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WE ARE!

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Are You Ready for OSHA? We Are!

*Article I in a Multi-Part Series: Understanding CDAC
Debbie Dickinson, Executive Director, CIC*

An article written by Carl A. Schaerf and Harris Neal Feldman (article was in **Product Liability** publication, page 60, *For The Defense*, December 2009) about Defending Crane Manufacturers, Titled, ***New OSHA Standards Improve Position from the Start***. The article states that the new OSHA standards will become published with final regulations within a matter of months. There are over 1,100 pages of proposed crane standards, a major overhaul of decades-old regulations largely based on a long-antiquated version of the American National Standards Institute's B-30.5 standard, which detail new requirements in operator training, inspection, and evaluation of surrounding conditions.

Schaerf and Feldman state that manufacturers will find it easier to

demonstrate that increased responsibility for safety should fall to those who can control it. In other words, the new standards appropriately place increased responsibility for safety with employers and general contractors, who can control where cranes are operated. OSHA solicited input from a vast range of companies.

The standards fall into three categories: (1) preventative; (2) operational; (3) environmental. **Preventative Standards** involve pre-operational actions that OSHA expects will reduce injuries and fatalities in the construction industry: uniform inspections, training requirements, safety devices, maintenance and repair worker qualifications, and equipment modifications. *Uniform Inspections* are important because, recognizing

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New OSHA Standards on All Aspects of Crane Safety *Continued from pg. 1*



inspections as key to preventing injury, the revised standards impose uniform inspection schedules with limited equipment-specific inspection requirements. *Training Requirements*, in Section 1430 of the new standards, collect and cross-reference various subsection that address training issues. *Safety Devices* that are not in working order are prohibited from being put in operation in the new revised crane standards. Through *Worker Qualifications on Maintenance and Repair*, OSHA sought to place restrictions on equipment operations during maintenance or repair to ensure that maintenance and repair personnel were qualified to perform the work. *Equipment Modifications* will need the written approval from the manufacturer as now stated in the new standard. OSHA also addressed the possibility that the manufacturer does not respond to the request on modification or is no longer in existence.

Operational Standards. As to *Operator Qualifications and Certification*, finding that human error is a significant cause of fatal crane accidents and that existing OSHA crane operation training does not require testing verified by a third party have resulted in inconsistent degrees of operator knowledge, OSHA will further mandate formal certification and qualification of crane operators. *Manufacturer Procedures* includes all recommendations by the manufacturer regardless of the

format. The new standard will require all employers to comply with all manufacturers recommendations.

Environmental Standards. *Ground Conditions* is a major cause of crane accidents. In an effort to reduce tip over incidents, the new standards place a high level of responsibility on the “controlling entity” defined as a “prime contractor, general contractor, construction manager or any other legal entity which has the overall responsibility for the construction of the project — its planning, quality and completion.” Schaerf and Feldman explain: “These standards shift the responsibility to the controlling entity rather than leaving it to the judgment of the crane operator.” *Weather Conditions* are also a major cause for crane accidents. The new standards require that the supervisor has to determine that wind and/or weather conditions will or will not affect the crane’s stability and adjust accordingly. *Power lines* cause a number of fatalities in the crane industry. The new standards offer several options for supervisors in operating, assembly, travel, etc. while working with or around power lines.

The new standards put manufacturers in a better position from the start of any case. As Schaerf and Feldman conclude: “A skilled defense attorney for a crane manufacturer can make very effective use of the new standards. These standards serve the salutary purpose of placing the responsibility for accident prevention squarely where it belongs, primarily on employers and contractors, not on manufacturers.” ■

Special Announcement

**NCCA Board of Commissioners
completed review and approved the
CIC application for accreditation.
Based on information available
to date, CIC is the first to offer
ACCREDITED CERTIFICATION
for Riggers & Signalpersons!**

*A special thank you goes out
to the Rigging Certification Committee!*

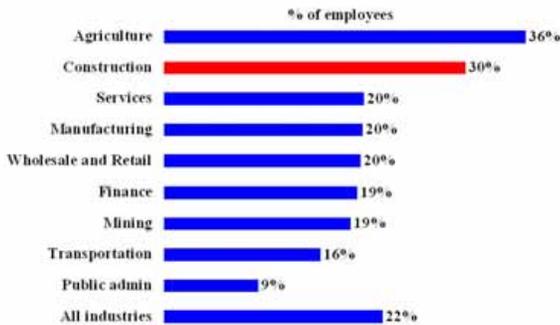
Hispanics in the Construction Industry

CPWR – The Center for Construction Research and Training, edited by the Crane Institute of America Certification

Information was gathered in the early 1990's through 2008 that has clearly shown an increase in Hispanics working in the construction industry. In the most recent years that percentage has even increased more. For example in 2005 the percentage of Hispanics in construction was 23% and only 13% in all other industries put together. In 2007 it was 25.2% in construction to 14% in all other industries. The numbers for 2008 were 24.7% to 13.9% not in construction.

