Occupational Safety and Health Admin., Labor

§ 1926.1428

(2) Tests under this section may be administered in any language the operator candidate understands, and the operator’s certificate must note the language in which the test was given. The operator is qualified under paragraph (b)(2) of this section to operate equipment that is furnished with materials required by this subpart that are written in the language of the certification. The operator may only operate equipment furnished with such materials.

(i) [Reserved]

(j) Certification criteria. Qualifications and certifications must be based, at a minimum, on the following:

(1) A determination through a written test that:

(i) The individual knows the information necessary for safe operation of the specific type of equipment the individual will operate, including all of the following:

(A) The controls and operational/performance characteristics.

(B) Use of, and the ability to calculate (manually or with a calculator), load/capacity information on a variety of configurations of the equipment.

(C) Procedures for preventing and responding to power line contact.

(D) Technical knowledge similar to the subject matter criteria listed in appendix C of this subpart applicable to the specific type of equipment the individual will operate. Use of the appendix C criteria meets the requirements of this provision.

(E) Technical knowledge applicable to:

(1) The suitability of the supporting ground and surface to handle expected loads.

(2) Site hazards.

(3) Site access.

(F) This subpart, including applicable incorporated materials.

(ii) The individual is able to read and locate relevant information in the equipment manual and other materials containing information referred to in paragraph (j)(1)(i) of this section.

(2) A determination through a practical test that the individual has the skills necessary for safe operation of the equipment, including the following:

(i) Ability to recognize, from visual and auditory observation, the items listed in §1926.1412(d) (shift inspection).

(ii) Operational and maneuvering skills.

(iii) Application of load chart information.

(iv) Application of safe shut-down and securing procedures.

(k) Phase-in.

(1) The provisions of this section are applicable November 8, 2010, except for paragraphs (a)(2) and (f) which are applicable November 10, 2014.

(2) When §1926.1427(a)(1) is not applicable, all of the requirements in paragraphs (k)(2)(i) and (ii) of this section apply until November 10, 2014:

(i) The employer must ensure that operators of equipment covered by this standard are competent to operate the equipment safely.

(ii) Where an employee assigned to operate machinery does not have the required knowledge or ability to operate the equipment safely, the employer must train that employee prior to operating the equipment. The employer must ensure that each operator is evaluated to confirm that he/she understands the information provided in the training.

§ 1926.1428 Signal person qualifications.

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

(1) Option (1)—Third party qualified evaluator. The signal person has documentation from a third party qualified evaluator (see Qualified Evaluator (third party), §1926.1401 for definition) showing that the signal person meets the Qualification Requirements (see paragraph (c) of this section) prior to giving any signals.

(2) Option (2)—Employer’s qualified evaluator. The employer’s qualified (see Qualified Evaluator (not a third party), §1926.1401 for definition) evaluator assesses the individual and determines that the individual meets the Qualification Requirements (see paragraph (c) of this section) and provides documentation of that determination.
§ 1926.1429 Qualifications of maintenance & repair employees.

(a) Maintenance, inspection and repair personnel are permitted to operate the equipment only where all of the following requirements are met:

(1) The operation is limited to those functions necessary to perform maintenance, inspect the equipment, or verify its performance.

(2) The personnel either:

(i) Operate the equipment under the direct supervision of an operator who meets the requirements of §1926.1427 (Operator qualification and certification); or

(ii) Are familiar with the operation, limitations, characteristics and hazards associated with the type of equipment.

(b) Maintenance and repair personnel must meet the definition of a qualified person with respect to the equipment and maintenance/repair tasks performed.

§ 1926.1430 Training.

The employer must provide training as follows:

(a) Overhead powerlines. The employer must train each employee specified in §1926.1408(g) and §1926.1410(m) in the topics listed in §1926.1408(g).

(b) Signal persons. The employer must train each employee who will be assigned to work as a signal persons who does not meet the requirements of §1926.1428(c) in the areas addressed in that paragraph.

(c) Operators.

(1) Operators-in-Training for equipment where certification or qualification is required by this subpart. The employer must train each operator-in-training in the areas addressed in §1926.1427(j). The employer must provide re-training if the operator-in-training does not pass a qualification or certification test.

(2) Transitional Period. During the four-year phase-in period for operator certification or qualification, as provided in §1926.1427(k), employers must train each operator who has not yet been certified or qualified in the areas addressed in §1926.1427(j).

(3) Operators excepted from the requirements of §1926.1427. The employer must train each operator excepted under §1926.1427(a) from the requirements of §1926.1427 on the safe operation of the equipment the operator will be using.

(4) The employer must train each operator of the equipment covered by this subpart in the following practices:

(i) On friction equipment, whenever moving a boom off a support, first raise the boom a short distance (sufficient to take the load of the boom) to determine if the boom hoist brake needs to