

2013 Horse Racing Industry – Workers Compensation (L & I) Premiums Frequently Asked Questions

What are the main changes to the Horse Racing Industry L&I for 2013?

1. L&I Premiums will be assessed on a month to month “pay as you go basis” rather than as an annual premium.
2. Track Exercise and Pony Riders and Farm Exercise and Pony Riders are now separate risk classes. . “Track” applies only to working on the grounds of Washington racetracks during the training/race meet period when under the authority of the WHRC. “Farm” applies to working off the grounds of the race track (at a farm or at an out of state racetrack) or working at a racetrack when it is not under WHRC authority.
3. There is no longer a distinction between Class A (Emerald Downs) & Class C (Fair Meets) risk classes.
4. At the time of licensing, trainers will only be required to pay license and finger print fees. For trainers, there are no longer “up front” L&I premiums collected at the time of licensing

How will L&I Premiums will be assessed and collected in 2013?

In 2013, premiums will be assessed MONTHLY and trainers will be billed at the end of each month based on the number of grooms and horses per day for that month. Payments will be collected by the WHRC and will be due before the 15th of the following month or when a trainer removes his/her last horse from the grounds.

Is it true that trainers will be required to pay a daily premium per stall for each horse at Emerald Downs?

Yes, 2013 L&I coverage for “Track Exercise” and “Track Pony” riders will be assessed at a combined rate of \$1.31 per horse per day. For example, if you have one horse during a 30 day month, at the end of the month you would be invoiced for 1 horse X 30 days X \$1.31 = \$39.30.

How does the WHRC know how many horses each trainer has?

The WHBPA will maintain records of in/out activity. It is the trainer’s responsibility to make sure the names of all horses entering and leaving the Stable Gate are recorded and spelled accurately on the “In/Out” slip. A copy will be given to the hauler that must be given to the trainer. The trainer can be fined by the WHRC for failure to accurately report the horses in his/her stable.

What happens if a trainer/hauler fails to report a horse leaving the barn gate?

The trainer will continue to be invoiced for that horse until a correction is reported to the WHRC or WHBPA. Trainers should retain a copy of all “In/Out” slips and educate their horse haulers on the necessity of accuracy.

What happens if a horse leaves the gate which was not recorded when it entered; that is, there is no corresponding “In” slip for the “Out” slip?

The trainer will be retroactively billed for this horse as if the horse arrived on the first day the trainer had horses enter the stable gate. It is in the trainer’s best interest to ensure that the WHBPA has the correct information regarding horses in their care. It is the trainer’s responsibility to make sure each horse on the grounds has a corresponding “In” slip.

Is there a premium collected for a trainer’s pony horse?

Yes. Pony horses in a trainer’s stable will be billed the same as racehorses. There will not a premium collected for Independent Contractor Pony Persons’ horses because under the RCW pertaining to these rules, premiums can only be collected from trainers.

How much premium would be owed for a trainer who has one pony and two horses on the grounds for half of May and midway through the month replaces those horses with two different horses?

The trainer would be billed for 3 horses X 31 days x \$1.31= \$121.83

What about horses which come into the stable area for surgery or waiting for a ride from another hauler?

Does the daily premium apply?

Yes, unless the trainer notifies the WHBPA or WHRC in advance that the horse is not at the track for training and notes the circumstance on the “In/Out” slip, the trainer will be assessed a premium accordingly. Horses entering the grounds under this provision can not be ponied or exercised.

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What if a trainer purposely or accidentally reports false information regarding the number and names of horses in their care?

The new rules include provisions for stronger and larger penalties for any reporting that may be considered fraudulent. This includes giving incorrect names and numbers of horses or employees under the trainer's direction.

Will trainers still need to purchase "Groom Slots?"

Yes, as before when trainers obtain their license, they will need to list the names of the grooms that will be working for them. At the end of the month they will be invoiced for the total number of grooms they had during the month. The 2013 premium for grooms is \$139.13 per month. There will no longer be an upfront annual premium for grooms.

Why does the Groom Premium appear to be significantly higher than in the past?

When using the length of the Emerald Downs training and race meet to calculate total annual premium, the rate appears higher. However based on horse population and Employment Security records, L&I estimated that the average groom is employed for less than 9 months per year. Premiums for grooms employed for "the average estimated number of months" are about the same as in 2012.

