

# Crane Operator Qualification Regulation Update

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# Existing vs New Operators in BC

## for all boom-trucks, tower & mobile cranes

- Estimated 4000 – 7000 incumbent operators with unknown skills and various credentials
- Estimated 100 – 300 new operators entering workforce each year
- WorkSafeBC and employers have great difficulty in using current certificates as “proof of competency”

# Current 14.34 (3) not enforceable

- Section 14.34(3) requires an operator of certain types of cranes to have an appropriate trade qualification, be an indentured apprentice or have equivalent qualifications as determined by the Industry Training and Apprenticeship Commission (“ITAC”).
- In practice, this requirement cannot be met as;
  - ITAC has been abolished
  - apprenticeships are not available for all the crane types

# 2004 Proposed Amendment

- An amendment was proposed to delete section 14.34(3), the requirement that crane and hoist operators have specific qualifications, and replace it with a requirement that the employer determine if a person is qualified to operate a crane by applying training criteria and evaluation processes acceptable to the Workers' Compensation Board (“WCB”). This proposal was not supported by either the employer or the worker communities.

# WCB Board of Directors Directive

- In July 2004, the Board of Directors (BOD) directed Industry and Labour Services, to work with industry to develop a program model to address the issue of mobile crane, tower crane and boom truck operator qualification. In June 2005, the BOD approved the continued development of a program that supports the assessment and documentation of an operator's competency.

# Board of Directors Directive (cont)

- The process has resulted in the formation of the BC Association for Crane Safety (BCACS),
- BCACS includes representatives of employers and workers from many of the industries.
- The BOD also approved the inclusion of the crane and boom truck operator certification/competency issue in the 2006 regulation review process.

# 2006 Proposed Regulation 14.34 (applies to all cranes)

- (1) A crane or hoist must only be operated by a qualified person who has been instructed to operate the equipment.
- (2) A person must demonstrate competency, including familiarity with the operating instructions for the crane or hoist and the code of signals for hoisting operations authorized by the Board before operating the equipment.

# 2006 Proposed Regulation 14.34 (applies to all cranes)

- After July 1, 2007, a mobile crane, tower crane or boom truck must only be operated.
  - (a) by a person with a valid operator's certificate issued by a person acceptable to the Board, and
  - (b) in accordance with any conditions stipulated on the certificate

# **2006 Proposed Regulation 14.34.1**

**(applies to mobile, tower & boom only)**

(a) by a person with a valid operator's certificate issued by a person acceptable to the Board, and

(b) in accordance with any conditions stipulated on the certificate.

# Proposed Regulatory Changes to 14.34

- Went through a public consultation process in January 2006
- Expect the formal public hearing process to go ahead in April/May 2006
- Guidelines will be developed where necessary

# BC Association for Crane Safety (BCACS)

- The BCACS is developing;
  - an infrastructure to support the new requirements
  - a program for assessing operator competency
  - a “proof of competency” document and data base
- The proof of competency document may be referred to as an operator’s certificate.

# Proof of Competency vs. Training

- WorkSafeBC's mandate is to promote a high standard of safety
- WorkSafeBC believes in training but our focus is on competency
- High standard determined by competency evaluation including existing operators

# Assessing Competencies

- Competency will be assessed through;
  - testing knowledge and understanding of operating principles and regulations, and
  - a practical test on the types of crane the person wants to have included in the scope of their operator's certificate

# “Acceptable Agency”

- WorkSafeBC anticipates an agency with;
  - qualified 3<sup>rd</sup> party assessors to administer the competency testing
  - testers reasonably available throughout the province
  - a strategy to minimize travel costs and expenses for operators seeking to be assessed.
- The agency will provide competency testing only and will not train prospective operators.

# Training for Existing Operators or New Operators

- Training will need to be provided by employers through in-house programs or by some other program provider where a person would learn the theory and develop practical skills prior to attending an assessment.

# “Learner’s” Certificate

- A trainee wanting to become a crane operator will likely:
  - require a “learner’s certificate” to allow the trainee time to develop the practical skills to pass the assessment
  - need to pass a test on knowledge and understanding of appropriate operating principles and regulations
- A “learner’s certificate” would restrict the trainee to operate only:
  - under the direct supervision of a person holding a valid operator’s certificate
  - under those circumstances that would not endanger themselves or other workers

# Fees and Expiry Times

- It is anticipated there will be a fee charged for a person to be assessed/tested under the program, but the fee structure is still to be determined. BCACS is working to keep the costs for assessment/testing as low as possible, particularly for incumbent operators.
- It is anticipated that an operator's certificate issued by the program will be valid for a fixed length of time. Currently a period of three years or five years from the date of assessment are being considered.

# Interim Certificates

- A person with a relevant trade qualification or an equivalent documented level of competency from another program or another jurisdiction will be required to pass the testing and obtain a certificate to work in BC.
- The program is anticipated to provide for the issue of an “interim certificate” to a person arriving in BC with valid and appropriate out of province credentials to allow the person to work until an assessment can be arranged and completed.
- Such an interim certificate would be valid for a limited time, likely no longer than six months.

# “Issued by a person acceptable to the Board”

- Under the *Interpretation Act*, “person” includes an individual, a corporation, or a partnership, and is the way such requirements are typically stipulated in regulations.
- A guideline will be published to set out the person or agency acceptable to the WCB
- 3<sup>rd</sup> party assessors is an example of such criteria

# Guideline for Types of Cranes Included in Scope of 14.34.1

- A guideline may be published to clarify what equipment is considered to be within the scope of the terms “mobile crane”, “tower crane” and “boom truck”
- A self erect tower crane is a type of tower crane
- The guideline may include illustrations of hoisting devices to avoid confusion over differing names for the same equipment (in hand-out)

# Practical Test Competencies

- May be combination of observation and putting operator through specific tests
- May have 10-20 competencies the operator will have to prepare for
- Assessor may randomly use 3-5 competencies