

The **slow work** of safety

This month, US regulator OSHA announced it would be delaying the implementation of a nationwide crane operator certification requirement until 2017. Many US crane owners, who've already got their operators certified in anticipation of a 2014 deadline, will be frustrated by this. But the extra time will ensure the country ends up with effective regulation that enhances safety, without imposing excessive costs.

The development of operator certification in the US is a good example of the long term work that is needed to deliver good regulation. It stands in stark contrast to the mistakes made when regulators act in response to individual incidents.

An operator certification programme was first proposed by US crane owners group the SC&RA in 1987. The proposal gained impetus two years later after an accident in San Francisco killed five people. In 1992, OSHA proposed a national licensing scheme for operators. The SC&RA acted to develop a workable certification scheme,

launching the NCCCO in 1995. NCCCO worked with major contractors to get their programme accepted on the biggest job sites, and with accreditation agencies to get a stamp of approval for the certification process. OSHA itself even formally recognised the programme.

That led, in 2002, to the first moves towards a revision of the entire federal cranes and derricks rule. A committee of experts, CDAC, was formed for a negotiated rulemaking. The current delay has its roots in this revision. In their proposal for a certification requirement, CDAC made mention of type and capacity. The reasoning was that, at the time of discussions, the 17.5USt point marked a boundary between fixed and slewing cab cranes. CDAC had no intention of a general requirement for capacity testing. However, OSHA's interpretation was that operators should only be certified to run cranes up to the capacity they had been tested on.

The problem was that, by the time OSHA made its interpretation, the US industry had largely been

certifying operators by crane type only, without a reference to capacity. With a 2014 deadline looming, the majority of operators had already been certified. Even those schemes that test to capacity, only do so to bands.

OSHA's interpretation provoked a storm of criticism: crane owners and operators unions declared it unworkable, and one estimate put the cost at a billion dollars. OSHA also said it would treat certification as equivalent to qualification: rather than a test being a minimum indication an operator could do the job, with their employer responsible for training them on individual cranes, the card would be the only measure that mattered.

By taking a step back, and indicating it will consider a new rulemaking, OSHA has shown it listens to the industries it works with. OSHA now needs to act to formulate a new rulemaking, without further delay.

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