Hispanics make up 30% of the U.S. construction workforce.

5. Hispanic employees as a percentage of each industry, 2008 (Production workers)



Source: 2008 Current Population Survey. Calculations by the authors.

Hispanic workers are often found to be more geographically concentrated in the South and West. In 2007, more than 40% of the construction workforce was of Hispanic origin in the following states: New Mexico, Texas, California, Arizona, and Nevada; while states with less than 2% of Hispanic workers in construction were: Vermont, West Virginia, South Dakota, Maine, and North Dakota (Chart 11).

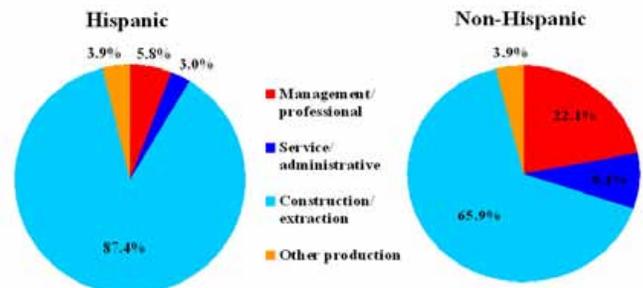
In 2008, more than 87% of Hispanic workers were employed in construction/ extraction occupations, while only 66% of non-Hispanic workers were employed in such occupations (Chart 14). More than one-fourth of all Hispanic construction workers were laborers and helpers, and another quarter of them were carpenters or painters (Chart 15). The majority (52% IN 2007) of U.S. drywall workers are of Hispanic origin. Other occupations with a high proportion of Hispanic workers include roofers (43%), concrete workers (41%), construction laborers and helpers (39%), and carpet and tile workers (39%) (Chart 16).

11. Percentage of construction workers who are Hispanic, by state, 2007



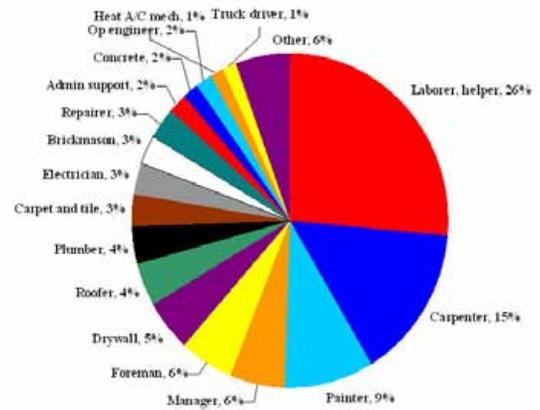
Source: 2007 American Community Survey. Calculations by the authors.

14. Occupational distribution in construction, Hispanic and non-Hispanic workers, 2008



Source: 2008 Current Population Survey. Calculations by the authors.

