



COMPETENT-PERSON AND QUALIFIED-PERSON RESPONSIBILITIES

Designation, Authority, Documentation and Accountability

POLICY STANDARD

Competent and qualified roles are task-specific. A competent person must recognize hazards and have authority to correct them; a qualified person must demonstrate the technical ability required for the subject. A title, certificate or years of service alone does not create either designation.

PHEIFER BROTHERS CONSTRUCTION CO., INC.

Effective August 25, 2026 | Revision 1

Table of Contents

SECTION	TOPIC	PAGE
1	Purpose, Scope and Regulatory Definitions	3
2	Company Responsibilities and Role Boundaries	4
3	Selection, Evaluation and Written Designation	5
4	Competent-Person Duties and Authority	6
5	Qualified-Person Duties and Technical Control	7
6	Common Heavy-Highway and Bridge Assignments	8
7	Inspections, Documentation and Corrective Action	9
8	Multi-Employer Coordination and Handoffs	10
9	Training, Continuing Competence and Reassessment	11
10	Absence, Conflicts, Stop Work and Emergencies	12
11	Designation and Responsibility Matrix	13
12	Field Verification Checklist	14
13	Test Your Knowledge	15

USE OF THIS POLICY

This policy establishes minimum company expectations and is not all-inclusive. The exact role and duties come from the applicable OSHA provision, approved plan, manufacturer instructions and project requirements.

Primary Regulatory References

- 29 CFR 1926.20(b) - Accident-prevention programs and inspections
- 29 CFR 1926.32(d), (f), (i) and (m) - Authorized, competent, designated and qualified definitions
- Topic-specific competent/qualified-person provisions throughout 29 CFR 1926
- Applicable registered-professional-engineer, operator, signal-person and other qualification provisions remain separate

1. Purpose, Scope and Regulatory Definitions

Purpose and Scope

- Establish how Pheifer Brothers selects, authorizes, documents, supports and evaluates competent and qualified persons for heavy-highway, bridge, yard, shop and support operations.
- Applies to company employees and to coordination with subcontractor designees. It does not make one employer's designation valid for another employer unless responsibility is expressly accepted and legally permitted.

Competent Person

- OSHA defines a competent person as one capable of identifying existing and predictable hazards in surroundings or working conditions that are unsanitary, hazardous or dangerous, and authorized to take prompt corrective measures to eliminate them.
- Both elements are required: demonstrated hazard-recognition capability for the assigned subject and real employer authority to correct, stop, remove employees, obtain resources or escalate.

Qualified Person

- OSHA defines qualified as one who, by recognized degree, certificate or professional standing, or by extensive knowledge, training and experience, has successfully demonstrated ability to solve or resolve problems relating to the subject, work or project.
- Qualification is technical and subject-specific. It does not automatically include supervisory authority or competent-person status.

Authorized / Designated Person

- An authorized person is approved or assigned by the employer for specific duties or locations. A designated person means an authorized person under 1926.32.
- Authorization to perform a task is not the same as competent-person or qualified-person status unless all applicable criteria are met.

Other Roles

- Registered professional engineer (RPE), competent person, qualified person, operator, signal person, qualified rigger, entry supervisor and authorized employee are distinct roles. Never substitute one title for another without meeting the specific standard.

2. Company Responsibilities and Role Boundaries

Management

- Identify required roles during estimating, planning and mobilization; provide qualified resources, training, equipment, time and authority.
- Designate competent persons in writing as company practice and document qualified persons relied upon for technical work.
- Do not pressure a designee to approve unsafe conditions or continue outside the approved plan. Support prompt corrective measures.

Project Manager / Superintendent

- Create the project role matrix and verify coverage for each shift, phase and subcontractor interface.
- Confirm the designee's scope matches actual work and that current plans, standards, manufacturer data and specialist support are available.
- Resolve conflicts among production, design and safety; elevate matters requiring an RPE, owner/engineer approval or external specialist.

