

## **HIOSH ADVISORY COMMITTEE MINUTES**

Thursday, March 16, 2006  
HIOSH Training Room 427  
1:07 to 2:37 p.m.

Present: David Aki, Hawaii Teamsters, Local 996  
Ernest Balatinez, Balatinez & Associates Safety Consultants  
Lani Bjork, Hilton Hawaiian Village Hotel  
Richard Botti, Legislative Information Service of Hawaii  
Reynard Burgess, KD Construction, Inc.  
Paul Chang, Hawaii Carpenters Union, Local 745  
Delbert DeRego, ILWU Local 142, Maui Division  
Joaquin Diaz, Dick Pacific Construction Co., Ltd.  
Thomas Goob, American Industrial Hygiene Association  
Tracy Hayashi, Hawaii Electricians Training Fund  
Clifford Higa, Safety Systems Hawaii  
Clayton Kamida, Hawaii Employers Council  
Dr. Charles Kelley, Outrigger Hotels  
Paul King, Actus Lend Lease, LLC  
Timothy Lyons, Hawaii Business League  
Robert Nakamatsu, State Department of Human Resources Development  
James Newberry, American Society of Safety Engineers  
Joseph O'Donnell, Ironworkers, Local 625  
Mike Redman, Hawaii Employers Mutual Insurance Company  
Gareth Sakakida, Hawaii Transportation Association  
Patrick Santos, Operating Engineers, Local 3, AFL-CIO  
Clifford Uwaine, United Public Workers  
Daniel Vasilash, General Contractors Association of Hawaii  
Thomas Vendetta, City & County of Honolulu, ISWC/Human Resources  
Richard Vieira, Hawaii Painter's Union  
Shelley Wheeling Park, Kaiser Permanente of Hawaii  
Clayton Winger, Monarch Insurance Service  
James Zane, McCabe, Hamilton & Renny Co., Ltd.

Absent: Paul Dill, County of Hawaii  
Janelle Kanuha-Marshall, Marine Corps Community Service

HIOSH: Nelson Befitel, Director's Office, Dept. of Labor & Industrial Relations  
James Hardway, Director's Office, Dept. of Labor & Industrial Relations  
Ellen Kondo, Consultation & Training Branch, HIOSH  
Deirdre Yamasaki, HIOSH (Recorder)

The meeting was called to order at 1:07 p.m. by Chairperson James Newberry. A quorum was present.

1. Member introductions and roll call.
2. New members were welcomed and received copies of the operating guidelines.

3. The November 17, 2005 minutes were approved.
4. Director's Report

Director Nelson Befitel thanked everyone for attending. He stated that he would like the HIOSH Advisory Committee to not only be a sounding board, but would like the members to actively contribute to the HIOSH program through various opportunities that will be discussed later.

Director Befitel gave a background and update of the HIOSH program. Under the federal grant, HIOSH is judged by their inspection numbers for safety inspections, health inspections, and consultation visits. The HIOSH program is also expected to meet a certain number of inspections in the consultation and outreach program, and to increase VPP and SHARP participation. The federal fiscal year is from October through September; therefore, HIOSH is currently in the second quarter for the fiscal year.

The HIOSH had their first meeting with Federal OSHA after the first quarter:

- For Safety Inspections, HIOSH's expectation is to inspect 640 premises during the year. Currently, HIOSH has inspected approximately 280 premises, which is about 44%.
- For Health Inspections, HIOSH's expectation is to inspect 180 premises during the year. Currently, HIOSH has inspected 70 premises, or 38.89%.
- For Consultation Visits, HIOSH's expectation is to complete 288 consultation visits. Currently, HIOSH has completed approximately 60 consultation visits, or 20.83%.

For the recognition programs, VPP and SHARP, the HIOSH currently has 26 SHARP companies, and anticipates having 5 or 6 VPP companies before the Governor's Pacific Rim Safety and Health Conference on May 10-12, 2006. The HIOSH would like to have 4 more VPP companies by the end of the year.

The HIOSH is hoping to fill three vacancies in the Health Branch. The HIOSH conducted interviews for about nine to ten candidates and hopes to extend offers to those candidates. If three candidates accept, nine out of ten positions in the Health Branch will be filled. [Update: The three positions have been filled, and the employees should start in May 2006.] The HIOSH is also looking to fill the Occupational Safety and Administrative & Technical Support Branch manager positions. Currently, there is an Occupational Safety and Health Advisor position open in the Consultation and Training Branch.

