

**Standard Interpretations**

**02/21/1986 - Clarification of Competent and Qualified Person, as it Relates to Subpart P.**

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• **Standard Number:** [1926.32](#); [1926.650](#); [1926.651](#)

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February 21,

MEMORANDUM      BYRON R. CHADWICK  
FOR:                      Regional Administrator

FROM:                      JOHN B. MILES, JR., Director  
                                    Directorate of Field Operations

SUBJECT:                      Clarification of Competent and Qualified Person, as it Relates to  
                                    Subpart P

This is in response to your memorandum of January 28, on the above subject.

29 CFR 1926.32(f) states: "Competent person" means one who is capable of identifying existing and predictable hazards in the surroundings or working conditions, which are unsanitary, hazardous, or dangerous to employees, and who has authorization to take prompt corrective measures to eliminate them.

29 CFR 1926.32(m) states: "Qualified" means 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 definitions provide that a **competent person must have authority** to take prompt measures to eliminate hazards at the work site and have the experience to be capable of identifying these hazards. This is the reason a competent person is required under inspection requirements in 29 CFR 1926.650 and 29 CFR 1926.651.

The definitions provide that a **qualified person must have** a recognized degree, certificate, etc., or extensive experience and ability to solve the subject problems, at the worksite. This is the reason why 29 CFR 1926.651(f) requires that supporting systems design shall be by a **qualified person**. There may be a requirement for more technical or engineering knowledge here.

Each excavation job as in any other case, must be evaluated as to the facts relating to the needs of a competent person, and qualified person.

The professional judgement of OSHA must come into play by using our construction regulations where they apply

Please advise if we can be of further assistance.