

MCAA SAFETY COMMITTEE

REGULATIONS UPDATE



THE USE OF CRANE ARMS ON MAST CLIMBING WORK PLATFORMS

HISTORY:

OSHA's FINAL RULE ON CRANES ISSUED 2010

OSHA LETTER OF INTERPRETATION ISSUED 2011 DETERMINING THAT **ALL** MCWP CRANE ARMS CAPABLE OF LIFTING OVER 2000 LBS, AND MOVING THE LOAD HORIZONTALLY UNDER POWER WAS 'A CRANE'

AFTER LOBBYING BY CONCERNED STAKEHOLDER INDUSTRIES (e.g. SAIA, IPAF, MCAA) OSHA DEFERRED THE NECESSITY FOR CRANE OPERATOR CERTIFICATION TO NOVEMBER 2017



IMPACT OF THE LETTER OF INTERPRETATION:

- ALL MCWP MATERIAL HOIST OWNERS, USERS WILL REQUIRE TO BE TRAINED AS 'CRANE OPERATORS'
- CRANE OPERATORS REQUIRE TO BE CERTIFIED TO A NATIONALLY RECOGNIZED LEVEL, e.g. NCCCO CERTIFICATION (National Commission for the Certification of Crane Operators). THIS MEANS THAT INDUSTRY TRAINING, MANUFACTURER TRAINING WOULD NOT BE AN ACCEPTABLE FORM OF QUALIFICATION/CERTIFICATION
- KEVIN OSHEA, DIRECTOR OF SAFETY AND TRAINING AT HYDRO MOBILE, CALLED THREE NCCCO TRAINING CENTERS TO REQUEST OPERATOR TRAINING FOR AN MCWP MATERIAL HOIST OR 'CRANE'. ALL THREE TRAINING CENTERS RESPONDED 'THAT'S NOT A CRANE'
- THIS LEFT OUR INDUSTRY WITH A MAJOR PROBLEM – NOVEMBER 2017 WOULD LEAVE OUR INDUSTRY WITH THE REQUIREMENT TO BE CERTIFIED AS OPERATORS TO USE OUR MATERIAL HOISTS ON MAST CLIMBERS, BUT WITH NO CONCEIVABLE WAY TO GET CERTIFICATION.

FOR THE LAST 5 YEARS KEVIN HAS BEEN WORKING WITH OSHA TO DO TWO THINGS;

1. GET OSHA TO RECOGNIZE THE PROBLEM, TO RECOGNIZE THE INDIVIDUAL NATURE OF THE MCWP HOIST ISSUE AND TO SEE IT AS A SIGNIFICANT ISSUE. ONE WHICH WOULD PROMPT THEM TO WANT TO HELP US.
2. FIND A WAY TO EXEMPT OUR PRODUCTS FROM THE REQUIREMENTS OF THE CRANE REGULATIONS.

JULY 3 2017

OSHA announces policy change on monorail hoists in construction

WASHINGTON –

The U.S. Department of Labor's Occupational Safety and Health Administration has announced a new enforcement policy that **excludes** monorail hoists from the requirements of Subpart CC – Cranes and Derricks in Construction, as long as employers meet other OSHA requirements.

The policy change was made in response to comments from stakeholders and in recognition that a monorail hoist – which is attached to a fixed monorail mounted on equipment such as trucks, trailers, or scaffolding systems – is significantly different from other cranes and derricks in construction.

Some monorail hoists can be extended and contracted in only a fixed horizontal direction. They do not rotate, swing on a hinge, or boom out much farther than the equipment on which they are mounted. They are often used in construction to hoist precast concrete components, storage tanks, and mechanical equipment.

Under the new policy, the agency will not cite employers for failing to meet the requirements of Subpart CC if they meet the requirements of the overhead hoists and general training standards. The general industry requirements for monorail hoists remain intact.

OSHA POLICY CHANGE – WHAT DOES IT MEAN?

