

Suspension and Disqualification

Operator Qualification



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The Qualification Cycle

Knowledge

+ Skill

+ Ability

= Qualification



Handling Suspensions & Disqualifications

49 CFR 192.805 (b)(d)(e)

“ensure through evaluation...”

“evaluate...if...reason to believe...”

FAQ # 30 & FAQ # 31

- #30 – Reinforces CFR 192.805(d)(e)
- #30 – Suspension & disqualification process and determinations
- #31 – Policies for handling performance deficiencies



Roles and Responsibilities

- Operator sets criteria, processes and documentation for handling suspension and disqualifications.
- Operator defines who has authority to suspend or disqualify.
- Operator defines policy for deficiency reviews, retraining/coaching, reevaluation, suspension, or disqualification.
- Operator defines who can reinstate a covered task qualification after a suspension.



Highlights

- Suspension and disqualification may seem synonymous.
 - Suspension is temporary and ends with reinstatement or requalification.
 - Disqualification is permanent and ends with requalification.
- Both need to be well documented in your program.

What is Suspension?

- Suspension ***temporarily*** removes an individual's qualification to perform some or all covered tasks.
- Suspension may be used during an incident or accident investigation or when the operator has reason to believe the individual is no longer qualified
- Qualification may be reinstated without the need to requalify.
- Suspensions and reinstatements must be documented.

What is Disqualification?

- Disqualification ***permanently*** removes an individual's qualification to perform some or all covered tasks.
- Disqualification is used when an investigation has determined the individual's performance of a covered task contributed to a reportable incident or accident.
- After disqualification, the individual remains unqualified in the affected covered tasks unless or until requalified.

Let's Practice

Situation #1

A supervisor observes a gas leak investigation performed improperly. The employee failed to use leak detection equipment to test over the gas main in front of the leak address.

What should happen next?





Correct Answer

Disqualify the Worker

PHMSA FAQ #31



CFR 192.805 (e)





Situation #2

A co-worker observes an individual improperly installing threaded fittings. Company procedures require threaded fittings to be tightened until three threads are visible. However, the employee tightens the fittings too loosely, leaving six threads visible. The observing employee notifies his supervisor.

What should happen next?



Correct Answer

Suspend the Worker

PHMSA FAQ #30



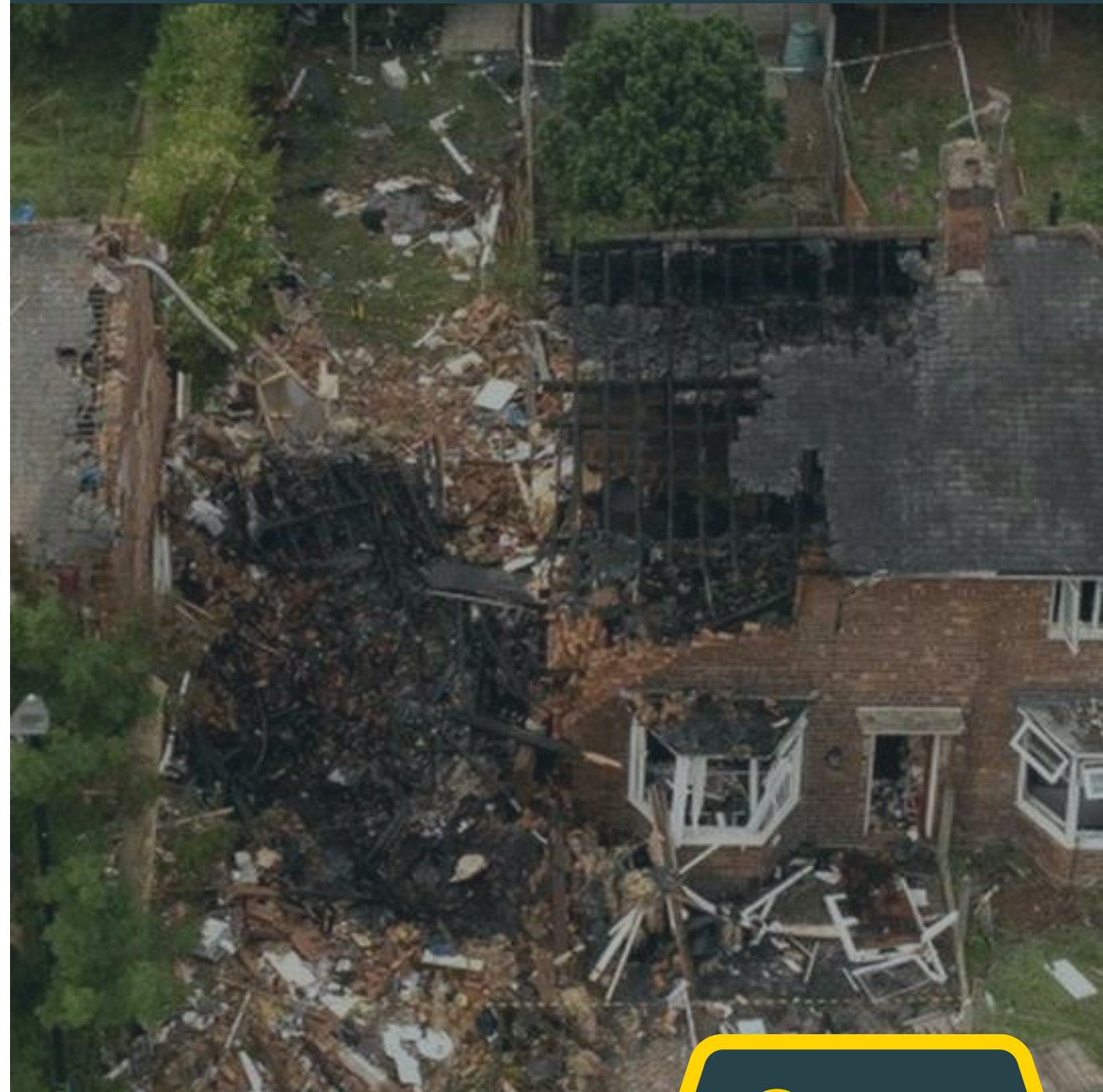
CFR 192.805 (e)



