

TO: MEUW Members
FROM: Lisa Haen, Safety and Health Manager
DATE: November 5, 2010
RE: **REMINDER: OSHA 20' Rule effective Monday, November 8, 2010;
JT&S Program training for rigger and signalperson qualification.**

This memo serves as a reminder that the recent OSHA regulation 20' rule change, which affects the use of digger/derrick trucks, goes into effect Monday, November 8, 2010 (see attached OSHA fact sheet).

One of the key compliance pieces to this rule is the qualification requirements of “rigger” and “signal person” personnel. According to OSHA 1926.1428, the employer must ensure signal person employees are qualified through an oral or written test and a practical test [1926.1428].

1926.1428 (c) (5) – “Each signal person must: Demonstrate that he/she meets the requirements of this section through an oral or written test and a practical test.”

“The employer of a signal person must ensure that each signal person meets the Qualifications Requirements [1926.1428 (c)] prior to giving any signals. This requirement must be met by using either Option (1) or Option (2) of this section:

1926.1428 (a) (1) Option (1) – Third party qualified evaluator – The signal person has documentation from a third party qualified evaluator [1926.1401] showing that the signal person meets the Qualification Requirement.

1926.1428 (a) (2) Option (2) – Employer qualified evaluator – The employer’s qualified evaluator assesses the individual and determines that the individual meets the Qualification Requirements and provides documentation of that determination. An assessment by an employer’s qualified evaluator under this option is not portable – other employers are not permitted to use it to meet the requirements of this section.”

There is no grandfather clause - employers still need to make individual determinations as to employee competence and provide documentation through written and practical testing. Therefore, the JT&S Training Program will conduct rigging and signalperson training as part of Session “E” (Vehicle Safety) beginning on January 12, 2011.

It’s important to note that although November 8, 2010 is the OSHA effective date, MEUW member municipalities operate under the Department of Commerce (DCOMM) regulations, which have not been fully adopted yet but we anticipate their adoption.

Finally, the second key piece of this OSHA 20’ rule requires crane operators to be “certified” (which may or may not include digger derrick operations). Those OSHA requirements go into effect November 10, 2014. As always, we will forward any additional information as it becomes available.

OSHA[®] FactSheet

Subpart CC – Cranes and Derricks in Construction: Signal Person Qualification

This fact sheet describes the signal person qualification requirements of subpart CC – Cranes and Derricks in Construction, as specified in 29 CFR 1926.1419 and 1926.1428. Other requirements related to signal persons can be found at 29 CFR 1926.1404, 1926.1430, 1926.1431, and 1926.1441. These provisions are effective November 8, 2010.

When is a signal person required?

A signal person is required when:

- The point of operation is not in full view of the operator (1926.1419(a)).
- The operator's view is obstructed in the direction the equipment is traveling.
- Either the operator or the person handling the load determines that a signal person is needed because of site-specific safety concerns.

What does a signal person need to know?

The signal person is considered qualified if he or she:

- Knows and understands the type of signals used at the worksite.
- Is competent in using these signals.
- Understands the operations and limitations of the equipment, including the crane dynamics involved in swinging, raising, lowering and stopping loads and in boom deflection from hoisting loads.
- Knows and understands the relevant signal person qualification requirements specified in subpart CC (1926.1419-1926.1422; 1926.1428).
- Passes an oral or written test and a practical test.

How does a signal person become qualified?

Employers must use one of the following options to ensure that a signal person is qualified (see 1926.1428).

1. *Third party qualified evaluator.* The signal person has documentation from a third party qualified evaluator showing that he or she meets the qualification requirements.
2. *Employer's qualified evaluator* (not a third party). The *employer's qualified evaluator* assesses the individual, determines the individual meets the qualification requirements, and provides documentation of that determination. This assessment may not be relied on by other employers.

Refer to 1926.1401 for definitions of qualified evaluators.

How will an employer show that a signal person is appropriately qualified?

Employers must make the documentation of the signal person's qualifications available at the worksite, either in paper form or electronically. The documentation must specify each type of signaling (e.g., hand signals, radio signals, etc.) for which the signal person is qualified under the requirements of the standard.

When are signal persons required to be qualified?

The qualification requirements for signal persons go into effect on November 8, 2010.

This is one in a series of informational fact sheets highlighting OSHA programs, policies or standards. It does not impose any new compliance requirements. For a comprehensive list of compliance requirements of OSHA standards or regulations, refer to Title 29 of the Code of Federal Regulations. This information will be made available to sensory impaired individuals upon request. The voice phone is (202) 693-1999; teletypewriter (TTY) number: (877) 889-5627.

For more complete information:



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DOC 10/2010