

### **Regulation Update**

*Trades of Boom Truck Hoist, Mobile Crane and Tower Crane Operator Regulation*

*On January 5, 2018, the Manitoba government repealed the Trade of Crane and Hoisting Equipment Operator Regulation and replaced it with the Trades of Boom Truck Hoist, Mobile Crane and Tower Crane Operator Regulation, Manitoba Regulation 2/2018. The following details the changes that have been made to the regulation and will be effective beginning May 5, 2018.*

### **Scope of the Trade**

The scope of the Trades of Boom Truck Hoist, Mobile Crane and Tower Crane Operator have been updated to be consistent with the respective Occupational Analyses. Each branch has been independently defined under the new regulation.

### **Exclusions**

Exclusions are tasks that fall outside of the scope of the trade. This means that to perform the tasks that are listed as exclusions, a person does not need to be a registered apprentice or certified journeyman. Updates to this section include: hoisting equipment that is used exclusively for raising, lowering and towing motor vehicles, provided the load is not freely suspended at any time when it is being hoisted. This means that individuals, such as tow truck drivers, who raise, lower and tow vehicles that are **freely suspended** will be required to be a registered apprentice or certified journeyman in order to conduct this task.

### **Term of Apprenticeship**

The term of apprenticeship for Mobile Crane has been changed from a total of 1,700 hours per level of apprenticeship to 1,800 hours of technical training and practical experience over three levels to align with the recommendations from the harmonization initiative. The total number of levels remains unchanged.

An apprentice who has completed at least one level of Mobile Crane under the former regulation must complete his or her apprenticeship program under the former regulation as if it had not been repealed.

The term of apprenticeship for Boom Truck Hoist will remain two levels during which the apprentice must complete 1,250 hours of technical training and practical experience. Additionally, Tower Crane will remain two levels during which the apprentice must complete 1,500 hours of technical training and practical experience.

## **Limits for Apprentices**

The load limits for apprentices define the weight that an apprentice may hoist and/or operate a crane without the on-site supervision of a journeyman. The load limits have been revised from 85% to 80% of the specified rated capacity of the crane for apprentices in level two and from 95% to 90% for apprentices in level three.

In addition, an apprentice, other than an apprentice in his or her final level, working in any of the trades without the direct on-site supervision of a journeyman, must not hoist a person.

## **Wage Rates**

The minimum wage rates were also updated according to a percentage of the Construction Industry Wages Act (CIWA) wage rates.

- (a) Boom Truck Hoist Operator:
  - (i) 80% of the reference wage rate during the first level; and
  - (ii) 90% of the reference wage rate during the second level.
  
- (b) Mobile Crane Operator:
  - (i) 70% of the reference wage rate during the first level;
  - (ii) 80% of the reference wage rate during the second level; and
  - (iii) 90% of the reference wage rate during the third level.
  
- (c) Tower Crane Operator:
  - (i) 80% of the reference wage rate during the first level; and
  - (ii) 90% of the reference wage rate during the second level.

“Reference wage rate” means the hourly minimum wage rate prescribed for a journeyman Crane and Hoist Equipment Operator under the *Construction Industry Minimum Wage Regulation*, Manitoba Regulation 119/2006 or the prevailing wage rate per hour paid to a journeyman who is employed on the same contract or job as the apprentice, where the wage rate of the journeyman is not prescribed under the *Construction Industry Wages Act (CIWA)*.

### **Commonly Asked Question**

*How will tow truck drivers who do not have certification as crane operators be affected by the regulation?*

Tow truck drivers who lift freely suspended loads with a crane that has a manufacturer's rate lift capacity of eight tons or greater will be required to be a registered apprentice or certified journeyperson to conduct this task.

*Does this mean I can only be paid 70% of the reference wage rate during the first level of Mobile Crane Operator?*

The wage rates set out for each level are the minimum requirements, but this does not stop employers from paying more. In other words, you will be paid at least this amount for level one, and so on for each level.

As of January 1, 2017, the reference wage rate for the trade of Crane and Hoisting Equipment Operator – Mobile Crane Operator was \$33.95 in accordance with the Manitoba Industrial, Commercial and Institutional Construction Sector Minimum Wage Schedules  [<www.gov.mb.ca/labour/standards/doc,ici-wage,factsheet.html>](http://www.gov.mb.ca/labour/standards/doc,ici-wage,factsheet.html). This means that a first-level Mobile Crane Operator apprentice under CIWA is entitled to a minimum hourly wage rate of \$23.77.

For the regulation update, see  [<web2.gov.mb.ca/laws/regs/index\\_annual.php>](http://web2.gov.mb.ca/laws/regs/index_annual.php). For more information on the apprenticeship and certification system, please visit the Apprenticeship Manitoba office nearest to you or visit our website at  [<www.manitoba.ca/tradecareers>](http://www.manitoba.ca/tradecareers).