

MIOSHA Fact Sheet

Part 10 – Cranes and Derricks Operator Qualification – Questions and Answers



These Q & As are designed to provide information related to Construction Safety Standard Part 10 – Cranes and Derricks. The Michigan Occupational Safety and Health Act, Act 154 of 1974, as amended, require employers to comply with safety and health standards promulgated by MIOSHA. However, this document is not itself a standard or regulation, and it creates no new legal obligations.

Question #1: What is required of a controlling contractor for Operator Evaluation if they have a rented crane and an operator is provided?

Answer: MIOSHA would need to determine the employer of the crane operator. The employer would need to follow all applicable regulations. The [Multi-Employer Work Site Policy](#) would then be followed to determine the relationship between the employer and the other contractors on-site.

Question #2: What documentation would MIOSHA be looking for from an employer on site?

Answer: Reference MIOSHA Part 10. Cranes and Derricks:

1926.1427(f)(6) The employer must document the completion of the evaluation. This document must provide: The operator's name; the evaluator's name and signature; the date; and the make, model, and configuration of equipment used in the evaluation. The employer must make the document available at the worksite while the operator is employed by the employer. For operators assessed per paragraph (f)(2) of this section, the documentation must reflect the date of the employer's determination of the operator's abilities and the make, model and configuration of equipment on which the operator has previously demonstrated competency.

Question #3: Can I keep my Operator Evaluation in electronic form?

Answer: Yes. Reference Question #9 of the Frequently Asked Questions – Cranes and Derricks in Construction: Operator Qualification: https://www.osha.gov/cranes-derricks/Op_Cert_Final_Rule_FAQs_11-8-18.pdf

Reference MIOSHA Part 10. Cranes and Derricks:

1926.1427(f)(6): The employer must document the completion of the evaluation. This document must provide: The operator's name; the evaluator's name and signature; the date; and the make, model, and configuration of equipment used in the evaluation. The employer must make the document available at the worksite while the operator is employed by the employer. For operators assessed per paragraph (f)(2) of this section, the documentation must reflect the date of the employer's determination of the operator's abilities and the make, model and configuration of equipment on which the operator has previously demonstrated competency.

LEO is an equal opportunity employer/program.

Reference Page 56229 of the Federal OSHA Cranes and Derricks in Construction: Operator Qualification Preamble: <https://www.govinfo.gov/content/pkg/FR-2018-11-09/pdf/2018-24481.pdf>

Question #4: If I'm a subcontractor using another contractor's crane and operator, what are my obligations to ensure the operator is a Qualified and Evaluated Certified Crane Operator?

Answer: The [Multi-Employer Work Site Policy](#) would be used to determine obligations a subcontractor would have under this scenario.

Question #5: If an Operator is required to use temporary alternative measures for operational aids, would a new evaluation be required, and would it be based on the category (1 or 2) as depicted by the standard?

Answer: No.

Reference Page 56219 of the Federal OSHA Cranes and Derricks in Construction: Operator Qualification Preamble: <https://www.govinfo.gov/content/pkg/FR-2018-11-09/pdf/2018-24481.pdf>

Reference Page 56223 of the Federal OSHA Cranes and Derricks in Construction: Operator Qualification Preamble: <https://www.govinfo.gov/content/pkg/FR-2018-11-09/pdf/2018-24481.pdf>

Question #6: Is an evaluation required for an operator during Assembly/Disassembly?

Answer: No.

Reference: MIOSHA Part 10. Cranes and Derricks in Construction:

1926.1404(a) Supervision--competent-qualified person.

1926.1404(a)(1) Assembly/disassembly must be directed by a person who meets the criteria for both a competent person and a qualified person, or by a competent person who is assisted by one or more qualified persons ("A/D director").

1926.1404(a)(2) Where the assembly/disassembly is being performed by only one person, that person must meet the criteria for both a competent person and a qualified person. For purposes of this standard, that person is considered the A/D director.

Question #7: If a contractor only has one designated evaluator on the payroll and that person is also an operator, can he/she evaluate themselves on a crane to meet the requirements of the rule? In other words, can the operator evaluate themselves?

Answer: No.

Reference Page 56226 of the Federal OSHA Cranes and Derricks in Construction: Operator Qualification Preamble: <https://www.govinfo.gov/content/pkg/FR-2018-11-09/pdf/2018-24481.pdf>

Question #8: If the crane is, “maxed out” (at the maximum configuration) and evaluated, then later on the crane is, “scaled back” (configured differently), would it need to be re-evaluated?

