



STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
Hoisting Machine Operators Advisory Board
Princess Ruth Keelikolani Building, 830 Punchbowl Street, Room 337, Honolulu HI 96813
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Hoisting Machine Operators Advisory Board Minutes

Wednesday, July 15, 2015 at 1:30 p.m.
DLIR Conference Room, 321

Present: Trustees: Angela Chinen, Joaquin Diaz, Rich Lentes, and Jim Weander
Absent: Tristan Aldeguer
Staff: Robert M. Armstrong
Visitors: None

1. **Call to Order:** The meeting was called to order at 1:39 p.m. by Chairperson Diaz.
2. **17 June 2015 Minutes:** Weander moved and Lentes seconded to approve the minutes as written. The motion was approved unanimously.
3. **DLIR Deputy Director's Report:** Leonard Hoshijo reported on HMOAB spending possibilities for agency outreach and neighbor island educational efforts. He says any request is encouraged but also must be defensible, in light of the agency's annual \$70,000 ceiling set by the State legislature. As a result, a targeted and justified visit to a neighbor island is possible, as long as the necessary preliminary work is made there with interested audiences. Alternatives such as using Skype or GotoMeetings.com were also mentioned.
4. **HIOSH Safety Manager's Report:** While Soon Hye Edgerton provided no formal report; she and Trustees discussed the scope of current (1400) State laws applying to the licensing of crane equipment versus its operators. She reiterated the law only applies to certifying operators, regardless if the use is in construction or otherwise. The discussion arose because of numerous recent questions about material delivery activities of more than a ton at local work sites. She reiterated this is a delivery activity and not a construction issue and thus, not certifiable by the Hoisting Machine Operators Board. However, she also said the certification process was a simple and relatively inexpensive way to cover an operator or his/her employer, if there is any doubt about legality.

A question about widening the agency's scope in the future was initiated by Trustee Chinen, who recounted how some tow truck operators are placing a catch basin with a winch to facilitate construction activities. Trustee Weander added some aren't using their

outriggers on such activities, either. It was added knuckle boom, general industry, and service truck operations are also areas of concern.

- 5. Executive Director's Report:** Bob Armstrong reports the 2014-2015 fiscal year has now come to an end with extremely positive results. Unofficially, income outpaced expenses by approximately \$14,000 which created a surplus with the State of Hawai'i for the first time in the agency's fifteen year history. While income was slightly ahead of projections, expenses were cut nearly in half (46%) due to frugal spending and placing the Executive Director's position on a part-time status. It was noted, however, the ED was busier than ever during the past fiscal year, certifying a record 131 individuals (for a total of over 400 Statewide), including over sixty new operators in the State. In an average month last year, 11 certifications were processed bringing in \$3400 in revenue against less than \$300 in expenses.

Armstrong reports seven certifications processed since the end of the fiscal year with \$1650 of revenue taken in against \$174 of expenses. So while smaller, more affordable certification payments are being made by members (as opposed to years ago), the revenue is steadier and spread out over the entire year than it was before.

An initial final accounting page from our fiscal officer, Francis Kagawa, was distributed to Trustees which will be included in our next annual report for fiscal year 2014-2015. Chairperson Diaz has already provided a greeting for the document and individual trustees were encouraged to review their 'paragraph' from last year and update them for the upcoming report. Pictures of each Trustee will also be added in the annual report.

Armstrong promises next month's agenda will include the finished annual report, an updated visual application form, and a redesign of the HMOAB certification card to include DLIR changes and new color scheme.

- 6. Old Business:** Trustee Lentes presented a comparison between the OSHA crane accident database and statistics compiled by Haag Engineering nationwide during the past thirty years. Although the data is inconsistent and/or incomplete in places, it compares this State with others certifying operators. It finds Hawai'i is in the 'middle of the pack' generally in terms of regulation and on the low end in terms of accidents. Over half of all national accidents are in the construction industry, while 80% of the 32 Hawai'i accidents occurred in the construction industry. The report also indicates workers operating the smallest cranes with the least training or experiences were responsible for the majority of accidents. Following a discussion regarding boom lengths and capacity by Weander, Lentes admitted more research in our field is needed including property damage figures.

Lentes was thanked by Chairperson Diaz for his months of work on the project, which plants 'the seeds' for further public discussion and investigation. It was mentioned a third-party may be needed for statistical verification (and possible 'Freedom of Information' requests) along with feedback from the industry, particularly employers.

An expansive discussion then ensued regarding the upcoming proposed OSHA regulations and the need for state oversight and guidelines generally. Interest was

expressed in a “learner’s permit” category for the industry. Trustees also informally agreed to proceed with their work and data collection, as it may be years before any substantial changes are made at the federal level.

7. **New Business:** As noted earlier, Mr. Hoshijo’s report replaces Mr. Kuntsler’s proposed visit to the Board. The remaining agenda item, the approval of an updated crane form was postponed until August, as Armstrong works on the visual elements of the form.

Trustee Chinen indicated the Operating Engineers (Local 3) may be changing their payments for their HMOAB certified members beginning in August.

8. **Community Comments:** None

9. **Next HMOAB Meeting:** As noted, Trustees are next scheduled to meet on Wednesday, 19 August at 1:30 p.m. in the DLIR Conference Room #321. The public is invited to attend.

10. **Adjournment:** Lentes moved and Weander seconded a move to adjourn the meeting at 3:20 p.m. The motion was approved unanimously without discussion.