



OSHA REGIONAL INSTRUCTION

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

DIRECTIVE NUMBER: DAL-CPL-04-00-002

SUBJECT: Regional Emphasis Program for Cranes used in Construction

REGION: Dallas Region

SIGNATURE DATE: October 2, 2024

EFFECTIVE DATE: October 2, 2024

ABSTRACT

Purpose: This Instruction updates and 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 Oklahoma, Texas, and those worksites in New Mexico that are under Federal OSHA jurisdiction.

References: OSHA Instruction CPL 02-00-155
OSHA Instruction CPL 02-00-164
OSHA Instruction CPL 02-01-038
OSHA Instruction CSP 03-02-003
OSHA Instruction CPL 04-00-002
(See section III for additional references.)

Cancellations: Region VI Regional Notice CPL 2 02-00-021A dated October 1, 2019, Regional Emphasis Program for Cranes Used in Construction.

State Impact: Dallas Region 21(d) Consultation Project Offices in Oklahoma and Texas will provide outreach, consultation services, and training to affected employers as requested.

Action Offices: Dallas Region Area Offices
Dallas Region Consultation Project Offices
Dallas Regional Office

Originating Office: Dallas Regional Office

Contact: Assistant Regional Administrator for
Enforcement Programs

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By and Under the Authority of

ERIC S. HARBIN
Regional Administrator

Executive Summary

This Instruction updates and 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.

Significant Changes

Updated Bureau of Labor Statistics incidence rates Table 1 and Table 2 for respective years.
Update OSHA Information System inspection numbers for this instruction.

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I. Purpose.

This Instruction updates and 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.

This instruction is to address the hazards associated with cranes, which includes but is 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.

II. Scope.

This Instruction applies to all worksites in Oklahoma, 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 02-00-170, Enforcement Exemptions and Limitations under the Annual Appropriations Act, July 18, 2024, or current update.
- C. OSHA Instruction CPL 02-00-155, Inspection Scheduling for Construction, September 6, 2013, or current update.
- D. OSHA Instruction CPL 02-00-164, Field Operations Manual (FOM), January 23, 2023, 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. Cancellations.

Region VI Regional Notice CPL 2 02-00-021A dated October 1, 2019, Regional Emphasis Program for Cranes Used in Construction.

V. Action Offices.

- A. **Responsible Office.**
Dallas Regional Office
- B. **Action Office.**

Dallas Region Area Offices

C. **Information Office.**

Dallas Region Consultation Project Offices

VI. Federal Program Change.

State Plan Programs are strongly encouraged to adopt this program.

VII. Significant Changes.

Update Bureau of Labor Statistics information in Table 1 and Table 2 for the respective years available. Update OSHA Information System inspection numbers.

VIII. Expiration.

This Instruction expires on September 30, 2029, but may be renewed as necessary.

IX. Background.

During the 4-year period from October 1, 2019, through September 30, 2023, the two federally operated states in the Dallas Region (Texas and Oklahoma) conducted 125 inspections under this emphasis program with penalties totaling \$376,188.00. Two (2) of those inspections were fatal incidents in the Dallas Region 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 02-00-170, Enforcement Exemptions and Limitations under the Annual Appropriations Act, Section XI General Appropriations Act Guidance and Section XIII Enforcement Guidance for Small Employers in Low-Hazard Industries 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) Source Bureau of Labor Statistics BLS Table 1 and BLS Table 2 – 2021 & 2022.

Characteristic	2021				2022			
	Private industry		Construction		Private industry		Construction	
	Number	Rate	Number	Rate	Number	Rate	Number	Rate
Illnesses								
Total cases	2607.9	2.7	28.5	1.9	2804.2	2.7	32.7	2.1
Cases with days away from work job transfer or restriction	1617.3	1.7	16.2	1.1	1761.9	1.7	18.8	1.2
Cases with days away from work	1062.7	1.1	11.0	.7	1184.2	1.2	13.4	.8
Cases with job transfer or restriction	554.6	0.6	5.1	.3	577.7	0.6	5.4	.3
Other recordable cases	990.7	1.0	12.3	.8	1042.3	1.0	13.9	.9
Illnesses								
Source Bureau of Labor Statistics BLS Table SNR08 and BLS SNR Table 10 – 2021 & 2022								
Total cases	365.2	37.7	1.6	10.8	460.7	45.2	.8	5.3
Illness categories								
Skin disorders	11.7	1.2	-	-	12.3	1.2	0.0 ⁵	0.3
Respiratory conditions	269.6	27.8	1.0	6.8	365.0	35.8	.5	3.3
Poisoning	1.2	0.1	-	-	1.1	0.1	-	-
Hearing loss	12.0	1.2	(-6-)	(-6-)	13.0	1.3	-	-
All other illness	70.8	7.3	.6	4.0	69.2	6.8	.2	1.4

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

X. 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. Specific Industries. 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 Assistant Area Director will direct the CSHO not to conduct an inspection.

Otherwise, the CSHO will conduct a limited scope inspection of all parts of the crane (including boom lay down for inspection), 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 Voluntary Protection Program (VPP) or Safety and Health Achievement Recognition Program (SHARP) participants or the employer is participating in a consultation visit in progress status or have passed an annual OSHA verification inspection the CSHO will follow Chapter 2 – Program Planning, Section III. – OSHA Cooperative Programs Overview in the FOM.

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 all parts of the crane (including boom lay down for inspection), 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.
- 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/helmet, 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.

XI. 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:

Type	ID	Value
NEP		FALL
R	19	STRUCK6
R	19	CAUGHT6
R	19	ELECT6

The R19 Fall code is superseded by the Fall NEP code.

- B. Enforcement Interventions: Enforcement Interventions completed under this initiative, including partnerships, alliances, VPP, SHARP, 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 XI.A.3.
- C. Consultation Visits: Consultation Visits completed under this initiative will be coded:
1. In OIS on the Request Form:
 - a. Local Emphasis will be coded CRANE.
 - b. Any applicable additional codes and the codes specific to the construction activity covered by the visit per XI.A.3. Select site info. – Construction Type – Residential Construction, Commercial Construction or Highway / Streets / Bridge.
 2. In OIS on the Visit Form:
 - a. Local Emphasis will be coded CRANE.
 - b. Any applicable additional codes and the codes specific to the construction activity covered by the inspection per XI.A.3. Site Preparation (Demolition) N-25-SITEPREP and Power & Communication Line/ Related Structures (Communication Towers)- N-16-COMTOWER.
- D. Consultation Assistance Activities completed under this initiative will be coded:
- In OIS on the Consultation Assistance Activities Form:
1. Local Emphasis will be coded CRANE.
 2. Include any applicable additional codes and the codes specific to the construction activity covered by the outreach activity per XI.A.3.
- E. OIS Accuracy: Area Offices, Consultation Projects, and the Regional Office shall periodically check their OIS databases to verify accuracy of the data for the initiative.

XII. 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, emails, or program information
2. Stakeholder meetings
3. Targeted training sessions
4. Presentations to the affected group(s)

XIII. 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.

XIV. 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.