

FOOD AND BEVERAGE CHANGES



Important Updates to the *California Workers' Compensation Uniform Statistical Reporting Plan—1995 (USRP)*

Resulting from a multi-year WCIRB study on the Food and Beverage Industry, the recommendation to divide Classification 9079(1), *Restaurants or Taverns*, into 6 new classifications was approved and will go into effect for policies incepting on or after September 1, 2024.

The WCIRB will conduct outreach, develop training resources and offer webinars on the new classifications and what this means for you. Stay tuned to WCIRB.com and our LinkedIn page for more information.

Scan for more
information

WCIRB
California
Objective. Trusted. Integral.



Timeline for New Classification Implementation

Start Date: The 6 new classifications will be effective for policies incepting on or after September 1, 2024. Policies incepting before this date will remain assignable to Classification 9079(1) until policy renewal.

Why are the Changes Not Implemented until 2024?

Planned Approach: This timeline was carefully chosen to allow enough time for extensive outreach and education so policyholders, insurers, agents and brokers can better understand the scope and intent of the 6 new classifications. This will also provide ample time to collect sufficient data reflective of pandemic and post-pandemic industry operations and allow a smooth transition to the new classifications.

Impact on Advisory Pure Premium Rates

Combined Advisory Pure Premium Rate: To begin, these 6 classifications will be combined under one advisory pure premium rate. This allows the WCIRB time to collect enough payroll and loss data to evaluate if changes in the advisory pure premium rate are warranted. The WCIRB will begin to receive this data by the 2nd Quarter of 2026. After analyzing the data, the WCIRB will report back on payroll and loss data by classification to determine whether different advisory pure premium rates are appropriate.

Impact on Experience Modifications

No Change in Experience Modifications: As long as these new classifications are combined for ratemaking purposes, there will be no immediate impact on experience rating.

WCIRB Classification Inspection Reports

Inspection Updates: Reports that currently assign operations to Classification 9079(1) will either be revised to reflect the new food or beverage classification or re-inspected. This is consistent with the WCIRB's standard procedures for annual USRP revisions.

Prioritized Inspections and Training Initiatives

Enhanced Inspection Reports: Starting in the 4th quarter of 2023, the WCIRB will increase inspection efforts, with a focus on experience rated employers assigned to Classification 9079(1). The Classification Inspection Reports will also reflect the appropriate new classification that will be effective September 1, 2024.

Training for Clarity: Expect comprehensive training materials and webinars available on our website to help you navigate these changes smoothly.

FOOD AND BEVERAGE CHANGES EFFECTIVE SEPTEMBER 1, 2024

KEY OPERATIONAL CHARACTERISTICS

*Formerly Classification 9079(1)**



9083

**Restaurants –
fast food or
fast casual**



9080

**Restaurants –
full service**



9084

**Bars or Taverns –
not restaurants**



9082

**Caterers –
not restaurants**



9058

**Hotels, Motels or
Short-Term Residential
Housing – food or
beverage employees**



9081(1)

**Restaurants –
N.O.C.**

- Order From Counter or Drive-Through
- Pay at the Time of Order
- Customers Seat Themselves
- Minors Allowed

- Table Service
- Wait Staff
- Pay at Completion of Meal
- Minors Allowed

- Maintains Type 42, 48 or 61 ABC License
 - Minors Prohibited
- Operates a Beer Tasting Room or Taproom

- Exclusively Prepares, Delivers and Sets Up or Serves Food at Customer-Specific Locations
- Does Not Maintain A Location for customers to dine-in or consume beverages or to prepare individualized meals to consume off-site

- Operates a Hotel and Maintains Employees engaged exclusively in food or beverage operations
 - Restaurants, Bars and Taverns
 - Prepares/Serves Sandwiches, Beverages or Ice Cream
 - Continental Breakfasts, Room Service, Restocking In-Room Refrigerator, On-Site Catering

- Mobile Hot Food Vending Operations
 - Food Trucks/ Trailers/Carts/ Temporary Booths
- Hot Food Departments within Grocery Stores
- Doughnut Shops
- Amusement, Recreational or Athletic Facilities – food & beverage operations