

HIOSH ADVISORY COMMITTEE MINUTES

Committee Meeting

November 15, 2007 1:03 PM to 2:45 PM

Department of Labor and Industrial Relations 830 Punchbowl Street – HIOSH Training Room 427

Members Present:

Richard Botti (Legislative Information Service of Hawaii), Reynard Burgess (Parsons), Paul Chang (Hawaii Carpenters Union, Local 745), Delbert DeRego (ILWU Local 142, Maui Division), Tristan Aldeguer for Joaquin Diaz (Dick Pacific Construction Co., Ltd.), Jim Peck for Thomas Goob (American Industrial Hygiene Association), Clifford Higa (Safety Systems Hawaii), Clayton Kamida (Hawaii Employers Council), Charles Kelley (Outrigger Enterprises, Inc.), Paul King (Actus Lend Lease, LLC), Timothy Lyons (The Legislative Center), Robert Nakamatsu (Department of Human Resources Development), Clifford Uwaine (United Public Workers), Daniel Vasilash (General Contractors Association of Hawaii), Thomas Vendetta (ISWC Division, C&C), Clayton Winger (Monarch Insurance Service), James Zane (McCabe, Hamilton & Renny Co., Ltd.)

Members Excused:

Ernest Balatinez (Balatinez & Associates Safety Consultants), Lani Bjork (Hilton Hawaiian Village Hotel), Patrick Cheng (Airgas Gaspro), Tracy Hayashi (Hawaii Electricians Training Fund), Janelle Kanuha-Marshall (Marine Corps Community Service), James Newberry (American Society of Safety Engineers), Joseph O'Donnell (Ironworkers, Local 625), Michael Redman (HEMIC), Gareth Sakakida (Hawaii Transportation Association), Richard Vieira (Hawaii Painter's Union), Shelley Wheeling-Park (Kaiser Permanente of Hawaii)

Presenters:

DLIR Staff:

Darwin L.D. Ching, Director of Labor and Industrial Relations; James Hardway, Director's Office; Jennifer Shishido, Director's Office; Jamesner Dumlao, HIOSH (Day-to-Day Administrator); Dan Hanagami, HIOSH (Business Facilitator); Ellen Kondo, HIOSH Consultation and Training Branch (Manager); Deirdre Yamasaki, HIOSH (Recorder); Terrie Mizoguchi, HIOSH (Librarian)

Guests (Public):

Walter Chun, Veterans of Safety; Tracy Lawson, Veterans of Safety; Mary Browne, Veterans of Safety; Chuck Beneke, Covanta

Agenda	Discussion	Decision and/or Outcome
Call to Order	Welcome and Introduction Dr. Kelley welcomed members of the HIOSH Advisory Committee.	
Roll Call	Roll call was taken. Quorum was present.	
Approval of Minutes	There were no corrections or additions to the October 18, 2007.	October 18, 2007 minutes were approved and will be posted on the HIOSH's website.
Recognition of Darwin Ching's Appointment as Director of the DLIR	Dr. Kelley formally recognized Darwin Ching as Director of the Department of Labor and Industrial Relations. Director Ching thanked the committee. A copy of the committee's written support was distributed.	

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Presentation of Certificate to Charles Kelley, M.D.	Director Ching presented Dr. Kelley a certificate in recognition for his outstanding leadership and service as chair of the committee.	
Election of New Officers for 2008	Jimmy Zane will become chair. Daniel Vasilash was nominated as vice chair.	Daniel Vasilash was elected vice chair.
Information From HIOSH to the HIOSH Advisory Committee		
Update From Director	<ul style="list-style-type: none"> • Leadership Team of Jamesner Dumlao (Day-to-Day Administrator), Dan Hanagami (Business Facilitator), and Pam Martin was announced; team has proceeded in helping align HIOSH. • Jennifer Shishido is working on special projects and grants. 	
Special Projects Report	<p><u>Small Business Training</u></p> <ul style="list-style-type: none"> • A small group (Joaquin Diaz of Dick Pacific Construction, Tracy Lawson of Risk Solution Partners, and Jim Newberry of Island Insurance) has partnered with HIOSH to develop and provide a series of workshops to help new supervisors, managers and human resource specialists with their safety and health responsibilities. It is called "Pathway to Success". Eventually, companies will be able to qualify for workers' compensation premium discounts. • The training will cover topics including: safety economics, safety and health management, and controlling hazards and preventing accidents and slip strips and falls. There will be nine modules of two hours each. • The training schedule will eventually be available on HIOSH's website. As more classes become available, people will be able to make-up a missed module and keep up with their class. Eventually some parts of the class may be available on-line; however, class interaction is an important part of the Pathway to Success. • The reason for the class is because smaller companies are not able to hire safety professionals and instead use someone from within their company, e.g., the HR professional, a production supervisor, who are then assigned safety responsibilities along with their regular duties. The program will provide the training they need, and then network them with mentors that can help them grow into a safety professional. <p><u>10th Biennial Pacific Rim Safety and Health Conference</u></p> <ul style="list-style-type: none"> • Speakers are needed. Contact Jennifer Shishido, Allan Yokoyama or Jim Peck, if anyone is interested in becoming a speaker or knows of a good speaker. 	

