



# SUMMIT CONTRACTING, LTD.

P. O. BOX 169

WESLACO, TEXAS 78599-0169

956-969-4614

FAX 956-968-0982

June 2, 2004

OSHA  
DOCKET OFFICER  
DATE JUN 2, 2004

OSHA Docket Office  
Docket No. S-030, Room N-2625  
U.S. Department of Labor  
200 Constitution Avenue, NW  
Washington, DC 20210

**Docket S030**  
**Ex. 67-13**

Re: Crane and Derrick Negotiated Rulemaking Advisory Committee

Dear Committee Members:

My name is Benito Salinas, Jr. I am Vice President of Summit Contracting, Ltd., a small open shop Heavy Highway Construction Company located in Weslaco, Texas. Weslaco is located in the middle of the Rio Grande Valley along the Texas-Mexico border.

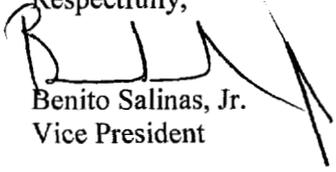
Summit Contracting, Ltd. currently employs 135 employees of which 95% are Hispanic. We own and operate two (2) crawler cranes and five (5) rough terrain hydraulic cranes. We currently employ seven (7) crane operators. Two (2) are bilingual and five (5) speak only Spanish. I wish to express our concern and take exception with Section 1422 of the current draft for the following reasons:

1. We support employee training and are opposed to mandatory certification by an independent accredited testing organization. Any form of a written test will be discriminatory against our Spanish-speaking crane operators. We feel that we are fully capable of training and qualifying our crane operators thru our current training program along with any additional training criteria that this committee can recommend.
2. We do not allow any of our crane operators to make any critical lifts without having a competent person on location. All critical lifts are planned by upper management in conjunction with our safety director. All the engineering is performed by our staff prior to any work being done.

Our company's safety and training program is currently bilingual. Every operator is unique and has his or her strengths and weaknesses. We strive to structure all of our training to the level of the group being trained. Should we not be allowed to self qualify our crane operators, our company would be forced to go out of the area to hire employees or have to "hire-out" our crane work. This would leave our current crane operators, some of who have many years of experience, without a job.

In closing, we appreciate the time and effort this committee has spent on this issue. I will be happy to answer any questions you may have at this time.

Respectfully,



Benito Salinas, Jr.  
Vice President