item is to become effective for new and renewal policies with effective dates on and after 12:01 a.m. on July 1, 2026.
7	Displays the revisions to the rule, Rule for assigning payroll to the highest rated classification (Rule ID: BM-INTL-R1C79), in NCCI's Basic Manual for Idaho.	This item is to become effective for new and renewal policies with effective dates on and after 12:01 a.m. on July 1, 2026.
7	Displays the following revisions in NCCI's Basic Manual for Montana: <ul style="list-style-type: none"> • Revisions to the rule, Standard exception classifications (Rule ID: BM-STAN-SF4DC) • Revisions to the rule, Rules for assigning Code 	This item is to become effective for new and renewal policies with effective dates on and after 12:01 a.m. on July 1, 2026.

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Item B-1451—Revisions to NCCI's Basic Manual Rules and Classifications Related to Clerical Telecommuter Employees

Filing Memorandum

Exhibit	Exhibit Comments	Implementation Summary
	<p>8810 (Rule ID: BM-STAN-R64A7)</p> <ul style="list-style-type: none"> • Establishment of the rule, Code 8871 clerical telecommuter employee workstations (Rule ID: BM-STAN-C4A74) • Establishment of the rule, Rules for assigning Code 8871 (Rule ID: BM-STAN-R6738) • Revisions to the rule, Code 8810 clerical job duties and other requirements (Rule ID: BM-STAN-C59F7) • Establishment of the rule, Rule for assigning payroll to Code 8810 and Code 8871 for interchange of labor (Rule ID: BM-INTL-R1E8B) • Revisions to the rule, Rule for assigning payroll to the highest rated classification (Rule ID: BM-INTL-R1C79) • Elimination of the rule, Rule for assigning Code 8810 to telecommuting employees (Rule ID: BM-INTL-R845A) • Revisions to the rule, Division of payroll for standard exception operations (Rule ID: BM-INTL-DFCAA) • Revisions to the rule, Clerical (Rule ID: BM-WORW-CA2E4) • Establishment of Code 8871—Clerical Telecommuter Employees (Phrase ID: BM-8871-CLE61) 	
8	<p>Displays the establishment of Code 8871 in the rule, Montana Table of classifications by hazard group (Rule ID: BM-HAZT-T640A), in NCCI's Basic Manual for Montana.</p>	
7	<p>Displays the revisions to the rule, Standard exception classifications (Rule ID: BM-STAN-SF4DC), in NCCI's Basic Manual for Nevada.</p>	<p>This item is to become effective for new and renewal policies with effective dates on and after 12:01 a.m. on July 1, 2026.</p>
7	<p>Displays the following revisions in NCCI's Basic Manual for Oregon:</p> <ul style="list-style-type: none"> • Revisions to the rule, Standard exception 	<p>This item is to become effective for new and renewal policies with effective dates on and after 12:01 a.m. on January 1, 2027.</p>

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Item B-1451—Revisions to NCCI's Basic Manual Rules and Classifications Related to Clerical Telecommuter Employees

Filing Memorandum

Exhibit	Exhibit Comments	Implementation Summary
	classifications (Rule ID: BM-STAN-SF4DC) <ul style="list-style-type: none"> • Revisions to the rule, Rules for assigning Code 8810 (Rule ID: BM-STAN-R64A7) • Establishment of the rule, Code 8871 clerical telecommuter employee workstations (Rule ID: BM-STAN-C4A74) • Establishment of the rule, Rules for assigning Code 8871 (Rule ID: BM-STAN-R6738) • Revisions to the rule, Code 8810 clerical job duties and other requirements (Rule ID: BM-STAN-C59F7) • Revisions to the rule, Clerical (Rule ID: BM-WORW-CA2E4) • Revisions to the rule, Exceptions for standard exception classifications (Rule ID: BM-INTL-DFCAA) • Elimination of Code 8810—Clerical Telecommuter Employees (Phrase ID: BM-8810-CLE3E) • Establishment of Code 8871—Clerical Telecommuter Employees (Phrase ID: BM-8871-CLE61) 	
8	Displays the establishment of Code 8871 in the rule, Oregon Table of classifications by hazard group (Rule ID: BM-HAZT-T640A), in NCCI's Basic Manual for Oregon.	
7	Displays the following revisions in NCCI's Basic Manual for Texas: <ul style="list-style-type: none"> • Revisions to the rule, Standard exception classifications (Rule ID: BM-STAN-SF4DC) • Revisions to the rule, Rules for assigning Code 8810 (Rule ID: BM-STAN-R64A7) • Establishment of the rule, Rules for assigning Code 8871 (Rule ID: BM-STAN-R6738) • Establishment of the rule, Code 8871 clerical telecommuter employee workstations (Rule ID: 	This item is to become effective for new and renewal policies with effective dates on and after 12:01 a.m. on July 1, 2026.