For initiatives, the Tie-Off Campaign was very successful. The campaign was successful due to cooperation from the labor organizations that assisted financially and in "getting the word out." However, as the campaign is about to end, there is again an increase in numbers of fall protection violations. It has not been decided yet whether or not the HIOSH will launch another campaign.

Another initiative that the HIOSH is planning is a free Safety Seminar for small businesses on all islands. Director Befitel asked if anyone was interested in helping with this initiative.

At the last meeting, there was discussion about a Public Awareness Campaign that would encourage an anti-drug message in the workplace. The use of drugs at the workplace does not fall under the HIOSH's jurisdiction. Director Befitel would like to meet with anyone who would be interested in brainstorming or working on ideas to approach this situation.

The 2006 Governor's Pacific Rim Safety and Health Conference will be held from May 10-12, 2006, at the Sheraton Waikiki. The HIOSH hopes to have Federal OSHA program officials attend the conference to be speakers, and possibly meet with some of the companies who have achieved VPP status.

Mr. Clifford Uwaine asked about the status of the HIOSH Administrator, Ms. Jennifer Shishido. Director Befitel informed Ms. Shishido is still on a special assignment. She is setting up a program that is similar to the VPP program, but it will be for the unions. She visits various unions and reviews their apprenticeship programs. She is also assisting in filling the HIOSH vacancies; however, an anticipated date of return to her position has not yet been determined.

Mr. James Newberry asked, regarding the Consultation and Training's shortfall, is there a backlog of people requesting assistance, or is the HIOSH actually able to maintain the number of requests. Director Befitel informed that currently, there is a backlog.

Mr. Clayton Winger asked about the status of the request for private companies to bid on assisting Consultation and Training with the SHARP program. Director Befitel informed that the HIOSH issued an RFP (Request for Proposal) for any organization that was interested in coordinating and/or donating time to assist other companies in obtaining SHARP status. Unfortunately, there was no interest, and no bids were received. The request has been extended. If anyone is interested, Director Befitel requested they see him after the meeting. In the interim, Director Befitel is hoping to interview for the Business Safety Facilitator position, and have that position assist companies in obtaining SHARP.

## 5. Old Business

### a. Update of Kona HIOSH Advisory Committee Meeting/Training Program

Mr. Newberry reported that the HIOSH Advisory Committee had a very successful neighbor island visit. Last year, there was a drug free workplace training and outreach program during their visit. When negotiating with the hotel, a certain number of attendees was required; however, this number fell short, even though there was a very good turnout, and additional funds were owed to the hotel. The ASSE and Mr. George Mauliola of Airgas Gaspro were kind enough to assist with the registration and collection of money and invoices because the HIOSH Advisory Committee does not have a treasurer. When Mr. Newberry asked Mr. Mauliola for the bill, because Director Befitel

wanted to pay for the shortfall, Mr. Mauiola very graciously said that he would cover that portion for the HIOSH Advisory Committee.

b. 2006 Meeting Schedule

Meeting dates for the remainder of the year are:

May 18, 2006, 830 Punchbowl Street, Room 427

August 17, 2006, 830 Punchbowl Street, Room 427

November 16, 2006, 830 Punchbowl Street, Room 427

The next meeting will be on May 18, 2006. The HIOSH Advisory Committee meetings are held on the third Thursday of each applicable month. Because the HIOSH Advisory Committee has increased in members, it will be difficult to coordinate a neighbor island trip this year. If anyone has ideas on how to keep the costs down for a meeting, it can be brought up for discussion to the committee.

c. Detailed Workers' Compensation Report

At the last meeting, Mr. Thomas Goob requested if the workers' compensation claim data could be presented by a type of denominator matrix, such as total workforce, to clearly show the magnitude of improvement. Although Director Befitel responded that the data should be further broken down and then compared to what our workforce is by similar jurisdictions, Mr. Newberry suggested that the HIOSH Advisory Committee use the goal standards that are in the 2004 Workers' Compensation Data Book. Although the Workers' Compensation Data Book does not come out a year in the rear, it will help cut down on the tremendous amount of time and effort to develop the information requested. Copies of the 2004 Workers' Compensation Data Book were handed out.

