

**OCCUPATIONAL SAFETY
AND HEALTH STANDARDS BOARD**

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November 21, 2014

Dear Advisory Committee Member:

Subject: Certification, Recertification of Construction Personnel Hoists (CPH) Safety Brakes and Governors, Preventive Maintenance and Servicing (Petition File No. 534)

I would like to thank you for your participation in the Advisory Committee Meeting held on September 23, 2014, in Sacramento, California. This committee was convened to consider proposed revisions to the construction hoists regulations related to the petition submitted by Mr. Joel A. Goldman, Esq., Clark Trevithick Law Corporation, representing Alimak Hek, Inc. (Petitioner), petition file number 534. The committee considered amendments to Sections 1604.1(c)(1), and proposed addition of new subsections 1604.20(i) and 1604.27(c) of the Construction Safety Orders applicable to Construction Personnel Hoists (CPH).

The attached advisory committee meeting minutes indicate that consensus was not achieved to amend the cited sections of the Construction Safety Orders. The committee found that necessity for the amendments was not established to move forward with the proposal. Some stakeholders believed that employers should not be mandated to return safety brakes and other hoist components exclusively to the manufacturer for service and maintenance. They felt that third party certification and recertification of CPHs provide the checks and balances to safely operate personnel hoists and existing language already allows this. However, there were several recommendations that Board staff and the Division should develop language to at least clarify the standard and later reconvene. Therefore, Board staff has determined that a subcommittee/focus group will convene on December 5, 2014, to further deliberate the necessity of the Petitioner's request.

The subcommittee will consist of a representative from the Petitioner, third party certifier, the Division and Board staff, and labor. Notification of the subcommittee meeting has been sent to the parties under separate cover.

Your assistance and participation in the rulemaking process is most valued by the Board and staff. Should you need further information or have questions, please contact me at (916) 274-5729 or by e-mail at: mtamayo@dir.ca.gov.

Sincerely,

Marty Tamayo, CSP, ARM
Associate Engineer – Standards

Enclosures:

1. Meeting minutes
2. Attendance roster
3. Post Advisory Committee Roster

cc: (With Attachments)

All Standards Board Members

Marley Hart, Executive Officer, OSHSB

Michael Manieri, Principal Engineer, OSHSB

Juliann Sum, Acting Chief, DOSH

Eric Berg, Acting Principal Engineer, DOSH Research & Standards Unit

David Shiraishi, Area Director, Region IX, Federal OSHA

Kevin Thompson, Cal/OSHA Reporter