

OSHA Rules Must Change

Under the U.S. Occupational Safety and Health Administration's current rules for cranes in construction, candidates seeking operator certification must be tested on the type and capacity of crane they will operate. However, implementation of a capacity requirement is controversial in the crane world, and OSHA's final determination on this issue could have major implications for the entire construction industry.

In July 2003, OSHA convened the Cranes and Derricks Negotiated Rulemaking Advisory Committee (C-DAC); I was honored to be a member. This panel of 23 industry professionals was tasked with rewriting the federal government's antiquated safety standards for cranes, and one of our major objec-

tives was to raise the level of operator competency in America.

At that time, the only accredited and OSHA-recognized certification body for crane operators in the U.S. was the National Commission for the Certification of Crane Operators (NCCCO). As such, we carefully studied its testing scheme when writing the new rule.

NCCCO certified operators on

the basis of crane type, but it also had a separate test for telescopic-boom cranes below 17.5 tons. Capacity was immaterial, though; the two telescopic tests simply represented the break point between fixed-cab and swing-cab machines in the country's crane fleet.

However, to ensure that C-DAC was in sync with NCCCO's tests, we included the word "capacity" in the standard, stating that an accredited testing organization must "provide different levels of certification based on equipment capacity and type."

Some people may argue that if 23 industry experts included a capacity requirement in the draft rule, they must have felt it was important. As a C-DAC member, I can assure you that this was not the



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case. Our frame of reference was existing operator certification programs, and there were none that effectively took capacity into account—including Ontario's highly touted and successful program.

It is worth noting that certification by an accredited testing organization is the only one of the four options for operator qualification in the OSHA rule that has a capacity requirement. The other three call for testing only by crane type. Isn't this indicative of C-DAC's intent that capacity was irrelevant? We never envisioned testing operators on the capacity of a crane.

There has been a suggestion that testing by boom length is a solution to this problem. Although it may have some relevance in assessing an operator's skills, it does not equate to testing by capacity. To say

that bigger cranes have longer booms is erroneous: In many all-terrain cranes, the larger capacity machines often have shorter booms to enable a better load chart.

What is relevant is the qualification of an operator based on a crane's configuration, such as use of a luffing jib or super-lift attachment. Because of the hundreds of configurations possible for each type of crane, however, it is not feasible for a certification body to test candidates on every variable.

Certification must be viewed in the same way as licensing of commercial pilots: While the Federal Aviation Administration certifies that pilots have the basic skills to fly a jet plane, it is the airline's responsibility to qualify them to run something as sophisticated as a Boeing 747. Likewise, it is up to the

employer to determine whether operators have the skills to run a Manitowoc 4100 Ringer, even if they only have a certification for a generic crawler crane.

We also must face the fact that the majority of crane operators in this country are certified to crane type only. Shortly after the C-DAC draft was published, NCCCO eliminated its one reference to capacity. Soon thereafter, the International Union of Operating Engineers introduced a type-only certification.

In the years since, both organizations have certified more than 75,000 operators nationwide. Based on the words in the standard, however, OSHA would consider these certifications invalid, potentially crippling our industry. This cannot be allowed to happen. ■

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