IT MEANS THAT MCWP HOISTS MOUNTED ON I-BEAMS ARE EXEMPT FROM THE CRANE REGULATIONS, IF THEY FOLLOW AS BELOW:

For Construction Applications

- (1) Compliance with 29 CFR 1926.554 (Overhead hoists). OSHA notes that its Overhead Hoist standard requires the use of outriggers and other supports whenever prescribed by the manufacturer.
- (2) Operators of this equipment are trained in accordance with 29 CFR 1926.21.
- (3) The employer has determined that each operator is qualified to safely operate that hoisting system per 29 CFR 1926.20(b)(4).
- (4) When monorail hoists are mounted on equipment such as work vehicles, utility trailers, scaffolding systems (including mast climbing), and various other mobile or stationary support systems, the employer must also comply with all other OSHA construction requirements that are applicable to each supporting vehicle, equipment, and structure.

Should an employer operating such equipment fail to comply fully with all of the requirements described, the requirements of the cranes standard would apply.

1926.554 Regulation

1926.554(a)(1)

The safe working load of the overhead hoist, as determined by the manufacturer, shall be indicated on the hoist, and this safe working load shall not be exceeded.

1926.554(a)(2)

The supporting structure to which the hoist is attached shall have a safe working load equal to that of the hoist.

1926.554(a)(3)

The support shall be arranged so as to provide for free movement of the hoist and shall not restrict the hoist from lining itself up with the load.

1926.554(a)(4)

The hoist shall be installed only in locations that will permit the operator to stand clear of the load at all times.

1926.554(a)(6)

All overhead hoists in use shall meet the applicable requirements for construction, design, installation, testing, inspection, maintenance, and operation, as prescribed by the manufacturer.

1926.21

General requirements.

The Secretary shall, pursuant to section 107(f) of the Act, establish and supervise programs for the education and training of employers and employees in the recognition, avoidance and prevention of unsafe conditions in employments covered by the act.

The employer shall instruct each employee in the recognition and avoidance of unsafe conditions and the regulations applicable to his work environment to control or eliminate any hazards or other exposure to illness or injury

1926.20(b)(4)

The employer shall permit only those employees qualified by training or experience to operate equipment and machinery.

PICTURE TAKEN FROM OSHA'S POLICY CHANGE DOCUMENT

Photo 9: Mast Climber with Non-Swinging Mounted Monorail Hoist



TYPICAL I-BEAM HOIST
NOW EXEMPT FROM CRANE REGULATIONS

ALSO ANYTHING WHICH LIFTS UNDER 2000 LBS
CONTINUES TO BE EXEMPT.

WORK STILL TO DO:

CONTINUE TO LOBBY FOR EXEMPTION FOR MATERIAL HOISTS WHICH CAN 'SWING LOADS' INTO THE PLATFORM



TYPICAL 'SWING' HOIST

OSHA, IN RECOGNITION THAT THERE ARE STILL STAKEHOLDER ISSUES TO BE RESOLVED, HAVE EXTENDED THE DEADLINE FOR OPERATOR CERTIFICATION TO NOVEMBER 2018.

OWNER/USER CERTIFICATION REQUIREMENTS

1. Manufacturer training course for 'HOIST OPERATOR' to include fall protection, use and designated ;lift zones' to prevent unauthorized personnel from accessing area under suspended load.
2. Should include 'RIGGING AND SIGNALING BEST PRACTICE'.
3. Manufacturer evidence of training and certification
4. Operators manual present at the point of use.

From: **Seymour, Bryant M. - OSHA** <Seymour.Bryant.M@dol.gov>
Date: Wed, Jul 5, 2017 at 11:41 AM
Subject: Monorail Hoists in Construction
To: "kevin.oshea@hydro-mobile.com" <kevin.oshea@hydro-mobile.com>

Good Morning Kevin ,

On July 3rd, OSHA announced a policy change on Monorail Hoists in Construction that excludes monorail hoists from the requirements of Subpart CC – Cranes and Derricks in Construction, as long as employers meet other OSHA requirements. I have included the trade release in this e-mail. Additionally, please see the attached .pdf version of the memorandum, which details the new enforcement policy effective June 30, 2017.

You will notice credited photos included in the attachment of the memorandum. The attachment includes examples of monorail hoists covered by this policy. OSHA would like to thank you again for assistance. Your willingness to grant OSHA permission to use these photos is appreciated.

