

HIOSH ADVISORY COMMITTEE MINUTES

Committee Meeting

December 4, 2008 1:00 PM to 3:00 PM

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

Members Present:

Lani Bjork (Hilton Hawaiian Village Hotel), Reynard Burgess (Parsons), Paul Chang (Hawaii Carpenters Union, Local 745), Delbert DeRego (ILWU Local 142, Maui Division), Joaquin Diaz (Hawaiian Dredging Construction Company), Clifford Higa (Safety Systems Hawaii), Charles Kelley (Outrigger Enterprises, Inc.), Paul King (Actus Lend Lease, LLC), Timothy Lyons (Hawaii Business League), James Newberry (American Society of Safety Engineers), Joseph O'Donnell (Ironworkers, Local 625), Gareth Sakakida (Hawaii Transportation Association), 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:

Richard Botti (Legislative Information Service of Hawaii); Patrick Cheng (Airgas Gaspro), Tracy Hayashi (Hawaii Electricians Training Fund), Clayton Kamida (Hawaii Employers' Council), Janelle Kanuha-Marshall (Marine Corps Community Service), Robert Nakamatsu (Department of Human Resources Development), Michael Redman (HEMIC), Clifford Uwaine (United Public Workers), 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; Ryan Markham, Director's Office; Jennifer Shishido, Director's Office; Jamesner Dumlao, HIOSH Operations Manager; Lora Contreras, Hoisting Machine Operators Advisory Board; Ellen Kondo, HIOSH Consultation and Training Branch Manager; Terrie Mizoguchi, Consultation and Training Branch; Deirdre Yamasaki, HIOSH (Recorder)

Guests (Public):

Tristan Aldeguer (Dick Pacific Construction Co., Ltd.), Lawrence Akina, Hawaii Teamsters, Local 996; Robert Aquino, Hawaii Electricians Training Fund; D. Lewis Boucher, General Contractors Association; Les Onaka, American Society of Safety Engineers; Jim Peck, American Industrial Hygiene Association; Tony Waikiki

Agenda	Discussion	Decision and/or Outcome
Call to Order	Welcome and Introduction Mr. Jimmy Zane welcomed members of the HIOSH Advisory Committee.	
Roll Call	Roll call was taken. Quorum was present.	
Minutes	<ul style="list-style-type: none">A motion was made to approve the minutes from the August 21, 2008, meeting.Minutes should read that Mr. D. Lewis Boucher will contact the training coordinator to see if there is a possibility of bringing someone locally.Minutes should delete Mr. Tracy Hayashi from members excused.Minutes should correct that Mr. D. Lewis Boucher's application is approved pending background check.For future minutes, Chair requested that members contact Mr. Jamesner Dumlao prior to the meeting if there are any changes.	August 21, 2008 minutes were approved with changes.

