



Occupational Safety & Health Administration We Can Help

Advisory Committee on Construction Safety and Health (ACCSH) / Overview of Draft Proposed Regulatory Text for Crane Operator Qualification February 24, 2015

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I. **Background:**

In August 2010, OSHA promulgated a new standard on Cranes and Derricks in Construction following a negotiated rulemaking process. The rule requires employers to ensure that their crane operators are certified prior to operating a crane. After promulgation of the standard, OSHA received information from many in the construction industry that certification was insufficient to guarantee operators' safety, but was more akin to a learner's permit. They were concerned because they had not realized that the final rule *replaced the* employer's duty to ensure that crane operators are competent to operate a crane safely *with the certification* requirement as of November 10, 2014, a result that they viewed as insufficient to ensure safe crane operations. Individuals from the industry and certifying bodies also raised problems with providing certification by *capacity*.

OSHA held several stakeholder meetings to collect information on these issues and proceeded to propose and finalize a three-year extension to preserve the final rule's requirement for employers to ensure that operators were competent, as well as to extend the deadline for certification. This allowed OSHA time to revisit and address these issues.

In an effort to learn more about how employers currently train and qualify their operators, OSHA conducted more than 25 site visits/interviews with construction employers, crane rental companies, crane manufacturers, crane insurers, testing organizations, accrediting organizations, and trade groups.

II. **The proposal:**

OSHA has drafted proposed revisions to the standard for operator qualification that *follows how most employers train, monitor, and evaluate crane operators, as reported to OSHA in the site visits*.

- The draft proposal leaves the certification requirement and process essentially unchanged, except for the removal of the requirement for certification by capacity.
- The draft proposal describes evaluation responsibilities for employers.
- The training requirements generally follow the existing requirements, with some simplifications and measures to accommodate the evaluation process.
- The standard is essentially *a performance standard*; while it tells employers what they must do to ensure operators are competent, it does not tell them how to do that or for how long. It provides a process with required results.
- In order to protect employees from companies and operators (including those not subject to OSHA requirements) coming onto a multi-employer site to perform work without any evaluation of their operator's competency and abilities, the draft standard includes basic operator-evaluation responsibilities for controlling contractors who authorize these operations.

III. **Summary of the rule:**

- Operators must be trained, certified/licensed, and evaluated by employers before operating a crane.
- An operator who has not been certified and evaluated by an employer is an operator-in-training.
- An operator-in-training may operate a crane while under continuous supervision (similar to final rule).
- Certification date would not change (required as of November 10, 2017), but all other changes would take effect on the effective date of the rule.

Evaluation by the employer:

- Operators have to be evaluated on the equipment they will operate (it need not be the actual crane; other cranes to the same make and model would satisfy).
- The evaluation assesses the operator's:
 - Skills to operate the equipment safely, including the configuration in which the equipment will be used
 - Knowledge and judgment to make sound determinations about safe operation
 - Ability to use load charts and follow manufacturer procedures
 - Ability to perform assigned hoisting activities
 - Practical knowledge of signaling, setup, assembly/disassembly, driving, inspection, maintenance, and shutdown, as applicable to the equipment.
- Employer provides documentation to the operator and on-site (see Appendix D) that the operator can carry as proof of assessment.
- Annual re-evaluation and when warranted.

Certification:

- Certification can still be provided by a third-party testing entity, a government licensing entity, or an employer-audited program.

- Certification still includes a written and practical exam, but certification will only be by *type* of crane—not by *capacity*.

Operator Training:

- The training requirements remain the same as in the existing rule, except that OSHA is clarifying that all operators must be trained and that all operators are considered to be operators-in-training until 1) certified for that type of equipment and 2) evaluated on the equipment that will be used.
- The operator-in-training may only operate a crane under constant supervision.
- The requirements for trainer qualifications are now more performance-oriented.
- Training is documented.

Controlling entities:

- A controlling contractor who authorizes a crane service must either:
 - Check the operator's documentation as a qualified operator, or evaluate the operator per this standard.
 - If an operator-in-training, the controlling contractor must ensure constant supervision pursuant to the standard.

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