

October 21, 2008



VOLUNTARY AGREEMENT
BETWEEN THE
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
AND THE
OPERATING ENGINEERS CERTIFICATION PROGRAM¹

This Statement of Agreement describes a voluntary cooperative action between the Operating Engineers Certification Program (OECF) and the Occupational Safety and Health Administration (OSHA) to recognize crane operator certifications issued by the OECF. The OECF has been accredited by the National Commission for Certifying Agencies (NCCA). OECF certification is based on criteria that will contribute to our mutual goal of reducing the number of deaths and injuries resulting from crane related accidents.

The ability of crane operators to safely operate cranes plays a major role in overall safety on most construction sites. An accredited certification program that attests to the qualifications and experience of crane operators will provide employers and OSHA with a valuable tool in determining if crane operators are "qualified" to perform their tasks.

The execution of this agreement with the OECF should have an immediate, significant and beneficial impact on safe crane operations.

I. PURPOSE:

The purpose of this agreement is to provide a non-regulatory means of recognizing a program that validates the competency and certifies the qualifications of crane operators. OECF has developed a validated certification program which meets the requirements of applicable

¹ Prior to July 9, 2008, the Operating Engineers Certification Program was known as the Southern California Crane & Hoisting Certification Program.

ANSI/ ASME B30 Standards (American National Standards Institute/ American Society of Mechanical Engineers).

Establishment of crane operator certification programs like this one is an important step forward in promoting the common goal of safe crane operations. As such certification programs become more widely used, education and training will become primary factors in developing and maintaining qualified crane operators in the construction industry. Certification will become the natural progression in crane operators' careers as they gain more education, training and experience working with the variety of equipment in use today and the increasingly advanced cranes of the future.

II. CRITERIA

OECF has been accredited by the NCCA to certify crane operators. OECF Certification ascertains qualifications and verifies through written and practical examination that those crane operators, who meet the stringent criteria, possess the required knowledge and experience to safely operate the equipment identified on the certificate. The examinations meet the qualification criteria outlined in the appropriate ANSI/ ASME B30 Standards for cranes.

A key issue in OSHA's decision to recognize OECF Certification is the objective and independent assessment of the qualifications and experience of crane operators. With respect to the appropriate separation of certification and training functions, OECF, a certifying organization, achieves this by providing no crane operator training itself. An applicant's certification is based on his/her performance on both the written and practical tests, administered by OECF. OECF is a recognized independent, not-for-profit organization formed and established for the sole purpose of administering a certification program that measures the knowledge and proficiency required for safe crane operations. OECF has received accreditation from the NCCA, which accredits organizations that issue technical and professional certifications, e.g., the Board of Certified Safety Professionals, which examines and issues Certifications for Safety Professionals (CSP).

III COMPLIANCE

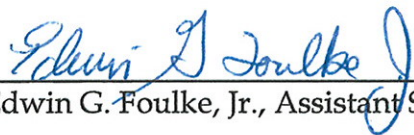
Crane inspections will continue to be conducted under applicable policy. Compliance Safety and Health Officers, when performing inspections or accident investigations will recognize OECF certification as verification of crane operator qualifications. However, the CSHO will independently verify the operator's knowledge and familiarity with the type and configuration of

crane in use through observation, questioning and other investigation techniques. Possession of OECP certification is not mandatory and citations will not be issued for failure of crane operators to possess a OECP Crane Operator Certification. Neither will possession of an OECP certification alone be dispositive of compliance with the OSHA standards.

A benefit to an employer is that the presence of an OECP certified crane operator operating a crane on a job site will be an indicator to compliance officers that the crane is being operated by an employee with demonstrated knowledge, skill and ability with respect to specified crane types and configurations. A contractual requirement for crane operators certified by a crane operator certification organization that has NCCA accreditation, such as OECP, on a project would also be an indication of the contractors' commitment to an effective safety and health program and contribute to the project's qualification for a "Focused Inspection."

October 21, 2008

SIGNED FOR THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION




Edwin G. Foulke, Jr., Assistant Secretary

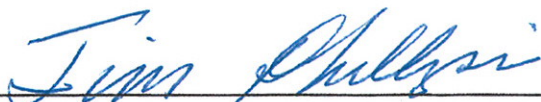


Noah Connell, Acting Director
Directorate of Construction

SIGNED FOR THE OPERATING ENGINEERS CERTIFICATION PROGRAM



Seth Hammond, Governing Committee Principal Member (Management)



Jim Phillips, Governing Committee Principal Member (Labor)