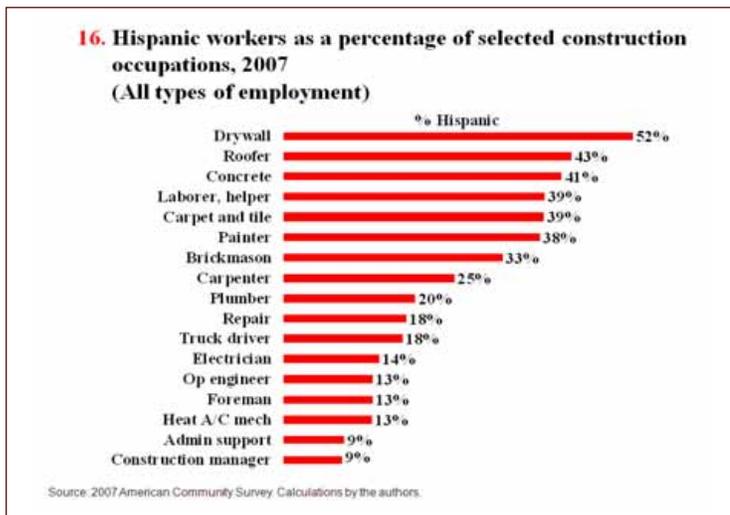
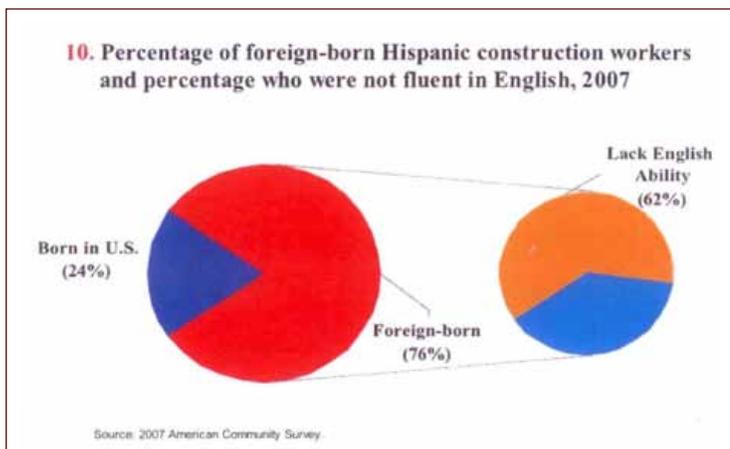
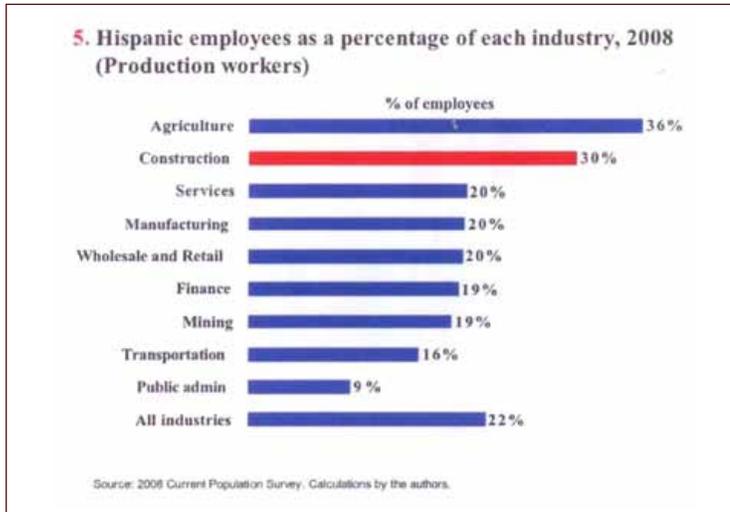
15. Distribution of Hispanic construction workers, by occupation, 2007 (All types of employment)



Source: 2007 American Community Survey. Calculations by the authors.

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Click Here to Take Part in our Survey About Certification Exams in Spanish



Questions or comments can be directed to Debbie Dickinson, Executive Director, Crane Institute of America Certification, at (770) 783-9283 or email Debbie at ddickinson@craneinstitutecertification.com.

Excerpts from CPWR Data Brief, Vol.1. No. 1 – November 2009 CPWR -- The Center for Construction Research and Training. For more charts and information: http://www.cpwr.com/pdfs/Hispanic_Data_Brief-Nov-09.pdf. ■

Certification Statistics

Since 1989, Crane Institute of America, Inc., the parent company of CIC, has been conducting certification programs and certifying candidates. They have issued more than 11,000 certifications for a variety of jobs in the crane industry.

Certification Statistics for Mobile Crane Operators:

The following numbers of exams have been administered by Crane Institute throughout the United States and abroad, specifically for Mobile Crane Operator certification, since 1989:

- 5,500 Mobile Crane Operator - General Knowledge exams
- 5,500 Written Supplemental Telescoping Boom exams
- 1,265 Written Supplemental Lattice Boom exams
- 1,375 Practical exams
- For the General Knowledge Exam the average pass rate is 90% and the mean (average) score is 66.
- For the Supplemental Exams the average pass rate is 72% and the mean (average) score is 59.

Certification Statistics for Rigger/Signalpersons:

The following numbers of exams have been administered by Crane Institute throughout the United States specifically for

Rigger/Signalperson certification, since 1996:

- 3,620 Certified Rigger/Signalpersons.
- CIC certified 204 Rigger/Signalpersons in 2009
- For the Written exam the average pass rate is 75% and the mean (average) score is 53.
- For the Practical exam the average pass rate is 95% and the mean (average) score is 86. ■

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