

RISK SIMPLIFIED

RESOURCES:

[Cal/OSHA Safety & Health Training and Instruction Requirements](#)

[Cal/OSHA Construction Safety Orders - Definitions](#)

[Cal/OSHA Pocket Guide for the Construction Industry](#)

QUESTIONS:

[E-mail PRISM Risk Control Department](#)

or call
916.850.7300

Competent Person

By Sarah Bruno, ARM

Competent Person

Several Cal/OSHA regulations reference competent person, most notably those found in the construction safety orders such as confined spaces, excavation, and fall protection.

Generally speaking, Cal/OSHA defines competent person as, "A person who is capable of identifying existing and predictable hazards in the surroundings or working conditions that are unsanitary, hazardous, or dangerous to employees. The competent person has the authority to impose prompt corrective measures to eliminate these hazards."

The definition has two important pieces. The first is regarding the capabilities of the employee who is designated as the competent person. Often a person would acquire this knowledge through training and/or experience on the job. The general definition does not require a certain degree, education, or specific training. However, it is important to note that some safety orders identify specific requirements for the competent person's training, knowledge, and abilities. It is critical the competent person meet these requirements when such safety orders apply.

The second piece of the definition is about authority. A competent person must be able to not only identify hazards, but to take action to correct hazards. Some examples include the ability to stop work, close a jobsite, or evacuate employees if needed. It is important to note that the definition does not require that this person is a supervisor, but often it is leadership (i.e. supervisors and foremen) that have the authority necessary.

Agencies should determine who at a worksite meets the definition of a competent person, then designate the employee as such, and communicate it to all affected employees. At one job site an agency



RISK SIMPLIFIED

may have different employees in the role of competent person for different subject matters. Should a Cal/OSHA compliance inspection occur employees should be able to identify the competent person at the worksite. Inspectors would likely rely on the condition of the jobsite, as well as interview questions of employees to determine the presence and effectiveness of a competent person.

Examples of Cal/OSHA Safety Orders that have Competent Person Requirements:

- Title 8 1541 - Excavations
- Title 8 1670 - Fall Protection
- Title 8 1952 - Permit-Required Confined Spaces

If you have any questions, please reach out to the [PRISM Risk Control department](#).