To receive additional copies or to be added to the mailing list, please call the DLIR-Research and Statistics Office at 586-8999. Annual Workers' Compensation Data Books are published at the end of each year.

To find the Workers' Compensation Data Book on the Internet, use one of the following:

1. Go to the DLIR's website home page, <http://hawaii.gov/labor/>;

On the right, under the Division and Agencies drop down list, select Research and Statistics; on the Research and Statistics home page, in the "Work Injuries and Illnesses" group, click on "Workers' Compensation Data", which will direct you to a page where 5 years of the Workers' Compensation Data Book are available in pdf format.

2. To directly go to the current Workers' Compensation Data Book page, the link is: <http://hawaii.gov/labor/rs/6-14-05update/WCDATABK.HTM>

This link will change each year when the new data book is posted to the site.

3. To go specifically to the 2004 Workers' Compensation Data Book, the link is:  
<http://hawaii.gov/labor/rs/6-14-05update/WCBOOK2004.pdf>

- d. Status of Settlement Agreement Monies Going to a Safety Training Fund

At the last meeting, Mr. Clayton Winger asked about the status of settlement agreement monies going into a safety training fund. Director Befitel informed that legislative action would be required to accomplish this. However, HIOSH currently offers to companies a reduction in penalty amounts, if training is provided to their employees.

- e. Discussion of the FY 200X HIOSH Evaluation Criteria

Mr. Newberry informed that Director Befitel stated the HIOSH is graded on their performance when the OSHA Region 9 comes to Hawaii at the end of the fiscal year, which is around October. The Director's Report from last November presented very good grades.

6. New Business

- a. A motion was made to create a subcommittee on addressing training issues in Hawaii, and bringing the information to Director Befitel for his action. Volunteers included: Ernest Balatinez, Joaquin Diaz, Paul King, James Zane, Lani Bjork and Clayton Kamida. Committee requested HIOSH provide PowerPoint and video presentations that are/were available on OSHA's website.

- b. Sub-Committee Reports

- 1) Safety Recognition and Awards – Clayton Winger

Over 30 companies applied. Half of them decided to withdraw as they went through the evaluation process. The committee is thankful that they have 15 companies that will be recognized. The companies are divided up into construction and general industries. Since the winner has not yet been notified, the announcement will be made at the 2006 Governor's Pacific Rim Safety and Health Conference on May 10-12, 2006, at the Sheraton Waikiki. Handouts will be available on what the award winners actually did, how they dealt with safety, and what they feel other companies can use.

At the 2006 Governor's Pacific Rim Safety and Health Conference, the committee will also be recognizing four individuals for their involvement in safety, promoting safety in the State of Hawaii, and what they have done.

- 2) Drugs in the Workplace – Dr. Charles Kelley

Dr. Kelley gave a background on the Drugs in the Workplace Committee. The Drugs in the Workplace Committee was formed after several years of the HIOSH Advisory

Committee repeatedly coming to the conclusion that keeping illegal drugs out of the workplace is the most important thing to keep the workplace safe. Over the last couple of years, the Drugs in the Workplace Committee has researched the problem, given a presentation to the HIOSH Advisory Committee and did a Drug Awareness Program on the Big Island. The HIOSH has responded by having an Employee Substance Abuse Awareness and Prevention Program video available on the DLIR's website.

At the next or future meetings, the Drugs in the Workplace Committee would like to meet with HIOSH to discuss what steps to take in the next year to continue the effort to keep drugs out of the workplace. Members were requested to provide at the next meeting feedback to the HIOSH on how they perceive the need of keeping drugs out of the workplace.

- c. Determine if a flow process could be developed to allow the committee to be notified, on a timely basis, to provide feedback on proposed changes to the HIOSH related Hawaii Administrative Rules.

Ms. Ellen Kondo informed that the best time for the committee to be notified would be as soon as the Attorney General's office approves the public hearing notice. Since there is a 30-day window between the public hearing notice being published and the actual hearing date, this would give the committee a little more than 30 days.

Meeting adjourned at 2:37 pm.

Next meeting is scheduled for May 18, 2006 at 1:00 p.m. in the HIOSH Training Room (830 Punchbowl Street, Room 427)