



OSHA REGIONAL INSTRUCTION

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

DIRECTIVE NUMBER: CPL 2 02-00-021A | **EFFECTIVE DATE:** October 1, 2019

SUBJECT: Regional Emphasis Program for Cranes used in Construction

REGIONAL IDENTIFIER: Region VI

ABSTRACT

- Purpose:** This Instruction renews a Regional Emphasis Program (REP) for safety inspections of workplaces where employees are exposed to hazards associated with the operation of a crane in the construction industry.
- Scope:** This Instruction applies to all worksites in Arkansas, Louisiana, Oklahoma, and Texas, and those worksites in New Mexico that are under Federal OSHA jurisdiction.
- References:** OSHA Instruction CPL 02-00-025
OSHA Instruction CPL 02-00-051
OSHA Instruction CPL 02-00-155
OSHA Instruction CPL 02-00-163
OSHA Instruction CPL 02-01-038
OSHA Instruction CSP 03-02-003
OSHA Instruction CPL 04-00-002
Construction web pages found at www.osha.gov
- Cancellations:** Region VI Regional Notice CPL 2 02-00-021 dated October 1, 2018, Regional Emphasis Program for Cranes Used in Construction.
- State Impact:** Region VI 21(d) Consultation Project Offices in Arkansas, Louisiana, Oklahoma, and Texas will provide outreach, consultation services, and training to affected employers as requested.
- Action Offices:** Region VI Area Offices
Region VI Consultation Project Offices
Dallas Regional Office
- Information Offices:** New Mexico Occupational Health and Safety Bureau
- Originating Office:** Dallas Regional Office

Contact:

Assistant Regional Administrator for
Enforcement Programs
525 Griffin St., Room 602
Dallas, TX 75202
972-850-4145

By and Under the Authority of

ERIC S. HARBIN
Acting Regional Administrator

TABLE OF CONTENTS

	Abstract.....	Cover Page
I.	Purpose.....	1
II.	Scope.....	1
III.	References.....	1
IV.	Expiration.....	1
V.	Background.....	1
VI.	Enforcement.....	3
VII.	Recording in OIS	5
VIII.	Outreach.....	6
IX.	Partnerships and Alliances.....	7
X.	Evaluation.....	7

- I. **Purpose.** This Instruction renews an enforcement initiative for the inspection of cranes used in construction with the goal of reducing serious and fatal injuries to employees working on and around cranes.
- II. **Scope.** This Instruction applies to all worksites in Arkansas, Louisiana, Oklahoma, and Texas, and those worksites in New Mexico that are under Federal OSHA jurisdiction.
- III. **References.**
- A. OSHA Instruction CPL 02-00-025, Scheduling System for Programmed Inspections, January 4, 1995, or current update.
 - B. OSHA Instruction CPL 02-00-051, Enforcement Exemptions and Limitations under the Appropriations Act, May 28, 1998, or current update.
 - C. OSHA Instruction CPL 02-00-155, Inspection Scheduling for Construction, September 6, 2013, or current update.
 - D. OSHA Instruction CPL 02-00-163, Field Operations Manual (FOM), September 13, 2019, or current update.
 - F. OSHA Instruction CPL 02-01-038, Enforcement of the Electrical Power Generation, Transmission and Distribution Standard, dated June 18, 2003, or current update.
 - G. OSHA Instruction CSP 03-02-003, OSHA Strategic Partnership Program for Worker Safety and Health, November 6, 2013, or current update.
 - H. OSHA Instruction CPL 04-00-002, Procedures for Approval of Local Emphasis Programs (LEP), November 13, 2018, or current update.
 - I. Construction web pages found at www.osha.gov
- IV. **Expiration.** This Instruction expires September 30, 2024, but may be renewed as necessary.
- V. **Background.**

During the 3-year period from January 2016 through September 2019, the four federally-operated states in Region VI (Texas, Oklahoma, Arkansas and Louisiana) conducted 224 inspections under this emphasis program. Eight (8) of those were fatal incidents in Region VI involving cranes on construction sites. As crane activities on construction sites can be observed from the public way, and some of the associated hazards often can be identified by OSHA compliance officers, major improvements in crane safety can be achieved through a regional emphasis program that focuses on the hazards associated with the operation of all types of cranes used in construction.

This emphasis program is intended to supplement existing OSHA targeting programs, focusing additional resources as necessary to monitor job sites, promote voluntary compliance and promote awareness of safety and health hazards during construction activities involving cranes.