Situation #3

A gas odor was reported, and the gas company was notified. Two technicians were dispatched to the site. Gas was detected coming from a locked apartment. Gas technicians shut off the gas and waited in their vehicle for the gas to dissipate. The building exploded twenty minutes later.

What should happen next?





Correct Answer

Potentially Both

PHMSA FAQ #30 & 31



CFR 192.805 (d)





Situation #4

An excavation contractor struck a gas line and called the gas company. The gas company first responder failed to follow company procedures, delaying the response. During the delay, gas migrated into a building, and it exploded.

What should happen next?



Correct Answer

Potentially Both

PHMSA FAQ #30 & 31



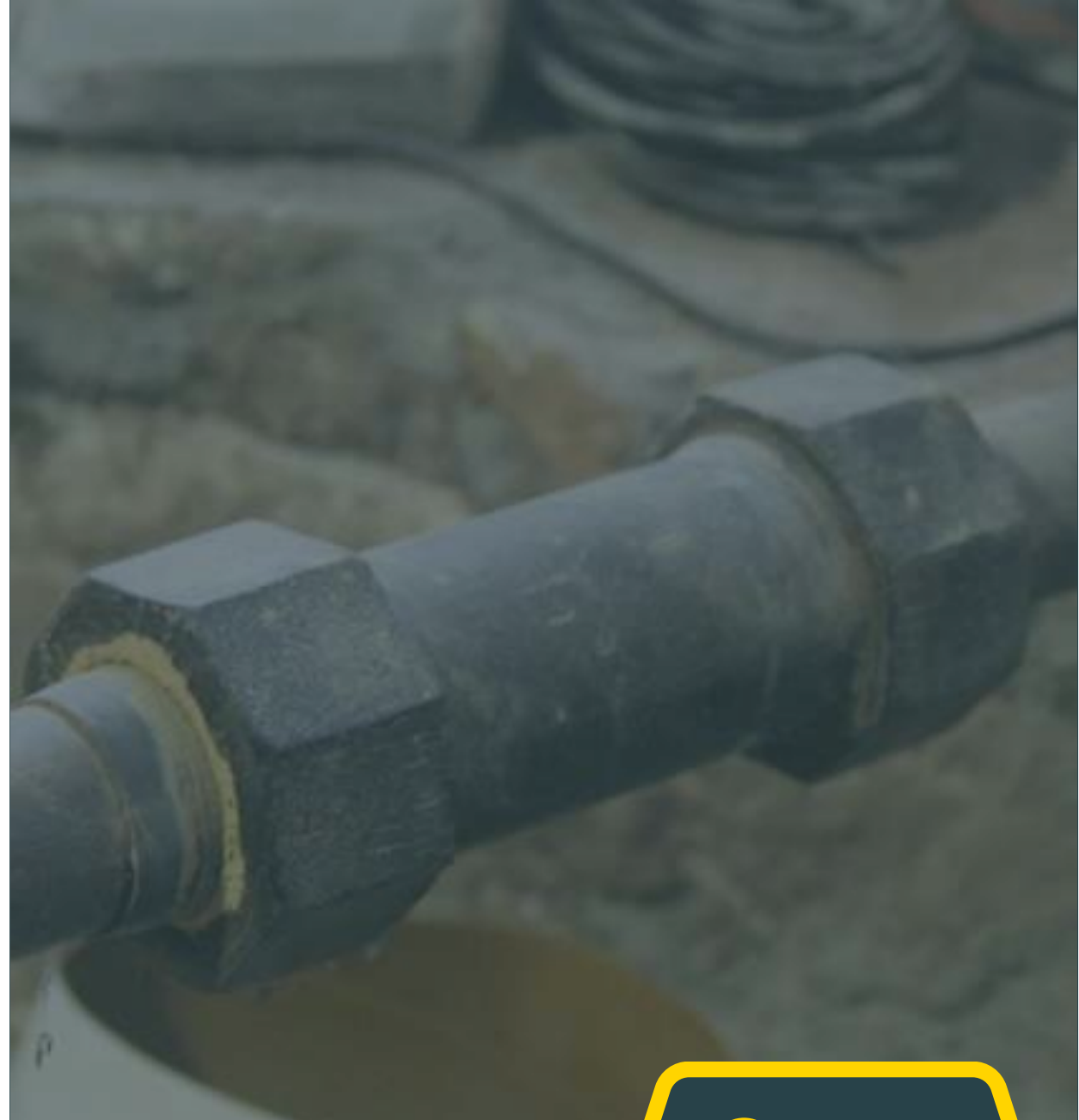
CFR 192.805 (d)(e)



Situation #5

A leak occurs on a service line after a compression fitting fails. A crew of four employees installed the service line, including the compression fitting, one month prior. The four employees are questioned about the service line installation. None of them remember who installed the compression fitting that failed.

What should happen next?





Correct Answer

Suspend all of the Workers

PHMSA FAQ #30



CFR 192.805 (d)(e)





Situation #6

A qualified technician with six months remaining until OQ expiration is being requalified early due to scheduling issues. During the performance evaluation, the individual improperly performs a covered task step.

What should happen next?



Correct Answer

Disqualify the Workers

PHMSA FAQ #30



CFR 192.805 (e)



Summary

- Suspension and disqualification may seem synonymous.
 - Suspension is temporary and ends with reinstatement or disqualification.
 - Disqualification is permanent and ends with requalification.