Do trainers have to report the names and number of grooms working each month?

No, unless there is a change in names or numbers, employees will carry over to the next month until the end of the Live Race Meet. At the end of the meet, only trainers that request extended coverage will continue to have workers compensation coverage under this program.

What if a groom does not work all month?

If a trainer replaces a groom with another groom during the month, there is no change to the premium, however as required previously, the trainer must report the change to the WHRC in order for the new employee to be covered under the Horse Racing Industry account.

If the groom works ten days or more and is not replaced, the trainer would still owe the entire premium for that month. If the groom works less than 10 days the premium would be assessed at \$13.90 per day, if the trainer immediately reported that the groom was no longer working.

What if the trainer does not report the change in number of grooms?

If a trainer does not report that he/she had a decrease in the number of grooms working for them they will be charged a premium for that groom until the WHRC is notified. There will be no adjustments to invoices after they are delivered.

Can a groom work for more than one trainer at the same time?

Yes, but both trainers must each pay their required premium for that groom. If a groom works for Trainer A every day and Trainer B only once a week, Trainer A would pay the full monthly premium and trainer B would be charged the daily rate for that month.

Is there a coverage option for trainers who don't require a full time groom but would for example like to hire extra help on a race day to paddock and help with a horse?

Yes, a trainer may hire any licensed groom and provide L&I coverage at the daily rate of \$13.90. In advance, the trainer must notify the commission of the date and name of the groom they intend to hire. The groom may perform any necessary groom duties for the trainer on that day.

What about L&I coverage at the farms and training centers?

Under Washington State law, all employers must pay workers compensation premium for their employees. However at the farms, coverage under the L&I Horse Racing Industry (WHRI) account is optional. Trainers may open a traditional L&I account to cover employees on an hourly basis at the farms or they may opt for coverage under the WHRI account.

How does a trainer obtain WHRI L&I coverage at the farm?

Trainers must request farm coverage from the WHRC and name all employees prior to their starting work. Furthermore, employees at the farm or training center must all be appropriately licensed by the WHRC.

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Is there a difference in WHRI L&I premiums for employees at the farms versus the racetrack?

Yes and No. The 2013 L&I premium for Exercise and Pony Riders at the Farm is \$17.90 per day. There is no horse count or per horse premium at the farms. Trainers must report to the WHRC in advance the employee's names and the dates they will be working. In addition, Exercise and Pony Riders working at the farm must first obtain the appropriate "Farm" license from the WHRC. There is no additional charge for the second license.

Grooms, covered under the WHRI program at the farms, have the same associated premiums and licensing requirements as at the track. (\$139.13 per month)

Is an exercise rider or pony person who has a FARM license automatically covered under the Horse Racing Industry L&I account while working at the farm?

No, only employees working for a trainer who has opted to have his or her exercise and pony people covered at the farm and who has reported the names and days of employment will be covered under the WHRI L&I account.

Is an exercise rider who breaks horse at the farm eligible for coverage under the HRI L&I account?

If an exercise rider does not have a trainer's license and is getting paid by anyone other than a licensed trainer, they are not eligible for coverage under the WHRI L&I account. Exercise riders who get paid a daily rate (board & training) by the owner of a horse, may be considered independent contractors. If a licensed FARM-exercise rider is employed and paid by a licensed trainer who has opted for WHRI coverage and who has correctly reported the required information to the WHRC, the exercise rider will be covered under the WHRI L&I account.

What if the trainer does not report in advance the days the FARM employees will work?

Premiums will be assessed for each day of the month.

What if two different trainers employ the same exercise rider on the same day at the farm?

If both trainers opted for coverage under the WHRI L&I account, both would be required to pay the \$17.90 daily premium.

Are owners still required to pay the \$150 L&I subsidy at the time of licensing?

Yes, the licensed owners L&I subsidy will be collected exactly the same as it has in the past. Owners pay \$150 per horse with a maximum total payment per owner of \$150. For example a person that owns 10% of a horse owes \$15 and a person that owes 1 horse or 3 horses pays \$150.

What if I have more questions about L&I coverage for the Horse Racing Industry?

Please contact the WHBPA at 253-804-6822 or contactus@whpa.com or call the Washington Horse Racing Commission at 360-459-6462.