OSHA will employ a number of tools to address this issue, including enforcement, outreach, training, onsite consultation, partnerships, alliances, and the Voluntary Protection Program (VPP).

The provisions of OSHA Instruction CPL 02-00-051, Enforcement Exemptions and Limitations under the Appropriations Act, Section XI, and Enforcement Guidance for Small Employers shall apply where appropriate.

In summary, there is strong evidence that workers in the construction industry are at significantly increased risk of suffering a work-related injury, and that the extent of the problem may be far greater than the elevated risk reported by employers and seen in the BLS data.

Number and rate of nonfatal occupational injuries and illnesses by selected industry, All U.S., private industry, (Incidence rate per ten thousand full time workers)								
Characteristic	2016				2017			
	Private industry		Construction		Private industry		Construction	
	Number	Rate	Number	Rate	Number	Rate	Number	Rate
Injuries & Illnesses								
Total cases	2857.4	2.9	203.5	3.2	2811.5	2.8	198.1	3.1
Cases with days away from work job transfer or restriction	1547.8	1.6	119.9	1.9	1528.0	1.5	115.5	1.8
Cases with days away from work	892.3	0.9	82.8	1.3	882.7	.9	79.8	1.2
Cases with job transfer or restriction	655.6	0.7	37.2	.6	645.3	0.7	35.7	.6
Other recordable cases	1309.5	1.3	83.5	1.3	1283.5	1.3	82.6	1.3

Illnesses								
Total cases	137.1	14.1	5.7	9.2	126.4	12.8	3.8	6
Illness categories								
Skin disorders	21.8	2.2	-	-	18.5	1.9	1	1.6
Respiratory conditions	11.1	1.1	.5	.8	10.4	1.1	.3	.4
Poisoning	2.0	0.2	.2	.2	1.7	0.2	.1	.2
Hearing loss	16.5	1.7	0.1	.2	14	1.4	.1	.2
All other illness	86.2	8.9	3.0	4.7	81.8	8.3	2.3	3.6

BLS data also indicates that the workers in the construction industry have elevated injury/illness rates compared to private industry.

VI. Enforcement.

- A. Hazards. The purpose of this REP is to address the hazards associated with cranes, which include but are not limited to: struck by, electrocutions, crane tip-over, caught in or between, and falls. Past OSHA evidence, as documented in the Federal Register Vol. 75, No.152, indicates these hazards are the leading cause of death where cranes, used in the construction industry, are involved in equipment-related incidents.
- B. This Instruction is provided because of the immediate need to address unsafe working conditions during the use of cranes that contribute to workplace fatalities, and more importantly, to minimize or entirely eliminate them.
- C. Scheduling of Inspections.
 1. The Area Director will instruct CSHOs to be alert for cranes that are being operated on construction sites during their travels throughout the Area Office's jurisdiction. Upon finding such a workplace the CSHO will communicate with the Area Director or Supervisor to determine whether the identified crane has been inspected within the last 45 days and whether the owner/operator of the crane has been inspected four (4) or more times under this REP within the last 90 days. If either the crane or four (4) or more cranes owned/operated by the same employer have been inspected within the above timeframes, then the Area Director or Supervisor will direct the CSHO not to conduct an inspection.

Otherwise, the CSHO will conduct a limited scope inspection of the crane, its operation (including appropriate records review), and the workers who are working within the zone of danger of the crane. If other “plain view” hazards are observed on the construction site, the CSHO will include them in the limited scope inspection.

2. Verification inspections which are planned under partnership agreements will not be conducted during inspections that are initiated under this emphasis program.
3. Before initiating enforcement activities, the CSHO will determine if an inspection is limited by the Enforcement Exemptions and Limitations under the Appropriations Act.
4. Whenever an inspection is begun under this REP, the CSHO will include in the case file narrative a description of the circumstances which resulted in the discovery of the work activity that was the basis of the inspection.
5. Exemptions. If an employer and/or contractor are a VPP employer or have passed an annual OSHA verification inspection, the terms of the VPP and/or partnership agreement will be followed.

A list of current partnership sites within the Area office jurisdiction will be maintained and made available for CSHO review.

- D. Scope of REP Inspection. Inspections under this emphasis program will be limited to the crane, its operation (including appropriate records review), the workers who are working within the zone of danger of the crane, and any hazards that are in plain view including those that may have caused the CSHO to identify the worksite. If the CSHO’s evaluation indicates a more comprehensive inspection should be completed at the worksite, they will request authority to expand the inspection from the Area Director or the Assistant Area Director. In determining whether to approve the expansion, the Area Director or Assistant Area Director will follow the FOM and current Agency policy.