- Documentation of negative events adds validity to your program.
- Accurate documentation is essential to demonstrate the OQ program effectiveness.

Thank You



PHMSA OQ FAQ #30

Q: Should operators incorporate criteria in their OQ programs regarding the suspension or disqualification of an individual who performs covered tasks?

A: The pipeline safety regulations include requirements for operators to:

- (1) Evaluate an individual if the operator has reason to believe the individual's performance of a covered task contributed to an incident (as defined in Part 191) or accident (as defined in Part 195)
- (2) Evaluate an individual if the operator has reason to believe that the individual is no longer qualified to perform a covered task.

PHMSA OQ FAQ #30

The operator's written OQ program should describe a process to determine:

1. whether an individual is qualified to perform a covered task,
2. when it is necessary to make such a determination,
3. how the operator will proceed if the process shows that the individual is no longer qualified to perform a covered task.

PHMSA OQ FAQ #31

Q: How should an operator address a situation in which an individual who is qualified to perform a covered task is performing that covered task incorrectly? (§§ 192.805(e), 195.505(e))

- Each operator should develop written policies for dealing with performance deficiencies.*
- An individual who is found to be incorrectly performing a covered task for which the individual is qualified should be immediately removed from performing that covered task pending a deficiency review, retraining/coaching, reevaluation, suspension, or disqualification in accordance with the operator's policy.*



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