

Industry protests OSHA's stance on "capacity"

The discontent that has been brewing in the industry during the past several months over OSHA's insistence that crane operators be certified according to the capacity of crane they test on, came to a head last month as industry representatives responded to the Agency's invitation to air their views in a series of stakeholder meetings at the Department of Labor in Washington, DC (see News p.9).

Speaker after speaker who participated in the three meetings, held April 2-3, testified that certifying by capacity was neither meaningful nor useful and that, more importantly, it contributed nothing to crane safety. Contractors, crane rental, labor, manufacturers and the insurance industry were all well represented.

"Tonnage doesn't imply greater skill; it's the control system that determines skill," said Randy Stemp of Lampson International, a sentiment that was echoed by Chip Pocock, representing the Associated General Contractors of America. "We certainly can't support capacity banding, nor the disenfranchisement of crane operators," he said. "Capacity' has to be eliminated."

Several former C-DAC members who wrote the original document that formed the basis of the rule claimed that it was never their intent to require certifying by capacity, and that OSHA had misinterpreted their language. "If capacity is so important, how come the other three options OSHA has identified as meeting crane operator qualification requirements don't mention it?" said Robert Weiss, C-DAC member and President of Cranes, Inc.

The validity of what several participants referred to as "testing for testing's sake" was also called into question. "If the

tasks don't differ according to size then you don't need to test for them on the performance assessment," said Larry Hopkins of the International Union of Operating Engineers (IUOE). "There needs to be a level of validity for each test. Where's the study that says you need all these different tests?"

A similar consensus emerged when the debate turned to whether certification was equivalent to qualification, as OSHA has stated and which it inserted into the rule after all opportunities for public comment had passed. In other words, was there anything else an employer should have to do to qualify his operators other than certify them?

"You cannot possibly test on everything; we'd spend our lives testing," said Mike Lenkin of Miller & Long. "Every piece of

equipment is different; there are just too many types and sizes."

No-one disputed the value of certification, said Boh Bros.' J. Chris Ryan. The issue was, did that remove any further responsibility of the employer? "We have certified operators, but we take additional essential steps to qualify them," Ryan said. "The employer has the responsibility to ensure operators are qualified."

And at least one other federal agency agreed. "We need to have a two-step process," stated the Corps of Engineers' Ellen Stewart. "We need qualification steps on top of certification."

■ See the Stakeholder Meeting Summary at www.nccco.org/StakeholderSummary.pdf ■

Service Truck Crane Program launches

The National Commission for the Certification of Crane Operators (NCCCO) has made available a new certification program for service truck crane operators.

The service truck crane industry – including manufacturers, users, dealers, trainers, and labor – requested that NCCCO develop the new program tailored to the unique knowledge and skills of service truck crane operators. Representatives from these industry sectors, as well as members of NCCCO's Written Exam and Practical Exam Management Committees, developed the new program over the course of the last nine months.

Although relatively small, these cranes are still engaged in lifting operations covered by OSHA 1926 Subpart CC, which requires operators to be certified or qualified if they are involved with material delivery at construction sites.

"I am very pleased with the finished product," said Tim Worman, business development manager at Iowa Mold Tooling Co. Inc. (IMT), Garner, IA, and a leading proponent of the new program who also participated on the Service Truck Crane Work Group. "The written and practical exams are challenging but appropriate for the level of knowledge and skill operators need to safely do their work. Our industry will be better off with this new tool for assessing operators' abilities."

A restricted version of the CCO Mobile Crane Operator Telescopic Boom – Fixed Cab (TSS) certification, the new certification has the designation "TSS-STC." Certification requirements include passing a single written exam and a practical exam similar to the

TSS exam but modified to accommodate the smaller service truck cranes, as well as the use of remote or pendant controls. Operators already holding CCO TSS certification do not need the TSS-STC certification to operate service truck cranes, but those holding the new TSS-STC certification are restricted to operating service truck cranes only.

■ For more information go to www.nccco.org/certification/STC.html

Certification requires candidates pass a written exam and modified Fixed Cab practical.

