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REGULATORY ALERT

N U M B E R 0 5 - 2

Crane Operator Certification – Enforcement

In a memo from Len Welsh, Acting Chief of Cal OSHA to all Division of Occupational Safety and Health Managers, he states that “Effective June 1, 2005, if an employer cannot produce credible evidence that an employee crane operator is certified, a citation shall be issued for a regulatory violation. “ Keep in mind that both tower and mobile crane operators are covered by this requirement, and under the multi-employer worksite rules, you may also be held responsible for ensuring that any subcontractors on your job have certified operators as well.

What does that mean to you – the contractor in terms of compliance?

- If you have an employee or subcontractor operator that has passed their written and practical exams but not yet received their certification card, be sure you can produce evidence of having taken those exams. Completed applications, and scheduling letters may serve as credible evidence.
- If it is the National Commission for the Certification of Crane Operators (CCO) exam process and it has been at least three weeks since the practical exam has been taken, the employer or operator can check the status of certification with CCO by calling Tara at the Fairfax office (703) 560-2391, extension 201, or by e-mailing her at twhittington@nccco.org. She will need full name, Social Security number, test date and location.
- Although Cal/OSHA will not commit to accepting anything less than operator certification cards as credible evidence, they

have indicated that a good faith effort to produce documentation may keep you from a citation or buy you time to produce the evidence.

Your best defense is to be sure that all crane operators at your jobsites carry a crane operator certification card from either the National Commission for the Certification of Crane Operators or from Local 12 Operating Engineers.

Information provided by the Operating Engineers Training Trust has indicated that as of the close of the 1st quarter of 2005 1,540 Local 12 members have attempted the crane certification test. 1,344 have passes and 185 have failed, that puts the pass rate at 87%. Local 3 members have had more than 800 go through the certification program, and more are to be expected, as classes will continue each and every week in July.

Frequently Asked Questions. The following questions and answers are excerpts from a Cal OSHA memo for employers and Cal/OSHA enforcement personnel.

Are all crane operators required to be certified? Operation of mobile cranes that have a maximum rated capacity of less than 15,000 pounds or mobile cranes that have a boom length less than 25 feet does not require certification. However, it does require training pursuant to section 5006.

Will grandfathering of crane operators, based on experience, no incident rates, and/or and training be allowed? There are no provisions written into this regulation to allow “grandfathering” per se. Mobile and tower crane operators covered by section 5006.1 will be required to be tested and certified prior to June 1, 2005. However, the standard does allow operators with 1000 hours of documented crane operating time not to have to take the practical examination for **recertification**.

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What are the “types” of cranes for which Cal/OSHA will require a certified operator after June 1, 2005? Title 8 CCR, Section 5006.1 applies to two basic types of cranes: Mobile Cranes and Tower Cranes. Mobile Crane type designation includes truck-mounted cranes, crawler cranes, locomotive cranes, wheel-mounted cranes and articulating boom cranes. The Tower Crane designation includes construction type tower cranes such as hammerhead tower cranes, fixed tower cranes, climber tower cranes, luffing boom tower cranes, self-erector tower cranes and mobile tower cranes.

Do crane operators have to be certified on the exact model of crane that they operate?

No. Operators need to be tested on the type of mobile or tower crane that they will operate. It is understood that there will not be a specific written test for every model of crane. The examiner should select a written test on a similar type of crane to qualify the applicant. The employer can also have the proficiency or practical examination conducted on the crane that the applicant operates.

Do operators of tower cranes with a rated capacity of less than 15,000 lbs. require certification? Yes. There is no capacity exemption for tower crane operators in the standard. All tower crane operators are required to be certified

Are crane mechanics, inspectors, sales representatives or transport drivers required to be certified? No. If a crane is not being used in lifting service the operator would not be required to be certified. Examples: If a mechanic installs new brakes or a new wire rope on the crane or is testing the crane to ascertain

that the repairs are correct by operating the crane for a short time that would not be considered as being used in lifting service. The transport driver unloading a crane from his transport truck would not be considered a crane lifting service operation.

Does the crane certification requirement apply to offshore cranes? Federal OSHA maintains jurisdiction over cranes that are mounted on barges or ships that are in “navigable” waters in and around the coast of California. A Federal DOL certification is required for those cranes. For those cranes used on oil platforms, California maintains jurisdiction of the platforms in California territorial waters and requires those cranes to have California certifications. The operator qualifications would be covered by sections 5006 and 5006.1.

Does a written administrative procedure that limits crane operators to boom extensions no greater than 25 feet and/or administratively limits the crane operator to a maximum load to less than 15,000 pounds, meet the Cal/OSHA enforcement policy for applying the exemption? No. California regulations allow for a Certified Agent (manufacturer’s representative or a registered engineer, knowledgeable in the construction and use of the equipment), to reduce the load rated capacity of the crane. Revised load charts, manuals and crane recertification are required by section 5027.

If you have questions regarding crane operator certification, contact Marti Stroup Fisher, Director, Safety, Health and Regulatory Services, (916) 371-2422, or stroupm@agc-ca.org.