The CSHO will evaluate all on-site employers who have employees working within the danger zone of the crane through inspection, observation, photographs, video footage, measurements, and interviews of management and employees.

- E. Citations. Citations for violations shall be issued in accordance with the FOM, Chapters V, VI, and VII.
- F. Interface with Unprogrammed Activity. Reports of imminent danger, fatalities, catastrophes, complaints, and referrals shall be scheduled as unprogrammed

inspections, and shall be inspected in accordance with the applicable provisions of the FOM.

- G. Inspection Resources. Only qualified Compliance Officers shall be assigned to conduct inspections under this REP. All OSHA personnel participating in this REP must be familiar with the policies and procedures described in this instruction.
- H. CSHO Personal Protective Equipment (PPE). CSHOs will use personal protective equipment suitable for the targeted industry. PPE will include, at a minimum, a hard hat, safety glasses with side shields, safety shoes/boots (with metatarsal guards as necessary), hearing protection, and high visibility apparel/vest.
- I. Relationship to Other Programs. Area Offices will continue to schedule worksites for inspection from the Construction Inspection Targeting System that maximize the best utilization of Area office resources. These inspections will be conducted according to the FOM and the OSHA Instruction for Inspection Scheduling for Construction.

VII. Recording in OIS.

- A. Enforcement Inspections: Enforcement inspections completed under this initiative will be coded:

In OIS in the Inspection Type sub-tab:

- 1. Initiating Type will be coded “Programmed Planned” with the following exception. Any inspections conducted as a result of a complaint, referral, or fatality/catastrophe will be coded as the appropriate “unprogrammed” activity.
- 2. Local Emphasis Program will be coded **CRANE** for all programmed and unprogrammed inspections.
- 3. Additional Codes will be coded with any applicable additional codes and with the following codes specific to the construction activity covered by the inspection:

<u>Type</u>	<u>ID</u>	<u>Value</u>
R	19	FALL6
R	19	STRUCK6
R	19	CAUGHT6
R	19	ELECT6

- B. Enforcement Interventions: Enforcement Interventions completed under this initiative, including partnerships, alliances, VPP, and other interventions will be coded:

In OIS in the Task sub-tab, Task Details, Emphasis Areas as follows:

1. Local Emphasis Programs will be coded **CRANE**.
 2. Other Emphasis Areas will include any applicable additional codes and the codes specific to the construction activity covered by the inspection per VII.A.4.
- C. Consultation Visits: Consultation Visits completed under this initiative will be coded:
1. In OIS on the Request Form CONS-20:
 - a. Local Emphasis will be coded **CRANE**.
 - b. Field 18 will include any applicable additional codes and the codes specific to the construction activity covered by the inspection per VII.A.4.
 2. In OIS on the Visit Form CONS-30:
 - a. Local Emphasis will be coded **CRANE**.
 - b. Field 22 will include any applicable additional codes and the codes specific to the construction activity covered by the inspection per VII.A.4.
- D. Consultation Interventions: Consultation Interventions completed under this initiative will be coded:
- In OIS on the Consultation Intervention Form CONS-66:
1. Local Emphasis will be coded **CRANE**.
 2. Field 15 will include any applicable additional codes and the codes specific to the construction activity covered by the inspection per VII.A.4.
- E. Area Offices, Consultation Projects, and the Regional Office shall periodically check their OIS databases to verify accuracy of the data for the initiative.

VIII. Outreach.

All REPs must contain an outreach component that must be ongoing throughout the effective period of the program. These outreach efforts should be coordinated with or

include the consultation program for that area. The method of outreach is at the Area Director's discretion and can consist of one or more of the following components:

1. Broadcast mail-outs or program information
2. Stakeholder meetings
3. Targeted training sessions
4. Presentations to the affected group(s)

IX. Partnerships and Alliances.

In the event outreach efforts result in interest in developing an alliance or partnership the Area Director will ensure that these efforts conform to current National and Regional Policy.

X. Evaluation.

The Regional office will evaluate the impact of the REP at the midpoint of the program as well as at the expiration. Information and data from OIS along with input from the Area Directors will be used in program reports. Elements to be considered in the program reports are contained in OSHA Instruction CPL 04-00-002.