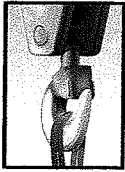


Submission May 26, 2006
Part 14, Cranes and Hoists, Section 14.34



**BC Association for
CRANE SAFETY**

Over the past several months we have been working closely with well over 70 crane owners, operators and users of cranes in BC to create a crane operator qualification and training system that will recognize the qualifications of all existing operators while creating a streamlined career path for new workers entering the industry.

Many people have given days of their time to support the development of a state-of-the-art crane operator qualification system that I firmly believe will make sense for every owner, operator and crane user group.

These are exciting times for the growing BC economy and for its crane industry in particular. The BC government has recently signed a groundbreaking agreement with Alberta to eliminate barriers to trade, investment and labour mobility. I have begun talks with industry stakeholders in both Alberta and Ontario to ensure that the new system will support labour mobility across Canada. However, the first step is to build a system that makes sense for BC.

Our goal is to create a crane operator qualification system that makes sense for every operator and every industry group. It is important to take into consideration the differences between the various types of equipment to ensure that these requirements also make sense. For that reason, we have treated Tower and Self-Erect cranes, Boom Trucks, and Mobile Cranes as three independent groups and have held a series of consultations with each group to determine what kind of qualification system they would arrive at and support individually. We have discovered that all three groups share a common core of training needs but that the system needs to be flexible enough to accommodate their differences beyond that point.

At the same time, we need to be sensitive to the different uses to which similar cranes are put in diverse industries. The requirements for making limited use of equipment on a fixed private site may not be the same as the requirements for regular use within public settings but there needs to be clearly defined processes that address these issues. That is a message we have heard from industry and this association has defined a process that recognizes the operational needs of industry while promoting a universal safety standard across the province. We have developed the process for developing crane operators with industry stakeholders and with industry agreement and support.

Our strategy for supporting BC crane owners, operators and industry users has involved working closely with the Industry Training Authority, WorkSafeBC, the BC Safety Authority and Service Canada to ensure that the resources and support are there to see our industry through to the completion of this exciting project. We wish to thank all of the representatives from these organizations for their ongoing support.

This association is pleased to provide you with the following progress update and submission in support of the proposed regulation.

Background

Efforts to implement an effective crane operator regulation began in the mid-eighties. A 1998 Occupational Health & Safety Regulation (14.34(3) re: Crane Operator Qualifications made reference to the Industry Training & Apprenticeship Commission (ITAC). ITAC no longer exists, making the requirement non-enforceable.

A spring 2004 proposed amendment made no specific mention of certification, but required only that employers conduct a skills assessment of their crane operators. Almost all of the more than 30 submissions from employers and labour rejected the concept of employer assessments. The key observations were:

- Concern that employers may not have the training and knowledge to properly evaluate an operator.
- That crane operator training and certification should be mandatory and standardized – that some form of "credential" or qualification was preferred.
- That a third party (not the employer) should provide the training and certification.

WorkSafeBC's 2004 regulation review kindled great interest and motivated various people and organizations to take action to prevent the removal of the regulation and to see an appropriate, workable regulation established. Since that time, the industry has drawn together and is demonstrating its need for the new draft regulation that is being proposed in 2006.

BC Association for Crane Safety (BCACS)

The BC Association for Crane Safety was officially formed as a not-for-profit association in November of 2005. This is not the beginning but is the latest chapter in a story that contains numerous attempts and various efforts to create a crane operator qualification or certification framework for British Columbia.

This association has representation from various private bodies that have a stake in the development of a proof of competency system. These representatives or stakeholders have been defined as those who either operate or own cranes.

The association's constitution defines its purpose as follows:

- To promote accident free crane operations throughout British Columbia.

- To promote the establishment in British Columbia of a cost effective crane operator a qualification regime that:
 - i. involves documented proof of competency,
 - ii. includes theoretical and practical examinations, and
 - iii. is accessible and available at all levels of the industry.
- To promote the attractiveness of the industry to prospective entry level crane operators and the timely achievement of their qualifications.
- To serve as an industry advisory body to agencies in a position to oversee qualification and training.
- To serve as an advisory body to the Workers' Compensation Board of BC regarding regulatory matters and other matters related to occupational health and safety as they impact the crane industry.

