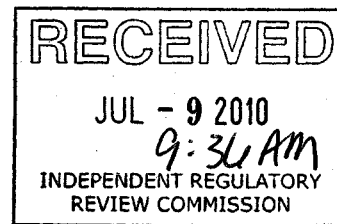


2850

**From:** Keith Morical [kmorical@4roi.com]  
**Sent:** Tuesday, July 06, 2010 4:59 PM  
**To:** McNally, Christopher  
**Subject:** Need for Revisions to Proposed Law 16A-7101



The proposed law 16A-7101 appears to be drafted by advocates of a single source for crane certification and does not take into account current certification practices nor make it easy for people to comply with the law.

While 4ROI strongly supports the need for crane operator certification, it is strongly opposed to laws that restrict certification to particular vendors when other equally qualified vendors exist. All specific references to NCCCO should be replaced with reference to crane operator testing organization approved by a nationally recognized accrediting agency ("Nationally Accredited" crane operator certification). Further all reference to the single source exam methods (e.g., not being able to use an approved calculator) should be removed. Without these changes this law is simply a tool to form an unnecessary monopoly.

Why force the large number of crane operators in Pennsylvania to use less realistic, more time consuming, and more costly exams than necessary to prove their job qualifications?

Certification standards are well known and accepted in the certification industry. No one provider has the corner on valid certification. If accreditation is achieved using proper processes, expertise and analysis, the resulting certification is valid for certification purposes. Accreditation by a national accrediting body NCCA OR ANSI ensures proper validation practices have been followed.

I have worked in the field of certification for nearly 30 years, including our staff and that of our strategic partner Assessment System Corporation we have involved many of the top certification experts in the field over the last several years developing, validating and gaining accreditation for Crane Institute Certification's (CIC) certification programs. These certification programs meet and exceed common high stakes certification practices in a secure and user friendly fashion. In addition, CIC's advanced systems were built for this industry to increase validity, flexibility, and security all while reducing costs crane operators.

Given today's technology, certification exams can be made to even more exacting standards, using a variety of techniques such as Item Response Theory scoring, which is used for CIC crane operator certification. 4ROI strictly ensures exam security by maintaining complete separation between certification and training and to prevent trainers from gaining access to exam materials include: 1) Trainers are not permitted to administer written exams. Therefore they never see the exams and cannot train to them; and 2) Exams are sent directly to a Written Examiner, never to a trainer. In addition electronic exam security measures can, and have been put in place by CIC to further ensure that exams are not compromised and are objectively measured. Several of the largest crane accidents in recent years have been caused by insufficient exam security. Some of these security approaches have only been created in the last year or two. Requiring people to use other, older, exam processes relegates the industry to less strict security practices.

Moreover, other vendors, like CIC, provide valid certification that meet the scheduling needs of working crane operators. What is important is to know that crane operators have the skills and abilities to properly and safely operate the crane they are using. What is not important in this law is that people take time off the job, and travel extensive distances to prove that competence. In general allowing more nationally Accredited vendors to provide certification will by definition allow more options for candidates to meet the requirement of the law. More specifically, CIC's registration system has the shortest lead time needed for registration, and significantly more flexibility for rescheduling. Both of which make it easier for candidates in an industry where large dollar value business needs often shift schedules at the last moment.

Finally, single source certification keeps the costs higher for all candidates/citizens that are required to take the

exam. Currently other vendors, including CIC, provided a lower cost in every aspect of the certification process than the named vendor in the proposed law.

In sum, it is imperative that Pennsylvania's law requiring certification ensures a valid assessment of an operators skill as provided by Nationally Accredited crane operator certification, and does NOT dictate the company or the specific technique by which the exams are provided.

Sincerely,

Keith Morical  
President  
4ROI  
One Carlson Parkway  
Suite 230  
Minneapolis, MN 55447  
763-476-4ROI

 cid:image002.