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Selection of Vice Chair	<ul style="list-style-type: none"> • Mr. D. Lewis Boucher was nominated. Nomination was withdrawn since Mr. Boucher is not a current member. • Since there were no nominations, Chair stated the nomination of the vice chair will be suspended until the next meeting on February 19, 2009. • After discussions about the position, Ms. Lani Bjork nominated Mr. Reynard Burgess. 	<p>Mr. Daniel Vasilash will become chair. Mr. Burgess was elected vice chair.</p>
Discussion Concerning Approval of New Members/ Organizational Representatives	<ul style="list-style-type: none"> • Mr. James Newberry made a motion to allow members who joined in 2004 to remain as members and either associate them with designated membership organizations or expand the list of membership organizations to accommodate those members. • After discussion on membership and background checks, clarification was made that the motion is in three parts: 1) have committee endorse original operating guidelines from the past, 2) grandfather members who were appointed or came on board representing individual companies or themselves in 2004, and 3) expand composition to include entities so that members are connected to an organization. • Director Ching made a motion to table the motion so that he can check with the Attorney General's Office whether background checks are needed. • Director Ching withdrew his motion and would like his motion only applicable to the background check issue. • Mr. Newberry made a motion to accept Mr. Jim Peck's appointment to the HIOSH Advisory Committee representing the AIHA Hawaii Section, replacing Mr. Tom Goob. • Mr. Newberry made a motion to accept Mr. Les Onaka's appointment to the HIOSH Advisory Committee representing the American Society of Safety Engineers, Hawaii Chapter, replacing Mr. Newberry. 	<p>Motion to table background check issue was approved with two abstentions. Motion to have committee endorse original operating guidelines from the past, grandfather members who were appointed or came on board representing individual companies or themselves in 2004, and expand composition to include entities so that members are connected to an organization was approved. Motion to accept Mr. Peck's appointment was approved. Motion to accept Mr. Onaka's appointment was approved.</p>
Information From HIOSH to the HIOSH Advisory Committee		
Director's Comments	<ul style="list-style-type: none"> • Mr. Zane was presented a certificate in recognition for his outstanding leadership and service as chair of the committee. • Director Ching congratulated the committee for their work. He recently attended a conference where the speaker acknowledged that safety was an important reason why workers' compensation costs have gone down. Employers, unions, and trust funds are working together to get employees back to work quickly so that contributions will be made towards pension and health benefit dues. • In addition to reductions from the Legislature, the State currently has a deficit of \$225 million for fiscal year 2009, \$730 million for fiscal year 2010, and \$1.1 billion for fiscal year 2011. • Governor Lingle has implemented a five-point economic plan which consists of: 	

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	<ul style="list-style-type: none"> ○ increasing tourism; ○ investing in improvements to our infrastructure and State facilities; ○ lowering business fees and providing tax relief; ○ attracting private investment, especially in energy; and ○ maximizing federal dollars and partnerships. 	
<p>Proposed Legislation Concerning Elevators</p>	<ul style="list-style-type: none"> ● The Boiler and Elevator branch (B&E) issues permits for approximately 6,700 pieces of equipment. They include: elevators (5,500), escalators (500), wheelchair lifts (350), dumbwaiters (280), amusement rides (35), and other lifts (50). ● To ensure that the equipment works safely, the B&E performs the following types of inspections: <ul style="list-style-type: none"> ○ acceptance tests for new or modified equipment; ○ safety tests for: <ul style="list-style-type: none"> ▪ hydraulics – every three years ▪ traction – every five years ▪ brakes ▪ hydraulic fluid leakage ▪ rope wear ▪ electrical ○ “Permit to Operate” renewals <ul style="list-style-type: none"> ▪ elevators – annually ▪ escalators – every six months ▪ incline lifts – every six months ● Currently, there is a backlog of about 3,500 elevator inspections and 2,500 boiler inspections. ● Since some equipment needs to be inspected twice, the workload is approximately 8,500 inspections a year. The minimum staffing needed is eight elevator inspectors, one supervisor, and one branch manager. ● On August 1, 2008, B&E consisted of three elevator inspectors and one supervisor. ● On September 1, 2008, B&E consisted of five elevator inspectors and one supervisor. ● By January 1, 2009, B&E will hopefully have seven elevator inspectors. ● The B&E is having a hard time filling the elevator inspector positions because the State pays approximately \$50,000/year less. Also, before 1996, the State gave after 10 years of service full medical benefits paid for life for retiree and spouse. After 1996, the State changed the medical benefits for retiree only at the following rates: 50% for 10-15 years of service, 75% for 15-25 years of service and 100% for 25+ years of service. ● Since most elevator inspectors come to work for the State after retiring from the industry at nearly 60 years of age, it is not likely they will work after 15 years of service. 	