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Item B-1451—Revisions to NCCI's Basic Manual Rules and Classifications Related to Clerical Telecommuter Employees

Filing Memorandum

Exhibit	Exhibit Comments	Implementation Summary
	<p>BM-STAN-C4A74)</p> <ul style="list-style-type: none"> • Revisions to rule, Code 8810 clerical job duties and other requirements (Rule ID: BM-STAN-C59F7) • Establishment of the rule, Rule for assigning payroll to Code 8810 and Code 8871 for interchange of labor (Rule ID: BM-INTL-R1E8B) • Revisions to the rule, Exceptions for standard exception classifications (Rule ID: BM-INTL-DFCAA) • Revisions to the rule, Clerical (Rule ID: BM-WORW-CA2E4) • Revisions to the rule, Rule for assigning payroll to the highest rated classification (Rule ID: BM-INTL-R71D3) • Establishment of Code 8871—Clerical Telecommuter Employees (Phrase ID: BM-8871-CLE61) 	
8	Displays the establishment of Code 8871 in the rule, Texas Table of classifications by hazard group (Rule ID: BM-HAZT-T640A), in NCCI's <i>Basic Manual</i> for Texas.	This item is to become effective for new and renewal policies with effective dates on and after 12:01 a.m. on July 1, 2026.

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Comparison of Revisions to Basic Manual Rules and Classifications Related to Clerical Telecommuter Employees*

Current	Proposed	Comments
<p>Basic Manual for Workers Compensation and Employers Liability Insurance for Texas</p>	<p>Basic Manual for Workers Compensation and Employers Liability Insurance for Texas</p>	
<p>Standard exception classifications Rule ID: BM-STAN-SF4DC</p> <p>Standard exception classifications describe occupations that are common to many businesses. These common occupations are not included in a basic classification unless specified in the classification phraseology.</p> <p>The standard exception classification codes are</p> <ul style="list-style-type: none"> Code 8810: Clerical Office Employees NOC Code 8810: Drafting Employees Code 7380: Drivers, Chauffeurs, and Their Helpers NOC—Commercial Code 8742: Salespersons, Collectors or Messengers—Outside, and Code 8809: Executive Officers NOC—Performing Clerical or Outside Salespersons Duties Only. 	<p>Standard exception classifications Rule ID: BM-STAN-SF4DC</p> <p><i>Effective Date: July 1, 2026</i></p> <p>Standard exception classifications describe occupations that are common to many businesses. These common occupations are not included in a basic classification unless specified in the classification phraseology.</p> <p>The standard exception classification codes are</p> <ul style="list-style-type: none"> Code 8810: Clerical Office Employees NOC Code 8810: Drafting Employees Code 8871: Clerical Telecommuter Employees Code 7380: Drivers, Chauffeurs, and Their Helpers NOC—Commercial Code 8742: Salespersons, Collectors or Messengers—Outside, and Code 8809: Executive Officers NOC—Performing Clerical or Outside Salespersons Duties Only. 	<p>Revise rule to include Code 8871 for consistency with Texas proposals.</p>
<p>Rules for assigning Code 8810 Rule ID: BM-STAN-R64A7</p> <p>Assign Code 8810 when all of these conditions are met:</p> <ul style="list-style-type: none"> The basic classification wording applicable to the business does not include clerical office or drafting employees. Other rules do not prohibit the assignment of Code 8810. Employees meet the specifications for Code 8810 clerical job duties and other requirements, and Code 8810 clerical office employee workstations. <p>Rule for assigning Code 8810 to autonomous drone aircraft computer system designers or programmers</p> <p>Assign Code 8810 to autonomous drone aircraft computer system designers or programmers who</p> <ul style="list-style-type: none"> qualify as clerical office employees in accordance with Rules for assigning Code 8810, and do not pilot or operate drone aircraft. 	<p>Rules for assigning Code 8810 Rule ID: BM-STAN-R64A7</p> <p><i>Effective Date: July 1, 2026</i></p> <p>Assign Code 8810 when all of these conditions are met:</p> <ul style="list-style-type: none"> The basic classification wording applicable to the business does not include clerical office or drafting employees. Other rules do not prohibit the assignment of Code 8810. Employees meet the specifications for Code 8810 and Code 8871 clerical job duties and other requirements, and Code 8810 clerical office employee workstations. <p>Rule for assigning Code 8810 to autonomous drone aircraft computer system designers or programmers</p> <p>Assign Code 8810 to autonomous drone aircraft computer system designers or programmers who</p> <ul style="list-style-type: none"> qualify as clerical office employees in accordance with Rules for assigning Code 8810, and 	<p>Revise rule to include Code 8871 for consistency with Texas proposals.</p>

