



WHO IS QUALIFIED?

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The term “qualified person” has a very broad meaning in a general context. From a simple standpoint outside the world of codes and standards, the term “qualified” has meanings such as having the qualities, accomplishments, etc., that fit a person for some function, office or the like.

Basically, many persons are qualified for various functions or positions, and some are not. Defining “qualified” varies based on industry. For example, in the construction industry, specifically in electrical construction, codes and standards define what constitutes a qualified person in the context used within contained

requirements. This article takes a closer look at how the term “qualified person” is used within the NEC, National Electrical Code, and compares it to what it means as used in NFPA 70E *Standard for Electrical Safety in the Workplace*.

The term “qualified person” is defined in OSHA CFR Regulations 1910 and 1926 shown below:

The OSHA 1910 General Industry definition is as follows:

One with a recognized degree or professional certificate and extensive knowledge and experience in the subject field who is capable of design, analysis, evaluation and specifications in the subject work, project or product.

The OSHA 1926 Construction definition is as follows:

One who, by possession of a recognized degree, certificate or professional standing, or who by extensive knowledge, training and experience, has successfully demonstrated his ability to solve or resolve problems relating to the subject matter, the work or the project.

These two definitions differ in that for general industry purposes, OSHA defines the term as someone who has both a certification and industry experience. The construction regulation contains a bit more criteria for qualified persons. The criteria include a recognized degree, certificate or professional standing, or who by extensive knowledge, training and experience, has successfully demonstrated related abilities.

The key difference is demonstrating abilities related to the project or work. These two definitions provided the basis for more specific definitions of qualified persons contained within the NEC and NFPA 70E.

The NEC and NFPA 70E definitions of qualified persons compare below:

The NEC definition is as follows:

One who has skills and knowledge related to the construction and operation of the electrical equipment and installations, and has received safety training to recognize and avoid the hazards involved.

The NFPA 70E definition is as follows:

One who has demonstrated skills and knowledge related to the construction and operation of electrical equipment and installations, and has received safety training to identify and avoid the hazards involved.

Let's clarify differences and the context in which they are used in these NFPA electrical standards.

It should be clear that the NEC and NFPA 70E do not indicate who performs the work. These standards also do not regulate a person's qualifications or credentials in the craft, nor should they. There are regulating agencies that establish requirements for industry licenses or certification. These are typically at the state or other local levels. These credentials simply require an industry credential to perform work legally in that particular jurisdiction. It is not the job of the authority having jurisdiction (AHJ) to determine qualifications and determine who is or is not qualified. That responsibility generally rests with owners, employers and sometimes an applicable regulating agency.

The term “qualified person” used in the NEC primarily relates to the ability to understand the equipment and installations covered, and how to attain compliance with NEC rules when performing installations.

An example is found in Section 328.14, which requires that medium voltage cable be installed, terminated and tested by qualified persons. Another context of the term “qualified person” in the NEC is found in several exceptions to rules. These are often related to attaining relief indicated by an exception, if it is ensured that qualified persons monitor and service the installation. In issuing an approval under such exceptions, an AHJ often relies on the responsible party to provide the assurances that the conditions of such exceptions are followed and maintained.

The definition in NFPA 70E has been revised in the 2015 edition and includes requirements that one has demonstrated the appropriate knowledge and skillset and has received safety training to identify and avoid electrical hazards.

The revision aligns this defined term more closely with OSHA's definitions. The difference is that demonstrated knowledge and skills are necessary, but demonstrated to whom? In the case of electrical safety in the workplace, it is usually the employer, as they are responsible for worker safety. It is a responsibility shared by both employers and employees, but the employer is responsible for assigning qualified persons to perform tasks and operations within the knowledge and skillsets. Workers can be qualified in one area and unqualified for another. Employees have a responsibility to know the limits of their qualifications, and to admit when they are not qualified to perform a particular task or function. In the safety system, this is usually where there is a breakdown, and it often leads to risks taken.

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