

Master/Tower Rigger Letter

Master Riggers and Tower Crane Riggers must furnish a letter in advance of certain rigging work to attest they will provide *direct and continuing supervision* of the rigging work.

For which type of rigging work is a letter required?

A letter attesting the licensee will provide **direct and continuing supervision** of the rigging work must be prepared by the licensed master or tower crane rigger for rigging work required to be performed by or under the **direct and continuing supervision** of a licensed master or tower crane rigger.

Rigging work that requires the **direct and continuing supervision** of a licensed master rigger includes:

- The use of a crane performing work under the **master rigger exemption** in lieu of the crane obtaining a certificate of on-site inspection (CN)
- The hoisting or lowering of a boiler or tank weighing more than 1 ton at a construction/demolition site
- The hoisting or lowering of articles weighing more than 1 ton – other a suspended scaffold, and other than the loading/unloading of a material delivery truck provided the material is not raised more than 12 feet above the bed of the truck during the loading/unloading process – at a site that is not a construction/demolition site

The assembly/jumping/or disassembly of a tower crane also requires the **direct and continuing supervision** of a licensed master rigger or a licensed tower crane rigger.

See Article 404 of Title 28 of the New York City Administrative Code and Section 3316.9 of the New York City Building Code for further information.

How is the letter to be provided to the Department?

The letter must be maintained at the jobsite and provided to the department upon request. In addition, where the job requires a permit, such as a certificate of on-site inspection (CN), equipment use permit, or an on-site waiver, the letter must be submitted with the application for the certificate of on-site inspection or permit. For the assembly/jumping/disassembly of a tower crane, the letter must be submitted as part of the plan required by Section 3319.8.1 of the New York City Building Code.

In addition to a letter, the plans for the certificate of on-site inspection or permit must be stamped or otherwise clearly marked, in a format acceptable to the commissioner, indicating the rigging work will be performed by or under the direct and continuing supervision of the master rigger.

See Subdivision (f) of 1 RCNY 104-20 for further information.

What content must be provided in the letter?

- The letter must be provided on the letterhead of the licensed rigger.
- The letter must reference the jobsite address and the associated job numbers (certificate of on-site inspection (CN), on-site waiver, or permit) for the rigging work.

- The letter must state that the rigging work* will be performed by or under the direct and continuing supervision of (name of licensed rigger & license number).
 - * The letter must clearly specify which rigging work will be performed by or under the direct and continuing supervision of the licensed rigger. For example:
 - All of the rigging work at the referenced jobsite or for the referenced job numbers
 - Only rigging work specified on drawing #s with date of drawing # noted
 - Only rigging work performed on specified dates/times
 - Only rigging work associated with (describe scope of work, i.e., tripping panels, hoisting HVAC equipment, tower crane assembly, etc.)
- The letter must state that the direct and continuing supervision will be in accordance with the provisions for direct and continuing supervision as specified in Chapter 4 of Title 28 of the New York City Administrative Code and Section 104-20 of Chapter 100 of Title 1 of the Rules of the City of New York.
- The letter must list the names of the rigging crew members, including foremen, that will be working under the direct and continuing supervisor of the licensed rigger for the rigging work.
- The letter must be signed and dated by the licensed rigger and include the rigger's license number.

What constitutes *direct and continuing supervision*?

Direct and continuing supervision is defined in Article 401 of Title 28 of the New York City Administrative Code. A key criterion of **direct and continuing supervision** is that the crew performing the work is in the **direct employ** of the licensee or the business or city agency with which the licensee is associated. Simply having the licensee, or a rigging foreman designated by the licensee, present at the jobsite does not fulfil the requirements of **direct and continuing supervision**. To satisfy the requirement for **direct and continuing supervision**, the members of the rigging crew must also be in the **direct employ** of the licensee, or in the **direct employ** of the business or city agency with which the licensee is associated.

For a licensee to associate their license with a business, the licensee must notify the Department's licensing unit. The association between the licensee and the business must be indicated as active on the license record. The department allows up to two businesses to be associated with a license. A licensee is not considered to be satisfying the requirements of **direct and continuing supervision** when supervising individuals employed by a business that is not associated with and indicated as active on the license record. For example, a licensee could not claim **direct and continuing supervision** of employees of a third business not indicated on the license record, nor claim **direct and continuing supervision** of employees of a business that is listed as inactive on the license record because, for example, the insurance for the business has expired.

[1 RCNY 104-20](#), the rigging license rule, also provides additional requirements that a licensed rigger must fulfil in order to meet the requirements of **direct and continuing supervision**. These include planning the rigging work, designating a rigging foreman if the licensee will not be present at the site, and maintaining contact with the rigging foreman.

If a jobsite wants to go above and beyond the Code and bring in a master rigger, does the supervision have to be *direct and continuing supervision*?

If the Code does not require **direct and continuing supervision** by a master rigger for the hoisting or lowering of articles, for example, the routine hoisting or lowering of elements during the construction or demolition of a building:

- The contractor may voluntarily elect to have a master rigger provide **direct and continuing supervision** of the rigging work. In such a case a letter from the master rigger is required and the plans for the CN/permit must also be stamped or marked.
- The contractor may voluntarily elect to engage a licensed master rigger, or a rigging foreman designated by the licensee, to provide onsite safety supervision or consulting. In such an event, a letter from the master rigger is not required, but the rigging work must comply with the requirements of Sections 3316.9.1 and 3316.9.2 of the New York City Building Code. This includes having all members of the rigging crew complete the certification or training required by Section 3316.9.2 of the New York City Building Code unless the equipment or work is specifically exempted by that section. The exemption from certification or training for individuals under the “direct and continuing supervision” of a licensed rigger is not valid in this scenario as the rigging crew would not meet the requirement for “direct and continuing supervision.”
- The contractor may voluntarily elect to not engage a licensed rigger, or a rigging foreman designated by the licensee. In such an event, the rigging work must comply with the requirements of Sections 3316.9.1 and 3316.9.2 of the New York City Building Code.

Where work is not performed by or under the **direct and continuing supervision** of a licensed rigger, it is incumbent upon the contractor to ensure adequate insurance coverage is provided for all members of the rigging crew, as well as any licensed rigger or designated rigging foreman voluntarily engaged, as the insurance coverage of the licensed rigger may not extend in cases where the licensed rigger is not providing **direct and continuing supervision**. Insurance coverage must be appropriate for the rigging work and equipment utilized. Exclusions for rigging work, exclusions for equipment used such as a crane, or exclusions for work performed within the city of New York are not acceptable.

NOTE: The installation and use of a suspended scaffold is subject to separate requirements. See Section 3314.4 of the Building Code for scaffold supervision requirements.