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

Comparison of Revisions to Basic Manual Rules and Classifications Related to Clerical Telecommuter Employees*

Current	Proposed	Comments
<p>References Refer to</p> <ul style="list-style-type: none"> Code 8810 clerical office employee workstations, and Rules for assigning Code 8810. 	<ul style="list-style-type: none"> do not pilot or operate drone aircraft. <p>References Refer to</p> <ul style="list-style-type: none"> Code 8810 clerical office employee workstations, and Rules for assigning Code 8810. 	
	<p>Rules for assigning Code 8871 Rule ID: BM-STAN-R6738 <i>Effective Date: July 1, 2026</i></p> <p>Assign Code 8871 when all of these conditions are met:</p> <ul style="list-style-type: none"> The basic classification wording applicable to the business does not include clerical telecommuter employees. Other rules do not prohibit the assignment of Code 8871. Employees meet the specifications for Code 8810 and Code 8871 clerical job duties and other requirements, and Code 8871 clerical telecommuter employee workstations. <p>Rule for assigning Code 8871 to autonomous drone aircraft computer system designers or programmers Assign Code 8871 to autonomous drone aircraft computer system designers or programmers who</p> <ul style="list-style-type: none"> qualify as clerical telecommuter employees in accordance with Rules for assigning Code 8871, and do not pilot or operate drone aircraft. <p>References Refer to</p> <ul style="list-style-type: none"> Code 8810 and Code 8871 clerical job duties and other requirements Code 8871 clerical telecommuter employee workstations, and Clerical. 	New rule
	<p>Code 8871 clerical telecommuter employee workstations Rule ID: BM-STAN-C4A74 <i>Effective Date: July 1, 2026</i></p>	New rule

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Comparison of Revisions to Basic Manual Rules and Classifications Related to Clerical Telecommuter Employees*

Current	Proposed	Comments
	<p>Workstations for clerical telecommuter employees assigned to Code 8871 must be separate and distinct from any location of the employer.</p> <p>Clerical job duties for employees assigned to Code 8871 must take place in a</p> <ul style="list-style-type: none"> • clerical workstation located within the residence of the clerical telecommuter employee, or • shared office space away from any location of the employer. <p>Note Code 8871 must not be assigned when the basic classification wording applicable to the employer includes “clerical” in the phraseology, even if the clerical telecommuter employee’s workstation is in a state where the employer has no additional operations.</p> <p>References Refer to</p> <ul style="list-style-type: none"> • Rules for assigning Code 8871 • Code 8810 and Code 8871 clerical job duties and other requirements, and • Clerical. 	
<p>Code 8810 clerical job duties and other requirements Rule ID: BM-STAN-C59F7</p> <p>Job duties of employees assigned to Code 8810 must meet the criteria for acceptable clerical and nonclerical activities.</p> <p>Acceptable clerical work activities for Code 8810</p> <p>Duties of employees assigned to Code 8810 must be limited to one or more of the following work activities:</p> <ul style="list-style-type: none"> • Create or maintain <ul style="list-style-type: none"> – employer records – correspondence – computer programs, or – files. • Perform drafting. • Perform telephone duties, including telephone sales. • Perform data entry or word processing. • Operate a photocopier or fax machine, unless the employer's business provides photocopy or fax services to the public. • Perform other similar general office work. 	<p>Code 8810 and Code 8871 clerical job duties and other requirements Rule ID: BM-STAN-C59F7</p> <p><i>Effective Date: July 1, 2026</i></p> <p>Job duties of employees assigned to Code 8810 or Code 8871 must meet the criteria for acceptable clerical and nonclerical activities.</p> <p>Acceptable clerical work activities for Code 8810 and Code 8871</p> <p>Duties of employees assigned to Code 8810 or Code 8871 must be limited to one or more of the following work activities:</p> <ul style="list-style-type: none"> • Create or maintain <ul style="list-style-type: none"> – employer records – correspondence – computer programs, or – files. • Perform drafting. • Perform telephone duties, including telephone sales. • Perform data entry or word processing. 	<p>Revise rule to include Code 8871 for consistency with Texas proposals.</p>