In keeping with the commitment to stakeholder ownership, the association's bylaws state that members other than those that own or operate cranes or employ crane operators are non-voting (ex-officio).

The Board of Directors

Larry Sinclair	Marine & Pile Driving Contractors Association
Bob Fedderly	Fedderly's Construction
Jim Barkman	Eagle West Tower Cranes / Truck & Crane Inc.
Jim Voss	BC Hydro
Gary Kroeker	Business Manager IUOE Local 115
Kathy Sheppard	WorkSafe BC
Peter Sperlich	Log and Timber Building Industry Association
Brian Savage	Western Industrial Contractors
Mike Stekelenburg	Alcan (HITAC)
Rob Magee	GWIL Crane Service (Chair)
Russ Robertson	(non-voting) Industry Training Authority
Irvine Jay	(non-voting) BC Safety Authority
Don Nelson	(non-voting) WorkSafeBC

The Work

There are important differences between industries that use similar hoisting devices, and these differences need to be understood and accommodated in order to create a system that works for everyone. The BCACS has therefore initiated and held a series of stakeholder workshops to gather information and to identify consensus in areas including:

- Create standards and competencies according to industry, site and usage, and equipment type
- Include incumbent crane operators as well as new entrants
- Support the development of appropriate WorkSafeBC regulations and guidelines for the industry

- Create a system to help crane operators achieve and maintain competency
- Develop training and testing materials
- Make the industry attractive to talented potential new entrants

Stakeholders have been divided into three groups representing Tower and Self-Erect cranes, Boom Trucks, and Mobile cranes. There is considerable variation among these crane types and in their application. This in itself creates a challenging environment within which to define and develop a crane operator qualification system.

The representatives of the three work groups have been selected to bring their understanding and industry experience to the table. As stated earlier they need to meet the definition of a stakeholder while reflecting collectively the various segments and sectors of the crane industry.

The Work Groups

Work Group participants within each group to date are as follows:

Mobile Crane

Larry Sinclair	Marine & Pile Driving Contractors Association
Russ Dowdeswell	BC Wood (log home building)
Rod Griffiths	Griffiths Pile Driving Inc
Kerry Hawley	Mega Cranes
Gord Lindburg	IUOE 115 Training Plan
Bob MacMillan	GWIL Crane
Bill Meechan	Vancouver Shipyard
Peter Miller	JJM Construction
Michael Pelletier	Emil Anderson Construction
Dominic Verhelst	TeckCominco
Mike Maitland	Sterling Crane
Amanda Thompson	Forbes Industrial Contractors
Brad Benson	Caribou Pulp
Howard Muir	Caribou Pulp
Ken Morland	Sterling Crane
Peter Thwaites	Formula Contractors
Jim McManus	Yellowhead Construction
Gary Lindstrom	Lindstrom Construction
Rod Galan	BID Construction
Wayne Mills	IUOE 115

Tower Crane

Kathy Sheppard	WorkSafeBC
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Larry Becker
Val Coupal
Russ Dowdeswell
Kerry Hawley
Ron Karras
Gordon Sheehan
Greg Starchuck
Vic Vendrasco

PCL Constructors
Coupal Climbing Cranes
BC Wood
Mega Cranes
Micron Construction
Graham Construction
Eagle West Crane
Fibre-Crown/ITAL

Boom Trucks

Jim Barkman
Daryl Chafe
Will Denhertog
Bob Fedderley
Wayne Fettback
Kerry Hawley
Ken Morrison
Michael Pelletier
Bill Sandu
Brian Savage
Richard Schneck
Glenn Lafleche
Scott Vanden Bos
John Noonan
Rod Hunter
Rene Cote
Willy Manson

Eagle West Crane
Phoenix Truck Crane
Curtis Lumber
Fedderly Transportation
Western Pacific Enterprises
Mega Cranes
BC Hydro
Emil Anderson Construction
B&B Truss
Western Industrial Contractors
Pheonix Truck Crane
Can-Crane
Gold Hook
Kenroc
Convoy Supply
Farr Installations
Progressive Crane

BCACS takes its direction from the outcomes of the stakeholder workshops to ensure that the resulting crane operator qualification system is meaningful, enforceable, and accessible.