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	<ul style="list-style-type: none"> • The elevator inspector position can be attractive to retired elevator mechanics who are drawing a pension, elevator mechanics who do not have a need for income, qualified individuals who want a career in public services, and individuals who temporarily do not want to go from job to job during the slumping economy. • To reduce the backlog within a year, if B&E has five elevator inspectors, the elevator inspectors would have to work 85 hours a week. If B&E has seven elevator inspectors, the elevator inspectors would have to work 60 hours a week. This strategy is not feasible. • Currently, HIOSH proposed the following strategies to the Governor: <ul style="list-style-type: none"> ○ Increase the elevator inspector's efficiency by: <ul style="list-style-type: none"> ▪ reduce re-inspections; ▪ advertise common discrepancies and how they can be fixed; ▪ schedule inspections in geographic clusters; ▪ complete renewal inspections while awaiting repairs; ▪ issue penalties for repeat violations; ▪ ask the Legislature to reduce the frequency of inspections; and ▪ involve building owners and managers in maintaining equipment. ○ Improve recruitment strategies by: <ul style="list-style-type: none"> ▪ re-examine the shortage differential; ▪ promote State benefits; ▪ provide parking as soon as inspection work starts; ▪ provide new employee orientation; ▪ provide flexible working arrangements; ▪ reduce paperwork by streamlining reporting forms and other paperwork; and ▪ work with DLIR Personnel to facilitate list of eligibles and interview process. ○ Propose to the Legislature: <ul style="list-style-type: none"> ▪ allow DLIR to set the frequency for renewal inspections based on factors affecting safety; ▪ promulgate administrative rules for elevator inspections from 12 months to 1-3 years; ○ Put on their website: <ul style="list-style-type: none"> ▪ for building owners and managers, the top 10 discrepancies and ▪ for elevator contractors, information on what elevator inspectors are looking for on new equipment and how they can avoid getting their inspection delayed. 	

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	<ul style="list-style-type: none"> ○ Have licensed elevator mechanics sign off for equipment that is ready for inspection. ● This week or next week, HIOSH is hoping to send letters to elevator companies informing them of the proposal. ● Privatization is not possible because Hawaii is too small for big elevator companies. ● HIOSH will give an update of the status at the next meeting. 	
Accidents	<ul style="list-style-type: none"> ● On May 19, 2008, an employee was sanding a piece of wood through a belt sander. The piece of wood kicked back from the belt sander and hit and struck the employee, resulting in a fatality. The citation was issued and the case was closed on October 13, 2008. ● Currently under investigation, there was a fatality at Kapiolani involving a crane hoisting up and snagging the boom of a truck. ● At Campbell Industrial Park, an employee was welding on a catwalk. The blast from the tank explosion sent the employee airborne, resulting in a fatality. Others near the environment were injured. The investigation is pending. 	
Proposed Crane Rules	<ul style="list-style-type: none"> ● The proposed rule has been pending for many years. Since there have been many incidents lately, OSHA would like to move on the proposed rule and is asking for comments. ● Mr. Dumlao gave a presentation on the highlights of the proposed crane standard, which consist of: <ul style="list-style-type: none"> ○ The scope section covers a wide range of new types of cranes that have been developed over the past 30 years. ○ A qualified person must address a list of key hazards associated with equipment assembly and disassembly. ○ Ground conditions must be made adequate for crane set-up to help prevent tip-overs. ○ In order to prevent electrocution, a leading cause of crane-related fatalities, employers must choose from a list of options for ensuring that equipment does not come within a prescribed distance of power lines. When working closer than that distance, a specified list of measures must be taken. ○ After a phase-in period, crane operators will have to be certified by either: 1) any crane operator testing organization approved by a nationally recognized accrediting agency, or 2) the employer's own qualification program, which must be audited by a testing organization approved auditor. ○ Signal persons must meet specified qualification requirements. 	