Foreman

- Verify the required designee is present/available before exposure, inspections and hold points. Brief the crew on identity, scope, instructions and stop-work expectations.
- Do not assume the foreman is automatically the competent person. One person may hold both roles only when formally assigned and capable.

Competent / Qualified Persons

- Accept assignments only within demonstrated competence and available resources. State limits and request help when conditions exceed them.
- Remain independent in safety/technical judgments, document required decisions and immediately communicate hazards or design deviations.

Employees

- Follow the designee's safety direction, report changes and stop work for immediate danger. Do not alter protective systems or bypass a hold point.
- Employees may ask the basis for a decision and may raise unresolved concerns without retaliation.

3. Selection, Evaluation and Written Designation

Task-Specific Evaluation

- Identify the exact standard, equipment, system, work phase, location and decisions assigned. General statements such as 'jobsite competent person' are not enough by themselves.
- Evaluate education/certification where relevant, formal training, practical experience, hazard recognition, knowledge of limits, ability to use plans/data/instruments, communication and past performance.
- Verify the individual can recognize both existing and predictable hazards - including changes caused by weather, loading, sequence and adjacent work.

Authority Test for Competent Persons

- Confirm authority to stop work, remove exposed employees, tag/remove equipment, require corrections, control access and obtain/elevate resources without prior permission when prompt action is needed.
- If the individual can only report a hazard and must wait while exposure continues, the competent-person definition is not met.

Demonstrated Ability for Qualified Persons

- Use credentials only when relevant; evaluate whether the person has successfully solved/resolved comparable subject problems.
- Review design/calculation experience, manufacturer/system knowledge, applicable standards and ability to identify when an RPE or other specialist is required.

Written Designation

- Record employee, role/topic, project/location, effective date, scope/limitations, required availability, authority, prerequisites, approving manager and employee acceptance.
- Attach or reference supporting training, certifications, experience assessment and expiration/review dates. Protect sensitive personal data.
- OSHA does not universally require every competent-person designation to be written; company documentation provides clarity and does not reduce any regulatory duty.

Conditional Approval

- If experience is limited, use supervised/limited assignment with explicit restrictions. Do not represent a trainee as the sole required competent or qualified person.

4. Competent-Person Duties and Authority

Core Duties

- Inspect the assigned work, materials, equipment and protective systems at the frequency and events required by the applicable standard and plan.
- Identify existing and predictable hazards, determine whether controls remain effective and take prompt corrective measures.
- Remove exposed employees when a condition could cause cave-in, collapse, fall, struck-by, hazardous atmosphere, electrocution, drowning or other serious harm.
- Verify corrections before authorizing restart and document inspections/actions where required by law, plan or company policy.

Planning

- Review work sequence, design/tabulated data, equipment instructions, environmental conditions, access/egress, adjacent operations and emergency plan before exposure.
- Identify inspection points, limits, warning signs and circumstances requiring a qualified person/RPE.

Field Presence and Availability

- Be present or readily available as the governing standard and risk require. Some duties require onsite, continuous or event-specific involvement; a phone contact does not satisfy every provision.
- Do not accept simultaneous responsibilities that prevent required observation, monitoring or prompt action.

Corrective Measures

- Correct, isolate, guard, shore, ventilate, de-energize, remove from service, restrict access, evacuate or stop the operation as appropriate.
- A competent person may not approve deviations reserved for a qualified person, RPE, manufacturer or owner/engineer.

Authority Protection

- Management shall not reverse a stop-work decision until the hazard is corrected and the appropriate person reassesses. Production schedule alone is never a basis for restart.
- Good-faith decisions and escalation are protected from retaliation.

5. Qualified-Person Duties and Technical Control

Core Duties

- Solve or resolve technical problems within the assigned specialty using applicable standards, calculations, drawings, manufacturer data, testing and professional judgment.
- Develop/review designs, procedures, selections, configurations or technical determinations where the governing standard calls for a qualified person.
- State assumptions, limits, required inspections, loads, tolerances, sequence and conditions for use in a form understandable to the field.