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Special Projects Report	<ul style="list-style-type: none"> • There will be a small business track comprised of five presentations to help small businesses implement a safety and health program that will help them qualify for workers' compensation premium discounts. 	
HIOSH Activities and Status Report	<p><u>HIOSH Training</u></p> <ul style="list-style-type: none"> • Crane Training <ul style="list-style-type: none"> ○ OTI instructor held a four-day course regarding cranes. • Professional Peer Group for the Veterans of Safety <ul style="list-style-type: none"> ○ The Professional Peer Group's members are Walter Chun, Jim Newberry, Mary Browne, and Tracy Lawson. ○ They held a presentation for the DLIR on how they advise employers and employees regarding HIOSH investigations. ○ The presentation was a valuable perspective for HIOSH's staff to understand and get a chance to ask questions. ○ The goal and mission of the veterans of safety mentoring program is to bring the safety community together to support each other. • Interview Training <ul style="list-style-type: none"> ○ Dan Hanagami taught an introductory level course on how to do interviews to HIOSH and other DLIR divisions. ○ The course covered the basics of how to conduct an interview. ○ Dan received questions from the AG's office on how to do fraud investigations and from the Unemployment Insurance Division on how to address taped interviews as evidence, among other things. ○ In the future, Dan would like to do training on report writing, drawing or photographing the scene, and advanced interview classes. <p><u>SHARP, VPP, Consultations, Inspections, Fatalities</u></p> <p><u>SHARP, VPP, Consultations</u></p> <ul style="list-style-type: none"> • Chuck Beneke from Covanta attended the meeting to share the process of how his company became VPP. <ul style="list-style-type: none"> ○ First, Consultation and Training helped Covanta reach SHARP status. ○ Companies that were already VPP had meetings and classes and helped mentor Covanta to attain VPP status. ○ Now that Covanta has VPP status, it wants to help mentor other companies. • HIOSH has been soliciting companies for SHARP and VPP but has not received much feedback. It would be helpful if SHARP and VPP companies and the advisory committee solicit the program 	

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<p>HIOSH Activities and Status Report</p>	<p>peer-to-peer.</p> <ul style="list-style-type: none"> When applying for VPP status, there are several levels. They consist of merit, star, and star mentor. Approximately two years ago, HIOSH held Special Government Employee (SGE) training. Those that attended qualified to assist applicants in attaining SHARP and VPP status. Rey Burgess asked the status of the program. James Hardway informed the program still exists, but has been overshadowed by other priorities. <p><u>Inspections</u></p> <ul style="list-style-type: none"> HIOSH has implemented the safety and health joint inspections. The purpose is to cross-train the inspectors. The progress will be tracked to see if it is successful. <p><u>Continuation of Discussion on Workplace Fatalities</u></p> <ul style="list-style-type: none"> Discussion on HIOSH providing "Fatal Facts" – a summary of accidents and recommendations to prevent accidents. Community can benefit from the information. A further analysis needs to be done. A report will be given at the next meeting. HIOSH sent letters to all counties requesting that the police department notify HIOSH of any accidents or fatalities. HPD is going to reassess their procedures and will notify HIOSH if they have to implement a new policy and work with the unions. The purpose of the letters is so that HIOSH can get a more timely notification and get the HIOSH inspectors at the worksite right away. Although employers have eight hours to notify HIOSH, most times, HIOSH finds out about fatalities while doing a regular or programmed inspection, or from a media report or from workers' comp. In those cases, HIOSH goes to the scene, it is cleaned up and gone. Jimmy Zane will work with Dan Hanagami on possibly forming a type of checklist in the event of an accident that lists information that most companies and employers would need. After the checklist is finalized, Jimmy would like to discuss the checklist with the committee. Question asked again about the final penalty for the Permasteelisa case. <p><u>HIOSH Vacancies</u> Clayton Chun has filled the Occupational Safety supervisor position.</p> <p><u>Hoisting Machine Operator Certification Update</u></p> <ul style="list-style-type: none"> At the last meeting, James Hardway mentioned that there was a press release on the crane operator 	<p>HIOSH has only the star level.</p> <p>Discussion on how to revitalize the SGE program will continue next quarter.</p> <p>HIOSH to provide accident information.</p> <p>HIOSH to report at next meeting.</p> <p>HIOSH will give a presentation and discussion on the crane rules.</p>

