



Regulatory Update

OSHA Issues Rule on Cranes and Derricks in Construction

If your company is involved in construction, crane rental or crane certification, you may be affected by an OSHA rule regarding cranes and derricks used in construction. The rule is intended to improve safety and prevent injuries and fatalities related to cranes and derricks. The new standards were released by OSHA on August 9, 2010, and are effective November 8, 2010. They replace a rule that dated back to 1971 and was based on 40-year-old industry standards.

Who is Affected?

According to OSHA, approximately 267,000 construction, crane rental and crane certification establishments employing about 4.8 million workers will be affected by the rule. Compliance with the rule is generally the responsibility of a "controlling entity:"

- An employer that is a prime contractor, general contractor, construction manager, or
- Any other legal entity with overall responsibility for project's construction, along with its planning, quality and completion.

Equipment affected by the rule is "power-operated equipment used in construction that can hoist, lower and horizontally move a suspended load." This includes derricks and a variety of different cranes. The rule includes a comprehensive list of these cranes, as well as a list of the types of equipment that are excluded from the rule's coverage.

What Does the Rule Require?

The rule addresses important provisions for crane operator certification as well as crane inspection, set-up and disassembly. Major provisions of the rule require controlling entities to:

- Determine whether the ground is sufficient to support the anticipated weight of hoisting equipment and associated loads;
- Assess hazards within the work zone that would affect the safe operation of hoisting equipment, such as power lines, objects and personnel within the work zone or swing radius of the hoisting equipment;
- Ensure that the equipment is in safe operating condition via required inspections; and
- Ensure that employees in the work zone are trained to recognize hazards associated with the use of the equipment and any related duties.

The entire final rule is available at www.osha.gov/FedReg_osha_pdf/FED20100809.pdf. Stay tuned for more information from Clark Insurance on specific aspects of the rule's requirements.

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