Technical Boundaries

- Do not perform engineering requiring an RPE license/seal unless legally authorized. Refer excavation protective-system designs, structural modifications and other reserved work to an RPE when required.
- A qualified person does not replace a manufacturer's required approval, certified operator, qualified evaluator, medical provider or other distinct role.

Communication to the Field

- Provide current approved documents and explain critical controls, hold points, inspection criteria and stop-work thresholds to supervision/designees.
- Respond promptly to RFIs and field changes. Prohibit use of preliminary, superseded or unapproved technical information.

Field Verification

- Verify actual conditions match assumptions when required. Obtain measurements, photos, test results or competent-person reports sufficient for the decision.
- Document dispositions for damage, deviation, overload, substitution or changed conditions; identify whether work may continue, needs restrictions or must stop.

Dual Role

- A qualified person may also serve as competent person only if separately capable of hazard recognition and given prompt-corrective authority for that topic.
- Likewise, competent-person status does not authorize technical design outside demonstrated qualifications.

6. Common Heavy-Highway and Bridge Assignments

SUBJECT	COMMON ROLE EXPECTATION	KEY LIMIT
General jobsite	Employer-designated competent persons perform frequent/regular inspections under 1926.20(b)(2).	Scope and inspection frequency must fit work.
Excavation/trenching	Competent person classifies soil, selects/inspects system, controls water/atmosphere and removes employees for hazards.	RPE required for certain designs/deviations/depths.
Confined space	Competent person identifies spaces/permit spaces and performs required reevaluation/reclassification.	Entry roles and rescue qualifications remain separate.
Scaffolds	Qualified person designs; competent person directs erection/alteration/dismantling and inspects as required.	Training alone does not create either role.
Fall protection	Competent person may oversee plans/systems and correct hazards; qualified person designs specialized systems/training where required.	Anchor/system design may require qualified person/RPE.
Silica	Competent person implements exposure-control plan and makes frequent/regular inspections.	Must know silica tasks/controls and have corrective authority.
Demolition	Competent person conducts ongoing inspections; competent person/RPE duties depend on activity.	Engineering survey before demolition by competent person.
Cranes/rigging	Competent/qualified persons have specific assembly, inspection, power-line and technical duties.	Operator, signal person and qualified rigger are separate.
Concrete/falsework	Competent supervision/inspection plus qualified designer/RPE where required.	Tiered shore and engineered-system rules apply.
Electrical	Qualified person/employee requirements are hazard and system specific.	General OSHA 1926.32 qualification may not be enough.
Lead/asbestos	Standard-specific competent person duties, training and inspections.	Asbestos classes impose additional qualifications.
Temporary works	Competent inspections plus qualified/RPE design and change authorization.	No field modification without responsible approval.
VERIFY THE STANDARD	This matrix is a planning aid, not a complete list. The project manager shall review the exact applicable provision and company policy before assigning duties.	

7. Inspections, Documentation and Corrective Action

Inspection Planning

- Identify what is inspected, by whom, when/frequency, triggering events, acceptance criteria, measurement/testing tools and required record.
- Include pre-use/pre-shift, daily, frequent/regular, after-weather/impact/modification and phase/hold-point inspections as applicable.
- A checklist supports but does not replace knowledge, observation or professional judgment.

Inspection Quality

- Inspect actual field conditions - not paperwork alone. Review access, protective systems, equipment, materials, environment, crew behavior, adjacent operations and changes.
- Use calibrated/tested instruments when required and record meaningful readings/locations, not only a check mark.
- A prior shift's or subcontractor's inspection does not automatically satisfy the current employer/shift duty.

Deficiencies

- Describe location, condition, exposure and immediate control. Assign responsible person and completion time.
- For immediate danger: stop, remove employees and control access before documentation. Tag/lock/remove noncompliant equipment as required by 1926.20(b)(3).
- Escalate technical deviations to qualified person/RPE; do not create an unauthorized field fix.

