

The New Final Rule Regarding Crane Operator Qualification

Amundsen Davis OSHA Alert
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On November 9, 2018, OSHA published in the Federal Register the new Final Rule (link found below) regarding the qualification requirements for crane operators. Key dates to be aware of are:

- **November 10, 2018** – The Final Rule of 2010 in effect on November 10, 2018. Crane operators must be certified, which under the new Final Rule, may be by type only or type and capacity. Certification must be issued by an accredited certifying body.
- **December 10, 2018** – The new Final Rule goes into effect on December 10, 2018, which means that the changes noted in the new Final Rule will be incorporated into the Final Rule of 2010, and made a part of the Federal Register as of that date.
- **February 7, 2019** – Employers must evaluate their crane operators, and the evaluation must be documented.

There are three (3) essential components to ensure that crane operators are qualified. Employers must ensure that each operator is trained, certified or licensed, and evaluated. (See paragraph 1926.1427(a)).

1. **Employer Training Requirements** – OSHA lists the knowledge and skills it has identified as critical to safe crane operation in paragraphs 1926.1427(j)(1) and (2). Employers must retrain each operator based on the performance of the operator, or based on an evaluation of the operator's knowledge, if there is an indication that retraining is necessary.
2. **Crane Operator Certification** – OSHA lists what it regards as essential knowledge and skills in paragraphs 1926.1427(j)(1) and (2). Employers pay for the crane operator's certification or license. OSHA requires that crane operators recertify every five (5) years.
3. **Crane Operator Evaluation, and Documentation** – The new Final Rule states that, effective February 7, 2019, employers must conduct an evaluation of each operator to ensure that he/she is qualified by a demonstration of (1) the skills and knowledge necessary to operate the equipment safely, and (2) the ability to recognize and avert risks associated with the operation. (See paragraph 1926.1427(f)). Employers must document the completion of the crane operator evaluation, and maintain the evaluation as long as the crane operator is an active employee. (See paragraph

1926.1427(f)(ii)(6)).

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