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Comparison of Revisions to Basic Manual Rules and Classifications Related to Clerical Telecommuter Employees*

Current	Proposed	Comments
<p>Acceptable nonclerical work activities for Code 8810 Employees who meet the requirements of Code 8810 are permitted to perform certain nonclerical duties. These duties include</p> <ul style="list-style-type: none"> • preparing technical drawings • depositing funds in a bank • picking up or delivering mail • purchasing office supplies, or • entering another area of the workplace for clerical purposes, such as to deliver paychecks. <p>Unacceptable work activities for Code 8810 Employees are disqualified from assignment to Code 8810 if their job duties involve</p> <ul style="list-style-type: none"> • conducting outside sales or meeting with outside representatives • directly supervising nonclerical employees at a work area that does not meet the criteria described in Code 8810 clerical office employee workstations • performing physical labor, or • performing any work in an area exposed to operative hazards, such as a stock or tally clerk, that is necessary, incidental, or related to any operations of the business other than a clerical office. <p>References Refer to Code 8810 clerical office employee workstations.</p>	<ul style="list-style-type: none"> • Operate a photocopier or fax machine, unless the employer's business provides photocopy or fax services to the public. • Perform other similar general office work. <p>Acceptable nonclerical work activities for Code 8810 and Code 8871 Employees who meet the requirements of Code 8810 and Code 8871 are permitted to perform certain nonclerical duties. These duties include</p> <ul style="list-style-type: none"> • preparing technical drawings • depositing funds in a bank • picking up or delivering mail • purchasing office supplies, or • entering another area of the workplace for clerical purposes, such as to deliver paychecks. <p>Unacceptable work activities for Code 8810 and Code 8871 Employees are disqualified from assignment to Code 8810 and Code 8871 if their job duties involve</p> <ul style="list-style-type: none"> • conducting outside sales or meeting with outside representatives • directly supervising nonclerical employees at a work area that does not meet the criteria described in Code 8810 clerical office employee workstations • performing physical labor, demonstration, or instruction • performing any work in an area exposed to operative hazards, such as a stock or tally clerk, that is necessary, incidental, or related to any operations of the business other than a clerical office, or • performing work that is included in the basic classification for the employer. <p>References Refer to</p> <ul style="list-style-type: none"> • Code 8810 clerical office employee workstations, and • Code 8871 clerical telecommuter employee workstations. 	
	<p>Rule for assigning payroll to Code 8810 and Code 8871 for interchange of labor Rule ID: BM-INTL-R1E8B <i>Effective Date: July 1, 2026</i> When an interchange of labor exists between Code 8810 and Code 8871</p>	<p>New rule</p>

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Comparison of Revisions to Basic Manual Rules and Classifications Related to Clerical Telecommuter Employees*