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HIOSH Activities and Status Report	<p>certification and the crane rules are being enforced. No one was able to find the press release.</p> <ul style="list-style-type: none"> • Thomas Vendetta clarified the rules are being ready to be reinforced and can be enforced any day. The crane board is suggesting that the department release a notification before they start enforcing. • Just recently, the HIOSH rule that allows enforcement was passed. • There were questions on which industries will be cited and clarification on how companies will be affected. • Mr. Vendetta reported that the Hoisting Machine Operators' Advisory Board (HMOAB) is meeting next week. While they have money in the fund for outreach and awareness for operators' certification, they are not able to spend until their budget is approved by the Legislature. <p>Legislative Update Nothing to report at this time. Will report at next meeting.</p> <p>Discussion Regarding Newsletter/Website Still being explored. Will report at next meeting.</p>	
Joint Projects Between HIOSH and the HIOSH Advisory Committee		
Safety Recognition and Awards Committee	<p>2008 Excellence in Safety Awards</p> <ul style="list-style-type: none"> • Twenty-two companies are interested in participating. • Clayton Winger sent evaluations for those companies to complete. • There will be a short meeting on November 28, 2007, at 2:00 p.m. at the Painters Union to discuss the application form. • The next step would be for the advocates to help with the process. • The committee has gotten a lot of people who are willing to help. • If there are other safety professionals that are interested in helping, the committee would welcome the help since there are over 20 companies participating. 	
Drugs in the Workplace Committee	<ul style="list-style-type: none"> • Dr. Kelley suggested that this committee be disbanded and reconvene, should a need arise in the future. • Jennifer Shishido asked if the list of manufacturers was supplied. 	<p>Motion was made to disband this committee. Motion passed. James Hardway will provide a list of manufacturers of drug testing kits.</p>
Training Outreach Committee	<p>Nothing reported.</p>	

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Public Sector Need for Safety Assistance	<ul style="list-style-type: none"> • Clayton Winger gave a summary of what has happened on this topic since it started. He said he was surprised that the DOE has roughly half the cost of the total State's workers' compensation payments. He expected greater amounts from what would be considered more hazardous departments such as Transportation and Public Safety. • In January, HIOSH will make a presentation to the Board of Education urging them to improve their safety program. Director Ching invited Clayton Winger to attend that meeting. • Public sector agencies will be included in the small business training. They are able to participate in the SHARP/VPP program also. • Thomas Vendetta clarified that because the City and County consists of 75% emergency type workers, they may not be able to participate in the SHARP/VPP program. Although their injury rate is high, they are the most trained in safety and health. If they are able to reduce injuries, the costs could be used for education instead. • The national average for percent of recorded claims/instances that have loss time is 35%. In Hawaii, it is 80%. • Although HIOSH cannot control the workers' compensation laws, safety professionals can make sure that there are position descriptions so that supervisors and managers know what jobs can have light duty, what the definition of light duty is, and do certain things within their shop to make sure there is a safe job available for the injured worker. 	
Information From HIOSH Advisory Committee to HIOSH		
Around-the-Table Comments	<ul style="list-style-type: none"> • As new chair, Jimmy Zane would like to spend more time on the open discussions part of the agenda. • Dan Vasilash thanked everyone for voting for him and is looking forward to working with them. He congratulated Chuck Beneke for his recent award. • Jim Peck would like announcements on fatalities. At the next meeting, he would like to know about the crane rule change that was supposed to get published on the website. • Timothy Lyons asked if there was any "wobble room" for SHARP, especially for contractors who work out in the open where inspectors on "drive-bys" can more easily catch them for non-compliance. The incentive for SHARP status is somewhat lost when the major inspection type is not programmed inspections. Jennifer clarified that the purpose of achieving SHARP is not to avoid citations. The purpose is by implementing the program, companies reduce incidences of events which eventually reduce 	

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Around-the-Table Comments	<p>workers' compensation rates. Ellen clarified that to qualify for SHARP, there should be no serious violations and a fall from a roof is a serious violation.</p> <ul style="list-style-type: none"> • Chuck Beneke informed he went to the VPP conferences in Las Vegas in April. He spoke with some federal and state OSHA officials. One item they brought up was to help them lead the VPP effort, they had OSHA and Department of Labor sites that were VPP certified. Chuck asked Director Ching if the DLIR is willing or looking into taking the lead on qualifying for VPP and set the standard for other government agencies. Director Ching requested deferring that question to the next meeting. • Paul King notified that the new federal personal protective equipment rules on the employers' responsibility to provide were just released. He inquired if the committee should take a look at that. Jennifer clarified that HIOSH promulgated the rule a number of years ago and Hawai'i employers are already mostly in compliance. 	<p>Director Ching to report on whether DLIR will apply for SHARP or VPP status.</p>
Calendar of Meetings for 2008	<p>The upcoming meeting dates for the advisory committee are:</p> <ul style="list-style-type: none"> • February 21, 2008 • May 15, 2008 • August 21, 2008 • November 20, 2008 <p>All meetings will be held in the HIOSH Training Room 427, at 1:00 p.m. – 3:00 p.m.</p>	
Next Meeting		<p>February 21, 2008, 1:00 p.m. – 3:00 p.m., HIOSH Training Room 427</p>

Respectfully submitted,

Approved:

Deirdre Yamasaki
Department of Labor and Industrial Relations/HIOSH

Dr. Charles Kelley, Chair
HIOSH Advisory Committee