

The “Top Ten” FAQs on OSHA’s Rule Reopening Decision



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- 1 What exactly has OSHA done—and why?**

OSHA has announced plans to extend the implementation date of its crane operator certification requirements to 2017. This will allow it time to partially reopen the crane rule to fix issues such as “certifying by capacity” and whether certification really means the same as qualification—issues that the industry has been complaining about for months.
- 2 How long will this take?**

OSHA won’t be drawn on dates but it’s clearly a high priority. The first step of the two-step process (extending the deadline) should happen reasonably quickly. The second step—publishing proposed rulemaking to reopen the rule—will take rather longer.
- 3 Why can’t OSHA simply make the changes the industry has said it wants?**

Because this will require changes to some of the language in the rule, including language that OSHA added in 2010 after the public comment period had expired. This can only be done by further rulemaking.
- 4 What happens after OSHA re-opens the rule?**

There will be an opportunity for public comment and OSHA may even hold one or more public hearings. After OSHA has reviewed all the comments, and the financial effects of the proposed rule on business have been evaluated, OSHA will publish a final rule.
- 5 What happens in the meantime?**

Employers are still required to ensure their crane operators are trained and competent to operate cranes. All CCO certifications issued remain in full force and effect.
- 6 Does that mean that my CCO certification is still valid?**

Absolutely. And it will remain compliant with the current rule, as well as with any new changes that OSHA eventually makes.
- 7 What if capacity isn’t listed on my certification card?**

It doesn’t have to be since that requirement never took effect. And it’s likely to be removed once the rule is re-opened.
- 8 Should I recertify in the usual manner?**

Absolutely. OSHA’s decision to re-open the rule doesn’t affect your certification. You should make sure your certification does not lapse since it will eventually be required by federal law.
- 9 Why is all this important?**

Certification, when done correctly, has been shown to reduce accidents, save lives and reduce injuries. But it’s important to do it right. Fixing the rule, as OSHA has finally agreed to do, will make sure that certification continues to provide employers with a sound basis on which to base their assessment of crane operator competency.
- 10 What if my state requires licensing or certification?**

OSHA’s decision has no effect on state licensing. However, if you are in a state plan state, you will need to check with the plan administrative office to see if they will maintain their state requirements or fall into line with OSHA’s extended timeframe.