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MEASURE: HB 2410  
EXHIBIT: 3  
H BUSINESS & LABOR  
DATE: 4.10.2013 PAGES: 2  
SUBMITTED BY: David Tischer

# Construction and General Laborers' Union

Local Number 320

I. H. C., B. & G. L. U.

Affiliated with  
Oregon State District Council of Laborers

PORTLAND, OREGON 97292-0790

P.O. Box 16790  
3312 S.E. 122nd Ave.

Date: 4/9/2013

House Business and Labor Committee  
900 Court Street NE  
Salem, Oregon 97301

Regarding: HB 2410

Members of the House Business and Labor Committee:

Members of the Laborers Local 320 regularly use mobile cranes, with capacities under 20 tons, like bucket trucks or cherry pickers, lifting forms, loading and unloading all types of building and construction materials such as masonry and guardrail materials, and other aspects of our work. Our concerns are focused on the nationally accredited operator certification elements found within 29 CFR 1926.1427. We support HB 2410, which allows our members to continue the work we have been doing for decades, without imposing new and unnecessary training certifications that are not appropriate for the type of work we do.

As a result of the standard's broad definition of "cranes," operator certifying providers with national accreditation did not have programs available specifically for small capacity cranes. Our members were spending significant time in programs that were designed around equipment considerably larger, and with different characteristics, than the equipment they actually operate. Consequently, our members had a very difficult time with hands-on practical tests, because they do not routinely use large cranes. Although our members operate small cranes safely on a daily basis, large cranes (cranes over 20 tons) are operated by members of the International Union of Operating Engineers. These complications prompted the creation of the stakeholder group and ultimately the proposed Small Capacity Crane Rule.

The stakeholder group's newly proposed rule allows our members to use nationally accredited certifiers or other training providers with programs that focus on the precise style, capacities and functions of small mobile cranes used in our industry. Our members

already use programs based on national standards and training models, either privately or through joint labor/management apprenticeship programs. The proposed rule requires stringent operator training, documentation and employer written programs. It clearly retains the intent of the federal rule but now offers our signatory contractor's with a more reasonable and functional means for compliance.

The proposed rule is narrowed only to mobile crews who operate cranes with capacities of less than 20 tons. These two factors are fitting, as it accounts for the unique nature of our work, and the fact that digger derricks and small boom trucks (cranes) used by our members are made with capacities typically ranging from 5 to < 20 tons. Please vote yes on HB 2410 to direct Oregon OSHA to adopt the stakeholder groups proposed rule, as it will keep our members safe and working.

Sincerely,

A handwritten signature in black ink, appearing to read "D. J. Tischer", written over a light blue horizontal line.

David J Tischer, Business Manager  
Laborers Local 320  
3312 SE 122nd Avenue  
Portland, OR 97236-3214