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	<ul style="list-style-type: none"> ○ Requirements for cranes on barges are updated. ○ Safety devices, operational aids, signals, specific types of equipment (such as derricks and tower cranes), inspections, wire rope, prototype design and testing, crushing and overhead hazards, fall protection and equipment modification are also addressed. ● OSHA has extended the comment period for the proposed rule on Cranes and Derricks to January 22, 2009. For additional information, please refer to OSHA's December 2nd News Release, "OSHA extends comment period for proposed rule on cranes and derricks" located on OSHA's website at: http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=NEWS_RELEASES&p_id=17072 ● HIOSH requested feedback from the committee. 	
SHARP/VPP – Status of Special Government Employees	<ul style="list-style-type: none"> ● HIOSH would like special government employees (SGEs) mentor companies who are close to SHARP status and get them to the level where they are SHARP ready so that HIOSH's consultants can grant certification quicker. ● HIOSH will explore providing Form 33 training. 	
HIOSH Staffing and Vacancies	<ul style="list-style-type: none"> ● HIOSH has two elevator inspector positions and one boiler inspector position which need to be filled. 	
HIOSH Website Feedback	<ul style="list-style-type: none"> ● Ms. Terrie Mizoguchi thanked everyone for their response. Although the survey is over, members can still submit their comments and suggestions. ● Members would like to see on HIOSH's website: website interactive safety training, PowerPoint presentations and tools that can be utilized in-house, and safety and health training courses available in the State. 	
Joint Projects Between HIOSH and the HIOSH Advisory Committee		
Training Outreach Committee	<ul style="list-style-type: none"> ● Nothing reported. ● Last action was supporting the SOS conference. 	
Safety Recognition and Awards Committee	<ul style="list-style-type: none"> ● Mr. Winger will be passing this committee on to Mr. Onaka. ● Chair Zane commended Mr. Winger for all of his efforts. 	
One Day Workshop (ASSE)	<ul style="list-style-type: none"> ● HIOSH and ASSE will be meeting on December 10, 2008. ● Tentatively, the workshop will be held on May 8, 2009, at the Hawaii Convention Center. 	
Information From HIOSH Advisory Committee to HIOSH		
Around-the-Table Comments	<ul style="list-style-type: none"> ● Mr. Vasilash thanked everyone for their assistance and support. ● Being a long-time member of the HIOSH Advisory Committee, Mr. Winger acknowledged that the committee has made a lot of progress and will be even better in the future. He has enjoyed being on the 	

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	<p>committee and will be resigning.</p> <ul style="list-style-type: none"> • Mr. Newberry suggests that the committee: <ul style="list-style-type: none"> ○ take under advisement, the appointment of a new chairperson to look at the member organizations and try to reorganize that to fit the membership and the needs of the community; ○ find a chair to look at the guidelines since the guidelines say they need to be reviewed periodically; and ○ take under advisement, the appointment of someone to provide a report of attendance since there is an attendance requirement in the guidelines that say you must show up for a certain number of meetings. • Mr. Boucher is looking forward to being on the HIOSH Advisory Committee. Being a young upcoming safety professional, he looks forward to getting as much information as he can from each member. • Mr. Aldeguer also looks forward to being a member of the HIOSH Advisory Committee and the information that he can obtain from each member. • Mr. Onaka wished everyone happy holidays. • Mr. O'Donnell wished everyone a safe holiday season and complemented HIOSH for doing a good job on the SOS conference. • Mr. DeRego wished everyone a safe holiday season. • Mr. Dumlao was glad that the committee had a full discussion and everyone had a chance to raise the structural integrity of how the committee moves forward. • Director Ching is looking forward to working with the committee next year. As someone new to the safety community, he has learned from the committee that safety pays. • Chair Zane thanked the committee for their support and requested that the committee continue to support their new chair. He has enjoyed leading the committee even though it was not an easy job. Although members may receive disagreements of their tactics, Chair Zane reminded everyone their jobs are all about keeping people safe and making sure they go home after work. 	
Next Meeting		February 19, 2009, 1:00 p.m. – 3:00 p.m., HIOSH Training Room 427

Respectfully submitted,

Approved:

Deirdre Yamasaki
Department of Labor and Industrial Relations/HIOSH

Mr. James Zane, Chair
HIOSH Advisory Committee