Current	Proposed	Comments
	<ul style="list-style-type: none"> assign payroll to Code 8810 when the employee spends 50% or less of the time worked telecommuting as described by the Rules for assigning Code 8871, or assign payroll to Code 8871 when the employee spends more than 50% of the time worked telecommuting as described by the Rules for assigning Code 8871. <p>References Refer to</p> <ul style="list-style-type: none"> Rules for assigning Code 8810 Rules for assigning Code 8871, and NCCI's <i>Basic Manual User's Guide</i> for examples. 	
<p>Exceptions for standard exception classifications Rule ID: BM-INTL-DFCAA</p> <p>The following standard exception classifications are not available for division of payroll for the interchange of labor: Code 7380, Code 8742, Code 8809, Code 8810.</p>	<p>Exceptions for standard exception classifications Rule ID: BM-INTL-DFCAA</p> <p><i>Effective Date: July 1, 2026</i></p> <p>The following standard exception classifications are not available for division of payroll for the interchange of labor: Code 7380, Code 8742, Code 8809, Code 8810, and Code 8871.</p>	<p>Revise rule to include Code 8871 for consistency with Texas proposals.</p>
<p>Clerical Rule ID: BM-WORW-CA2E4</p> <p>Clerical means office employees and drafting employees as defined in Rules for assigning Code 8810.</p> <p>References Refer to Rules for assigning Code 8810.</p>	<p>Clerical Rule ID: BM-WORW-CA2E4</p> <p><i>Effective Date: July 1, 2026</i></p> <p>Clerical means office employees, telecommuters, and drafting employees as defined in Rules for assigning Code 8810 and Rules for assigning Code 8871.</p> <p>References Refer to</p> <ul style="list-style-type: none"> Rules for assigning Code 8810, and Rules for assigning Code 8871. 	<p>Revise rule to include Code 8871 for consistency with Texas proposals.</p>
<p>Rule for assigning payroll to the highest rated classification Rule ID: BM-INTL-R71D3</p> <p>Some employees, who are not miscellaneous employees, may perform duties directly related to more than one properly assigned classification</p>	<p>Rule for assigning payroll to the highest-rated classification Rule ID: BM-INTL-R71D3</p> <p><i>Effective Date: July 1, 2026</i></p>	<p>Revise rule to include Code 8871 for consistency with Texas proposals.</p>

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Comparison of Revisions to Basic Manual Rules and Classifications Related to Clerical Telecommuter Employees*

Current	Proposed	Comments						
<p>according to the rules for Assignment of more than one basic classification. An example is an employee who from time to time interchanges between operations subject to more than one classification. When there is such an interchange of labor, you must assign the entire payroll of employees who interchange to the highest rated classification representing any part of the employee's work. Standard exception Code 7380, Code 8742, Code 8809, Code 8810 are not eligible for division of payroll under this rule.</p> <p>References Refer to Assignment of more than one basic classification.</p>	<p>Some employees, who are not miscellaneous employees, may perform duties directly related to more than one properly assigned classification according to the rules for Assignment of more than one basic classification. An example is an employee who from time to time interchanges between operations subject to more than one classification. When there is such an interchange of labor, you must assign the entire payroll of employees who interchange to the highest-rated classification representing any part of the employee's work. Standard exception Code 7380, Code 8742, Code 8809, Code 8810, and Code 8871 are not eligible for division of payroll under this rule.</p> <p>References Refer to Assignment of more than one basic classification.</p>							
	<p>Clerical Telecommuter Employees Code 8871 Phrase ID: BM-8871-CLE61 <i>Effective Date: July 1, 2026</i></p> <p>This phraseology is subject to NCCI's <i>Basic Manual</i> rule, Rules for assigning Code 8871.</p>	New Code						
	<p>Texas Table of classifications by hazard group Rule ID: BM-HAZT-T640A <i>Effective Date: July 1, 2026</i></p> <p>The Table of classifications by hazard group lists the classification codes applicable in Texas, the hazard group that each code is assigned to, and the hazard group effective date.</p> <table border="1" data-bbox="898 1130 1677 1208"> <thead> <tr> <th>Code</th> <th>Hazard Group A–G</th> <th>Hazard Group effective date</th> </tr> </thead> <tbody> <tr> <td>8871</td> <td>C</td> <td>07/01/2026</td> </tr> </tbody> </table> <p>*NOTE: This exhibit revises the Table of classifications by hazard group to add Code 8871. The content shown in this table is not a complete replacement of the existing Table of classifications by hazard group.</p>	Code	Hazard Group A–G	Hazard Group effective date	8871	C	07/01/2026	Revise rule to include Code 8871 for consistency with Texas proposals.
Code	Hazard Group A–G	Hazard Group effective date						
8871	C	07/01/2026						

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