The Workshops

Workshops have been held and were the first steps in developing a crane operator qualification system that makes sense and has value for all of these stakeholder groups. The primary goal was to focus on the applicability of a modular system of competency development and explore the diverse cultures of different parts of the crane industry in order to find areas of commonality and to identify differences that need to be respected and accommodated.

All agreed that in creating a qualification system it is important to strike a balance that ensures competent, safe crane operation with a qualification framework that is as simple and strait forward as possible. A blanket approach will not be equitable or workable given:

- a) the differences between equipment types and
- b) the different application of equipment in different contexts

Workshops 1-2

The first two workshops focused on establishing generally accepted skills standards that are needed to support a skills development, recruitment and retention strategy for the industry. For each of the three crane operator groups, these standards:

1. Clarify how one would test whether an operator is competent to operate the crane.
2. Show how competencies can be developed and how operators can graduate from one level of competency to the next
3. Support the development of clear and practical training and career pathway for operators.

The skills standards are the basis for the broader strategy and will support the creation of a crane operator qualification system that will work for all parts of the industry.

Workshop 3

The third workshop focused on identifying an industry supported licensing structure for operators. The structure shows what training and experience existing operators need to be able to move to higher levels of qualification and to move between equipment types within the industry.

The Tower Crane task group was particularly clear that a crane operator qualification system should mirror the natural progression of how a tower crane operator is trained in the industry and of how self-erect crane owners train the client's designated operator.

Workshop 4 - 5

The fourth workshop developed a 'business model' that could be used to coordinate the development, implementation and ongoing management of an operator qualification system. Each of the three advisory groups decided on goals for a crane certification business model and came to the same conclusions.

Following this meeting the Association embarked on an extensive fact finding and stakeholder consultation exercise to determine what would be a feasible business model for crane certification in BC. The results of these consultations were presented at Task Group meeting #5.

Workshop Consensus

Each of the three workgroups independently reached several similar conclusions about the nature of the crane operator qualification system that is needed and will be attractive within BC.

The Foundational Program

All three workgroups agreed to a common central core of technical theory training that all crane operators should have. This theory forms the basis for a foundational or 'core' program.

The RED SEAL Program

This program is available for the mobile crane operator only. The program will remain intact and will be accommodated within the qualification model that has been developed.

Mobility

Mobility of operators and portability of qualifications between BC and Alberta must be addressed and developed further. Steps have been taken to include and involve Alberta as this process moves forward. Alberta already has a practical assessment process in place and we want to work with them to achieve agreement and parity between our provinces.

The Limited Use Concept

The industry is particularly interested in 'limited use' crane certification. Limited use qualifications will be portable between worksites but operators qualifying only for limited use of equipment will not be able to operate outside of defined usage guidelines. If an operator was to find work in another area or sector, this operator would then transfer their skills and re-enter the training process defined for that sector.

The Passport

The use of a logbook has been decided as the method for tracking the operators' skills. The logbook would be the tool used for the "documented proof of competency". Because the term logbook is used within this industry for various purposes, it was decided to use the term Passport. Only the equipment that an operator has been assessed to operate will be documented. Any other issues such as accidents or perceived issues surrounding an operator will not be tracked by this organization. These issues lie clearly within the scope and responsibility of other organizations such as WorkSafeBC.

A simple cyclical renewal process will also be developed to address such issues as operators leaving or not working for periods of time. This will be accomplished by simply proving full time employment and receiving automatic renewal of the passport document.

The Assessments

The assessment process is being designed to reduce the stress that commonly occurs in the assessment environment. This can be achieved by:

- testing on equipment that the operator uses daily;
- operators with a TQ or Red Seal or equivalent will be exempt from the theory assessment.
- Testing on the jobsite or in the yard;
- Providing materials to support understanding of the assessment prior to arrival and setting of the assessment date;
- Completing the assessment in an hour or less and to be implemented as a real world on-the-job process.
- Subsidizing the cost of the assessment so that the operator does not need to bare it in its entirety (It is felt that a fee of \$100.00 or less would be acceptable to industry).

The Assessors

The criteria for who an assessor is have not been completely defined. What has been defined is that these persons should come from industry, have related life experience, return as assessors to the sector from which they came. This would help to retain the valuable experience of existing operators within the industry upon their retirement.