Closeout and Restart

- Verify corrective action in the field. Record who verified, time/date, evidence and any continuing restriction.
- Restart only when the appropriate competent/qualified person and other approval authority confirm requirements are met.

Record Integrity

- Use current forms, make legible contemporaneous entries and do not backdate, pre-sign or falsify inspections.
- Retain according to standard, contract and company schedule. Preserve records after incident, regulatory request or litigation hold.

8. Multi-Employer Coordination and Handoffs

Employer Responsibilities

- Each employer remains responsible for designating and supporting its own competent/qualified persons unless a lawful, clearly documented arrangement assigns a duty otherwise.
- The controlling contractor's designee does not automatically assume a subcontractor's employer duties, and subcontractor approval does not authorize company employees.

Pre-Work Coordination

- Exchange designee names, employer, role/topic, scope, contact/availability, inspection schedule, hold points and stop-work communication.
- Share known hazards, current plans, changes, restricted areas and conditions created by other work. Resolve overlapping excavation, crane, traffic, confined-space and temporary-works duties.

Conflicting Direction

- Stop affected work and elevate if designees give conflicting instructions or standards/plans differ. Apply the more protective lawful control until resolved.
- No employee chooses the instruction that is easiest or fastest.

Shift / Phase Handoff

- Outgoing designee communicates inspections, readings, changed conditions, open deficiencies, restrictions, permits, weather/water and incomplete corrections.
- Incoming designee reviews documents and field conditions before accepting responsibility; acceptance is explicit, not assumed.
- Do not leave required coverage vacant during breaks, shift change or reassignment. Suspend exposure or designate qualified relief.

Design/Field Handoff

- Qualified person communicates assumptions, limits and inspection criteria. Competent person reports deviations with usable measurements/photos.
- Neither role may silently assume the other has evaluated a condition.

9. Training, Continuing Competence and Reassessment

Initial Preparation

- Provide role-specific instruction on applicable OSHA provisions, company policy, equipment/system, plans/data, predictable hazards, inspection methods, corrective authority and emergency procedures.
- Include practical demonstration or documented experience appropriate to risk. Completion of a course alone is not proof of capability.

Field Evaluation

- Supervisor/program owner observes hazard identification, plan interpretation, inspections, communication, corrective decisions and escalation.
- Use scenarios or supervised assignments to verify the person understands limits and will stop work when needed.

Continuing Competence

- Maintain required certifications and refreshers; review regulatory, manufacturer, policy and equipment changes.
- Participate in incident/near-miss review and lessons learned. Perform duties often enough to retain proficiency or complete reassessment.
- Provide access to current standards, drawings, tabulated data, manuals and technical support.

Reassessment Triggers

- New subject/equipment, expanded scope, long lapse, expired credential, significant regulatory/design change, incident/near miss, failed inspection, poor judgment, failure to exercise authority or observed knowledge gap.
- Reassessment may confirm, restrict, suspend or revoke designation; document decision and corrective development plan.

Refusal / Limits

- A designee may decline or pause an assignment that exceeds knowledge, authority, availability or resources without retaliation.
- Management must provide a suitable alternate or stop affected work.

10. Absence, Conflicts, Stop Work and Emergencies

Required Coverage

- Before work starts, verify required person is onsite or available in the manner the standard/plan requires. Name an alternate with equivalent scope when needed.
- A voicemail, remote contact or unbriefed replacement does not satisfy duties requiring onsite observation or immediate action.
- If coverage is lost, stop the affected exposure at a stable point until proper coverage is restored.

Conflicts of Interest / Production Pressure

- Designees must make independent safety/technical decisions. Schedule, cost, crew preference or management rank does not override a requirement.
- Report pressure to bypass a hold point, conceal a condition or sign an unperformed inspection. Management investigates and protects good-faith reporting.

Immediate Stop-Work Triggers

- No required designee; scope exceeds designation; inspection/plan missing; predictable hazard uncontrolled; authority blocked; design assumption exceeded; unapproved change; conflict unresolved; or emergency capability inadequate.
- Any employee may stop work for immediate danger. The designated person then assesses within role limits.