Sincerely,
Bryant Seymour
Safety and Health Specialist
OSHA-Office of Construction Services
[202-693-2344](tel:202-693-2344) Direct
seymour.bryant.m@dol.gov

Trade Release



U.S. Department of Labor Occupational
Safety and Health Administration Office
of Communications Washington,
D.C. www.osha.gov

For Immediate Release July 3,
2017 Contact: Office of
Communications Phone: [202-693-1999](tel:202-693-1999)

OSHA announces policy change on monorail hoists in construction

WASHINGTON – The U.S. Department of Labor’s Occupational Safety and Health Administration has announced a [new enforcement policy](#) that excludes monorail hoists from the requirements of Subpart CC – Cranes and Derricks in Construction, as long as employers meet other OSHA requirements.

The policy change was made in response to comments from stakeholders and in recognition that a monorail hoist – which is attached to a fixed monorail mounted on equipment such as trucks, trailers, or scaffolding systems – is significantly different from other cranes and derricks in construction.

Some monorail hoists can be extended and contracted in only a fixed horizontal direction. They do not rotate, swing on a hinge, or boom out much farther than the equipment on which they are mounted. They are often used in construction to hoist precast concrete components, storage tanks, and mechanical equipment.

Under the new policy, the agency will not cite employers for failing to meet the requirements of Subpart CC if they meet the requirements of the overhead hoists and general training standards. The general industry requirements for monorail hoists remain intact.

“This enforcement policy is a commonsense approach to addressing industry concerns while also ensuring workers are protected,” said Dean McKenzie, director of OSHA’s Directorate of Construction.

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. OSHA's role is to ensure these conditions for America's working men and women by setting and enforcing standards, and providing training, education and assistance. For more information, visit www.osha.gov.

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Reply to the attention of:

JUN 30 2017

MEMORANDUM FOR: REGIONAL ADMINISTRATORS AND
STATE PLAN DESIGNEES

THROUGH 
DOROTHY DOUGHERTY
Deputy Assistant Secretary

FROM: 
DEAN McKENZIE, Director
Directorate of Construction

SUBJECT: Monorail Hoists Enforcement Policies

The scope of *Cranes and Derricks in Construction* (the cranes standard, 29 CFR Part 1926, subpart CC) includes a functional definition for the equipment covered. The standard applies to “power-operated equipment, when used in construction, that can hoist, lower, and horizontally move a suspended load.” (29 CFR 1926.1400(a)). Monorail hoists are not explicitly excluded from the scope of the rule, and OSHA has issued several letters of interpretation confirming the crane standard’s coverage of specific monorail hoists in certain construction operations.

As a number of stakeholders have pointed out, the standard is not a perfect fit for monorail hoists, and OSHA intends to consider rulemaking options to address this issue. The purpose of this memorandum is to announce a temporary enforcement policy pending the resolution of that rulemaking process.

Most monorail hoist systems have a completely fixed monorail (I-beam). When used in construction, these hoisting systems are typically mounted on equipment such as work vehicles, trailers, and scaffolding systems. The monorails can be extended and contracted in only a fixed horizontal direction to hoist materials and can only hoist them as high as the monorail. Some examples of materials commonly lifted and placed by monorail hoists during construction are precast concrete components (septic tanks, storm drain and sewer conduits, vaults, etc.); storage tanks (propane, oil, etc.); mechanical components (engines, commercial generators, etc.); trade specific components (electrical transformers, industrial spooled materials, sewer lids, etc.); and temporary storage units.

Monorail hoists present unique issues. Many monorail hoist manufacturers do not design their systems to meet any particular criteria recommended in consensus standards, though the designs of their hoisting mechanisms most resemble those of overhead hoists covered by ASME B30.17-2015 (Cranes and Monorails (With Underhung Trolley or Bridge)).