The Business Model

The business model defines the role BCACS would play in the ongoing operation of a crane operator qualification system relative to the roles of other agencies. In particular:

- The industry association (BCACS) would set competency standards, develop assessment tools, conduct assessments and track results in conjunction with the ITA. BCACS would also promote and accommodate trainees to support recruitment, and retention. **This association will not be involved in the delivery of training in any way. Training is a process to be decided by the business or the operator.**
- WorkSafeBC would serve as the enforcement body for competency based certification
- The Industry Training Authority (ITA) would serve as the standards and certification body for those pursuing the apprenticeship model. All trainers wanting to access ITA funding would have to follow the ITA protocol and processes.

Stakeholder Commitment and Investment

To date 42 stakeholder meetings have been held. Over the past year stakeholders have attended 42 meetings with no financial remuneration, and some traveling from other regions to participate. This reaffirms the commitment that the crane industry has demonstrated on numerous occasions. The value of this in-kind contribution calculated at an average hourly rate of \$35.00 is equal to \$135,000 as of April 30th, 2006, excluding expenses.

Additional reaffirmation of the industry's support is reflected in the attached document signed by 38 representatives from the Tower Crane industry. This group is unhappy with the status of their industry and sees this process as a step toward improvement.

Marketing and Communications

Having reached this stage in the development of a crane operator qualification system, with the adoption of a regulation for the industry the BCACS will begin to focus more on delivering presentations to the various companies and groups that will be affected by the new system.

We have been invited to various user groups and have made ourselves available as a speaker on numerous occasions to industry stakeholder groups. Once the framework and overall plan of this process has been explained, overwhelming support becomes the result. The question becomes how do I participate, how can we help or how can I be among the first to get this completed.

The Reasons for Success

Industry-led, industry-driven: the process of developing a crane operator qualification system is a living work that can be adapted to accommodate changes should a better way of proceeding on some aspect of the qualification emerge from stakeholder consultation. That is a key advantage of a stakeholder-driven initiative: the industry sets the direction of leadership. The development process has recognized and built upon existing industry practices. It is an ends-driven process that has been very well received by the industry. The work we have done is to define the industry standard for a competent crane operator – any agency or company is very welcome to participate in training that will be delivered to the new Provincial training standard. We are not here to dictate or determine how industry does business but to provide the guidance and framework for the operator to achieve and document proof of competency.

Moving Forward

There is still a tremendous amount of work to do. Now that the overall plan and model have been defined we can move forward and begin to build the components required to implement and test the certification framework through pilot projects. This will again require the direct participation of industry.

The Industry Training Authority (ITA) is presently engaged with this association with the intent to align this new documented proof of competency process with the provincial apprenticeship and training system. This will allow those interested in pursuing and utilizing apprenticeship to fulfill their training needs.

Registration in the new crane qualification framework will begin in 2007. The registration information will allow us to accurately define the demographics of the industry in order to ensure that the emerging training and qualification delivery systems are efficient.

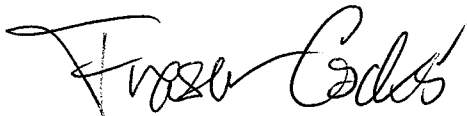
It is anticipated that operators will fulfill the practical assessment requirements in 2008, however, that date can be extended if necessary to ensure that the system works for everyone.

The Importance of the Regulation

A crane operator qualification system is needed to protect workers and the public from crane related accidents and injuries. Creation of that system is tied to the implementation of the propose regulation. The regulation makes sense for the crane industry and the proposed wording is acceptable to the BCACS board and the members of its multi-sectoral industry work groups. The wording is also consistent with the consensus that was achieved at a WorkSafeBC sponsored facilitated workshop in December 2004 involving close to 70 industry representatives. The industry has awaited a regulation since the eighties and I applaud the efforts of WorkSafeBC to provide one that is acceptable and that will work for all parts of the industry. A tremendous amount of effort has been put forth, to a person; they support this important initiative and ask that you move forward with this regulation.

On behalf of this association and its Board, I would like to thank WorkSafeBC for providing its ongoing support for this cross-sectoral association and for our stakeholders' efforts to create the conditions for competent crane operation.

Respectfully,



Fraser Cocks
Executive Director
BC Association for Crane Safety