Emergency Response

- Warn others, stop/isolate operations when safe, evacuate/restrict access and activate the site emergency plan.
- Call 911 for serious injury, collapse, electrocution, fire, uncontrolled release, flooding or other immediate danger. Provide exact project location/access.
- Technical rescue requires trained, equipped and assigned responders; competent-person status alone does not authorize rescue entry.

Restart

- Correct the condition, obtain required qualified/RPE/owner input, reinspect and rebrief affected employees. Document authorization and restrictions.

11. Designation and Responsibility Matrix

Complete before mobilization and update when staffing, phase, scope or conditions change. Attach separate designation records for detailed limits.

SUBJECT	COMPETENT PERSON	QUALIFIED / OTHER ROLE	ALTERNATE / CONTACT
General jobsite inspections			
Excavation / trenching			
Confined-space identification			
Scaffolds			
Silica exposure-control plan			
Fall protection / rescue			
Cranes / assembly / inspections			
Rigging / signal person			
Demolition / engineering survey			
Concrete / formwork / temporary works			
Lead / asbestos / coating hazards			
Electrical / hazardous energy			

AUTHORITY CONFIRMATION

For each competent-person entry, management confirms the individual may stop work, remove employees, control access and require prompt corrective measures within the stated scope.

PROJECT / LOCATION	EFFECTIVE DATE	APPROVED BY

12. Field Verification Checklist

VERIFY	EXPECTATION
Role required	Exact standard/plan and assigned decision identified
Scope	Subject, equipment/system, phase and location match designation
Capability	Relevant training, experience, practical knowledge and credentials verified
Authority	Competent person can stop, remove employees and require correction
Availability	Required onsite/present/readily available coverage confirmed; alternate named
Documents	Current standard, policy, plan, manual, tabulated data and forms available
Inspection	Frequency/events, criteria, instruments and record identified
Boundaries	RPE, manufacturer, operator, signal person, rescue and other roles distinguished
Coordination	Subcontractors/controlling contractor know names, scopes and handoff process
Changes	Weather, load, sequence, equipment and adjacent work reassessed
Deficiencies	Immediate control, owner, due time and technical escalation documented
Restart	Correction field-verified, required approvals obtained and crew rebriefed

PROJECT: _____	DATE / SHIFT: _____
DESIGNEE: _____	ROLE / SUBJECT: _____
LIMITS / OPEN ACTIONS:	

13. Test Your Knowledge

Circle the best answer. Review missed questions with your foreman before accepting or working under a designation.

1. What two elements define a competent person? A. Seniority and job title B. Hazard-recognition capability and corrective authority C. A wallet card only	2. What primarily defines a qualified person? A. Demonstrated ability to solve subject problems B. Supervisory rank C. Being present onsite
3. Is a foreman automatically a competent person? A. Always B. Only after 30 days C. No; capability and authority must match the topic	4. May a competent person approve any design change? A. Yes B. Only when within authority/qualification; otherwise escalate C. If production needs it
5. What happens when required coverage is lost? A. Stop affected exposure until proper coverage returns B. Continue by phone regardless C. Ignore it	6. Can one person hold both roles? A. Never B. Yes, if separately meeting both sets of criteria C. Only the company president
7. What does a training certificate prove by itself? A. Full competence for all topics B. Corrective authority C. Course completion, not necessarily full capability	8. Who may override a valid stop solely for schedule? A. Project manager B. No one C. Customer
9. What follows changed field conditions? A. Reassess and obtain proper technical input B. Use the old inspection C. Hide the change	10. Does competent-person status authorize technical rescue? A. Yes B. No; rescue requires trained/equipped/assigned responders C. Only at night

EMPLOYEE: _____

DATE: _____

ANSWER KEY: 1-B | 2-A | 3-C | 4-B | 5-A | 6-B | 7-C | 8-B | 9-A | 10-B