

OSHA Delays Crane Operator Certification Deadline

By Raymond Perez, II

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The compliance date for an Occupational Safety and Health Administration rule requiring construction crane operators be certified by a third-party evaluator and designated as “qualified” will be delayed, the agency announced on May 22, 2017.

While OSHA said it intends to propose an extension of the November 10, 2017, compliance date for certification, it did not specify the new date.

In 2013, the agency said it would reconsider its 2010 construction cranes and derricks requirements ([29 C.F.R. Subpart CC](#)) on certification by third-party evaluators and operator qualification after crane industry representatives pointed out that the mandates failed to follow recommendations from a panel of industry and OSHA representatives who had drafted the rule. Compliance for the requirements was scheduled for November 10, 2014.

OSHA said in 2013 that construction workers suffer 89 fatal injuries each year from the types of equipment covered by its rule. Of that number, it said compliance with the final rule could prevent an estimated 21 fatalities. As an example, OSHA said that, in April 2006, a roof framing crew used a crane to hoist a bundle of plywood sheathing to a location on a roof. As the crane was positioning the bundle of sheathing above its landing location, the load hoist on the crane free spooled, causing an uncontrolled descent of the load that crushed an employee. OSHA said the new regulations in its 2010 rule would have prevented the accident.

In late-2014, [OSHA extended](#) the compliance deadline to November 10, 2017, for employers to ensure crane operators are certified within three years. It said it would provide time to address industry concerns about the “certifying by capacity” requirement and whether “certification” is equivalent to “qualification.” It also extended for the same three years the employer duty to make certain that crane operators are competent to operate a crane safely.

Crane operators would have to be certified under at least one of four options:

- Certification by an independent testing organization accredited by a nationally recognized accrediting organization;
- Qualification by an employer’s independently audited program;
- Qualification by the U.S. military; or
- Compliance with qualifying state or local licensing requirements.

While OSHA had started a new rulemaking process to outline qualification and certification, progress toward issuing a final rule has been slow.

Jackson Lewis attorneys are available to assist employers in analyzing the impact of safety and health policies.

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