



## **"Safety Management for the 21st Century"**

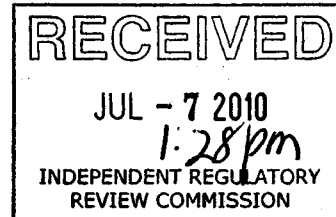
### **Promoting Safe Work Practices**

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July 2, 2010

Christopher Mc Nally  
State Attorney  
State Board of Crane Operators  
Commonwealth of Pennsylvania

Re: Proposed law 16A-7101



Dear Mr. McNally;

It was a pleasure meeting you earlier this week in Harrisburg at the informal meeting with some members of the State Board of Crane Operators. We appreciate the time granted on Tuesday, June 30<sup>th</sup> to express our concerns and to fully explain the excellent credentials of the CIC accredited crane operator certification program. Unfortunately, based on this meeting and subsequent conference call on July 1<sup>st</sup>, the members present indicated and unwillingness to consider the Crane Institute Certification (CIC) program in the State of Pennsylvania.

The proposed law as written results in a monopoly for NCCCO and supports the fact that the members of the board have a direct and long standing relationship with NCCCO. The Board was unaware of the requirements of CIC or other accredited crane certification organizations. CIC is accredited by the NCCA, a nationally recognized accreditation organization that has been in business for over 30 years and accredited over 200 professions, including NCCCO.

There are two major professional accreditation organizations, ANSI and NCCA which have the same goal but do have different methods of verifying the process used by a certification company to affirm the qualifications of a candidate for certification. Both organizations are nationally recognized as accredited bodies and should not be considered superior of each other. When employers are looking at a candidate's educational qualification, the degree is the primary element, whether it is from Penn State or Slippery Rock. There are always differences in organizational structures, but the product and the process is the most important element. Therefore, the key element is that an organization such as CIC be accredited by an independent nationally recognized organization.

Regarding the proposed Pennsylvania regulation of crane operator certification, there is no value to the crane operators or public safety in limiting the free choice of which accredited certification that they are able to select. There is no benefit to having two accreditations for certification, except to limit competition. CIC is accredited by NCCA and the other certification organization is accredited by ANSI and only NCCCO has dual certifications, which is like having two Bachelor degrees, one from Penn State and an identical Bachelor's degree from Slippery Rock University.

To ensure that Pennsylvania be a leader in the market place and open to competition, you should strike all reference to NCCCO and simply require that a certification organization be

accredited by a nationally recognized organization such as ANSI or NCCA. The emphasis should be placed on the accreditation organization and the extensive process required and recognizing the expense necessary to achieve accreditation. Accreditation is not a simple process of filling out forms and paying a fee. NCCA and ANSI have the highest standards to live by and require a tremendous effort by all applicants to assure the credibility of the process.

Do not restrict nationally accredited crane operator certification providers to fit into the NCCCO box and we ask the Board members to be open minded and fair in their efforts to strengthen the laws of Pennsylvania. The Occupational Safety and Health Administration require accreditation by a 3<sup>rd</sup> party to verify the validity of the certification process and it was never the intent to create a monopoly. In fact, I authored the OSHA Letter of Recognition for Crane Operator Certification and maintain that it was OSHA's intent to strengthen crane operator qualifications and training and not in considering development of NCCCO as an industry standard. With the assistance of OSHA, Manufacturers, Training Companies, Construction Companies and the International Union of Operating Engineers NCCCO was created to highlight the need for operator certification.

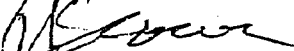
Everyone supported NCCCO's early efforts to gain recognition by employers and state organizations create a national awareness and requirement for crane operator certification. For many years, NCCCO was the only nationally recognized crane operator certification organization. It has only been recently, due to potential competition, that NCCCO and their vast network of Commissioners and examiners have tried to maintain this monopoly by unduly influencing many state legislatures to continually name them as the only organization allowed to certify crane operators.

This practice cannot continue and is not economically beneficial to the State of Pennsylvania. As you know from history, many companies' manufacturer copy machines and Xerox is not the only one in town, although many people refer to copy machines as Xerox machines. Crane Operator Certification should not be limited to NCCCO.

I represented OSHA as a Commissioner on the original NCCCO Board during development and served on the first OSHA study of need for crane operator certification. I also represented OSHA on the ASME B30 Committee on which I continue to serve and am presently working with the American Society of Civil Engineers on a crane training program for project managers, engineers and supervisor. I say this only to indicate by long history with certification and my continued interest for safe crane operations.

All that we are asking is that the PA regulations simply state crane operator certifications be provided by organizations who are accredited by ANIS or NCCA and not a dual accreditation which provides no benefit to safe crane operations. Thank you for listening to me and the considerations suggested. Please post these comments for review.

Sincerely,



**Anthony D. Brown**

Anthony D. Brown

President