Stakeholders have pointed out that a number of the provisions of the crane standard add very little protection when these monorail hoists are used. For example, the stakeholders have told OSHA that because these monorails are fixed such that they do not angle up or down, the equipment does not warrant the elevated level of protections from power line contact required by the crane standard. They also note that monorails cannot boom out significantly beyond the wheelbase of a vehicle or the base of its supporting structure, and thus the hoisting equipment does not pose the dangerous cantilevering and stability hazards that are addressed by requirements of the crane standard. Furthermore, they assert that there is no need for specific protections from hazards posed by booming out loads, boom free fall, equipment swing radius, or any crane-related hazards that would necessitate the use of devices like level indicators, boom/jib stops, boom/jib limiting devices, boom length/radius indicators, and drum hoist rotation indicators. Finally, stakeholders have pointed out that the loads handled by monorail hoists are not heavy enough to trigger the need for a load weighing device or the use of load charts to prevent overloading and tipping the hoisting equipment.

However, it is clear that monorail and overhead hoist systems present recognized workplace hazards, including those addressed by 29 CFR 1926.554 (Overhead hoists), ASME B30.17, and various manufacturers' recommendations. For the reasons discussed above, and until the application of the cranes standard to monorail hoists is revisited through rulemaking, OSHA intends to exercise its enforcement discretion by not citing employers for failing to achieve full compliance with the cranes standard when monorail hoists are used, if the following conditions are met to protect employees:

For Construction Applications

- (1) Compliance with 29 CFR 1926.554 (Overhead hoists). OSHA notes that its Overhead Hoist standard requires the use of outriggers and other supports whenever prescribed by the manufacturer.
- (2) Operators of this equipment are trained in accordance with 29 CFR 1926.21.
- (3) The employer has determined that each operator is qualified to safely operate that hoisting system per 29 CFR 1926.20(b)(4).
- (4) When monorail hoists are mounted on equipment such as work vehicles, utility trailers, scaffolding systems (including mast climbing), and various other mobile or stationary support systems, the employer must also comply with all other OSHA construction requirements that are applicable to each supporting vehicle, equipment, and structure.

Should an employer operating such equipment fail to comply fully with all of the requirements described, the requirements of the cranes standard would apply.

For General Industry Applications

OSHA's longstanding policy regarding monorail hoists in general industry work is that they are not covered by a specific general industry standard, so employers must protect employees from the hazards of this equipment in accordance with Section 5(a)(1) (the general duty clause) of the Occupational Safety and Health Act (see OSHA's letter to Mr. Neal R. Khein, Jr. (Feb. 12, 1991) and memo to James Lake (April 23, 1984), both available at www.osha.gov). The general duty clause requires employers to use this equipment in a manner that would be considered safe in the industry. One means of doing so would be to comply with the four requirements detailed in the policy above, and another means of doing so would be to comply with the safety standards recognized in the industry, including the relevant portions of ASME B30.17-2015 (Cranes and Monorails (With Underhung Trolley or Bridge)).

Description of Equipment Covered by these Enforcement Policies

For the purposes of this enforcement policy, a monorail hoist means a hoisting mechanism attached to a completely fixed monorail (I-beam) mounted on equipment such as work vehicles, trailers, or scaffolding systems. The monorail hoists can be extended and contracted in only a fixed horizontal direction to hoist materials and can hoist materials only as high as the monorail. The monorail hoist does not have a rotating superstructure and cannot swing on a hinge or boom out significantly beyond the wheelbase of a vehicle or the base of its supporting structure. Examples of these systems are pictured in the attachment.

Attachment:

Examples of Monorail Hoists Covered by this Policy

Photo 1: Septic Tank Delivery Rig



Photo Courtesy of the National Precast Concrete Association

Photo 2: Septic Tank Delivery Rig



Photo Courtesy of the National Precast Concrete Association

Photo 3: Septic Tank Delivery Rig



Photo Courtesy of the National Precast Concrete Association

Photo 4: Burial Vault Delivery Rig



Photo Courtesy of the Roberts Vault Co. Inc.

Photo 5: Vault Handler



Photo Courtesy of the Axis Corporation

Photo 6: Propane Tank Handler



Photo Courtesy of the Fisk Tank Carriers/G.D. Roberts Company Inc.

Photo 7: Work Vehicle Mounted Monorail Hoist



Photo Courtesy of Smak Industrial Handling Solutions

Photo 8: Work Vehicle Mounted Monorail Hoist



Photo Courtesy of Smak Industrial Handling Solutions

Photo 9: Mast Climber with Non-Swinging Mounted Monorail Hoist



Photo Courtesy of Hydro Mobile