Answer: The determination would be based on the following reference below.

Reference Page 56227 and 56228 of the Federal OSHA Cranes and Derricks in Construction Operator Qualification Preamble: <https://www.govinfo.gov/content/pkg/FR-2018-11-09/pdf/2018-24481.pdf>

Question #9: If a crane operates a diesel hammer for pile driving then operates a vibratory hammer for setting/removing “Z” pile, would one evaluation cover both operations or would there need to be separate evaluations/re-evaluation?

Answer: These operations would require two separate evaluations. The Pile Driving operation is specifically unique to the crane. So is the vibration hammer unit for driving “Z” piles.

Reference Page 56223 of the Federal OSHA Cranes and Derricks in Construction: Operator Qualification Preamble: <https://www.govinfo.gov/content/pkg/FR-2018-11-09/pdf/2018-24481.pdf>

Questions #10: Will MIOSHA allow the previous knowledge of operators for assessments, especially for in-house people?

Answer: Yes. Reference MIOSHA Part 10. Cranes and Derricks:

1926.1427(f)(2) For operators employed prior to December 10, 2018, the employer may rely on its previous assessments of the operator in lieu of conducting a new evaluation of that operator's existing knowledge and skills.

Reference Page 56223 and 56224 of the Federal OSHA Cranes and Derricks in Construction Operator Qualification Preamble: <https://www.govinfo.gov/content/pkg/FR-2018-11-09/pdf/2018-24481.pdf>

Reference Page 56243 of the Federal OSHA Cranes and Derricks in Construction: Operator Qualification Preamble: <https://www.govinfo.gov/content/pkg/FR-2018-11-09/pdf/2018-24481.pdf>

Question #11: Will MIOSHA use the December 10, 2018, date for previous experience? Or have an updated date?

Answer: MIOSHA will be adopting the Federal Standard verbatim, and the December 10, 2018, date will be used. MIOSHA will follow any OSHA enforcement policies that may extend compliance dates.

Question #12: Please explain the mobility/portability of Evaluations.

Answer: Reference MIOSHA Part 10. Cranes and Derricks

1926.1427 (f) Evaluation. (1) Through an evaluation, the employer must ensure that each operator is qualified by a demonstration of:

- (i) The skills and knowledge, as well as the ability to recognize and avert risk, necessary to operate the equipment safely, including those specific to the safety devices, operational aids, software, and the size and configuration of the equipment. Size and configuration includes, but is not limited to, lifting capacity, boom length, attachments, luffing jib, and counterweight set-up.
- (ii) The ability to perform the hoisting activities required for assigned work, including, if applicable, blind lifts, personnel hoisting, and multi-crane lifts.

Reference Page 56228 of the Federal OSHA Cranes and Derricks in Construction: Operator Qualification Preamble : <https://www.govinfo.gov/content/pkg/FR-2018-11-09/pdf/2018-24481.pdf>

Question 13: Explain the December 10, 2018, status. What needs to be in place for documentation?

Answer: Please review Questions #10 and #11 of this Question and Answer document.

Question #14: What if there is no certification examination for the type of equipment an employee uses?

Answer: Reference MIOSHA Part 10. Cranes and Derricks

1926.1427(d)(2) If no accredited testing agency offers certification examinations for a particular type of equipment, an operator will be deemed to have complied with the certification requirements of this section for that equipment if the operator has been certified for the type that is most similar to that equipment and for which a certification examination is available. The operator's certificate must state the type of equipment for which the operator is certified.

Question #15: How do I as the employer know that the operator is medically cleared? How will MIOSHA review this?

Answer: Any requirement(s) necessary to operating equipment under the standard, such as medical clearances, is to be determined by the employer and may be discussed during an inspection.

Reference MIOSHA Part 10. Cranes and Derricks

1926.1427 (a) General requirements for operators. The employer must ensure that each operator is trained, certified/licensed, and evaluated in accordance with this section before operating any equipment covered under subpart CC, except for the equipment listed in paragraph (a)(2) of this section.

Additionally, please see the OSHA FAQs for more Questions and Answers:
https://www.osha.gov/cranes-derricks/Op_Cert_Final_Rule_FAQs_11-8-18.pdf