



STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
Hawaii Occupational Safety and Health Division
Hoisting Machine Operators Advisory Board
830 Punchbowl Street, Room 114
Honolulu, Hawaii 96813
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JOHN MIHLBAUER JR
MELVIN CHANG
EXECUTIVE ASSISTANT

Hoisting Machine Operators Advisory Board Minutes

Wednesday, September 28, 2016

9:30 a.m. HT

830 Punchbowl Street, Room 114
Honolulu, HI 96813

Board Members Present: Tristan Aldeguer, Angela Chinen, Joaquin Diaz, Richard Lentés III, and John Mihlbauer Jr.

Staff: Executive Assistant Mel Chang and William Kunstman (sitting in for Deputy Director Leonard Hoshigo)

Guests: none

1. Call to Order: Meeting was called to order by chair Tristan Aldeguer at 9:39 am
2. Approval of Minutes from 28 August 2016. Noted that the meeting time was changed from 1:30 pm to 9:30 am for quorum. Diaz moved and Mihlbauer seconded to approve minutes. Passed unanimously. Minor corrections were made to the minutes: Mihlbauer's name was misspelled and the time of the Sept. 28 meeting was changed to 9:30 am.
3. Swearing-in Ceremony – Richard E. Lentés III and John Mihlbauer, Jr. took the oath of office and were sworn-in as members of the Hoisting Machine Operators Advisory Board.
4. DLIR Deputy Director Leonard Hoshigo Report – William Kunstman gave the report for Leonard Hoshigo. Hoshigo was concerned about three items: 1) the state of the report to the Legislature; 2) the \$15,000 from the HMOAB to help sponsor the NCCCO Commissioner's meeting scheduled for May 2017; and 3) the new HMOAB website developed by the Hawaii Information Consortium (HIC). There was discussion on how to expedite the payment of the \$15,000 for the NCCCO Commissioner's meeting which needs to be done as soon as possible. The Board felt it fit with the Board's mission to do outreach and education, since the NCCCO meeting would be open to crane operators, employers, and the public. Kunstman suggested the Board talk with HIOSH (which sponsored similar events), the Attorney General's office and the State Procurement Office (SPO) about whether it would be subject to bidding rules or could be considered a sole source procurement. Aldeguer and Chang will schedule a meeting with Hoshigo next week on how to move forward with the \$15,000 sponsorship. The report to the Legislature and the website will be covered under old and new business.
5. HIOSH Acting Safety Branch Manager Conroy Dang – Dang was informed about the meeting and was not present. The Board discussed the recent fatal accident on Kauai

where the general contractor acting as a rigger was electrocuted when a crane was operating near a high voltage power line. The Board would like HIOSH to inform them about crane accidents and the outcome of any investigations.

6. Executive Assistant Mel Chang Report
 - a. Income and expenses – Chang reported a total income of \$10,050 from fees collected in July, August, and September 2016. There were expenses of \$325.90 for the same period. The expenses do not include the executive assistant wages, the cost of a new computer, and rent for the HMOAB office.
 - b. Certifications and applications report – Chang reported a total of 33 applications were processed with 4 pending in July, August, and September 2016.
 - c. List of crane operators – Chang reported that he has completed updating the list of crane operators to include employers and specialties. The list of operators on the website will not include employers at this time.

7. Old Business:
 - a. 2017 NCCCO Commissioners Meeting – This item was covered under item 3 above.
 - b. HB 2009 Committee Work Reports:
 1. Diaz: Current/Pending OSHA Rules & Regulations - Diaz reported that OSHA will publish proposed rules covering crane operators in December 2016 and then solicit public comments. This will be too late for the HMOAB report to the Legislature where a final draft would need to be completed by December 1, 2016, to give to DLIR for their review. Diaz suggested we could base the HMOAB report on some assumptions about the OSHA rules. Diaz will complete how we differ from the feds by October 15, 2016 and complete an informational summary by November 1, 2016.
 2. Chinen: Similarities/Differences of State & Federal Crane Laws. Chinen presented a spreadsheet which summarized crane operator requirements of 16 states. Lentes and Mihlbauer noted that some municipalities also have crane operator certification requirements. Chinen will complete spreadsheet by October 15, 2016 and work with Aldeguer to complete a pre-final draft by November 1, 2016.
 3. Aldeguer: Administration/Certification Policies of States and Municipalities- Aldeguer will work with Chinen's spreadsheet and expand the information to include state and municipality policies. Aldeguer will complete a draft summary by October 15, 2016 and a final summary by December 1, 2016.
 4. Mihlbauer: Analysis of Fee Expenses and Possible Changes. Mihlbauer suggested a possible change would have the certification expire the same date as the medical. Mihlbauer asked Chang to compile income and expense data for the last five years and develop a pie chart to show how income is expended. Mihlbauer will complete a draft of costs by October 15, 2016 and a pre-final draft of costs by November 1, 2016.
 5. Lentes: Proposed Safety and Procedure Changes. Lentes wants Board members to review his submission about Safety and Procedure Changes which he posted to the Box account. Lentes will complete a draft summary by October 15, 2016 and a final summary by November 15, 2016.

- c. PO Box 4625 – Chang reported that the PO Box costs \$196.00 a year and no mail has been delivered to the box since July 2016. Moved by Mihlbauer and seconded by Chinen to cancel the box when it comes up for renewal. Passed unanimously.
8. New Business:
 - a. Hardhat stickers – Chang reported that the old stickers expire at the end of 2017 and cost about \$4.00 each. New two inch hardhat stickers can be made for less than one dollar. Diaz moved and Mihlbauer seconded to make 200 new stickers with the words HMOAB Certified Crane Operator and a space to write the expiration date. Passed unanimously.
 - b. Website Content – Chang distributed screen shots of the new HMOAB website developed by the Hawaii Information Consortium. The website went live on September 21, 2016, and will be maintained by the State of Hawaii Office of Enterprise Technology Services.
 - c. Election of HMOAB Vice Chair – Diaz moved and Mihlbauer seconded to nominate Richard E. Lentes III as Vice Chair. No other nominations were made and Lentes was elected as Vice Chair. Mihlbauer recommended the Board needs to discuss and set the roles and responsibilities of the Chair and Vice Chair.
 9. Executive Session – The Board moved to convene in executive session at 12:14 pm to discuss a pending application of a crane operator. The Board ended its executive session at 12:25 pm.
 10. Next Board Meeting: **Wednesday, Oct. 26, 2016 @8:30am**, HMOAB Office #114 and **November 16, 2016** at 1:30 pm, HMOAB Office #114
 11. Adjournment: The meeting adjourned at 12:30pm.

Persons unable to attend or wishing to present additional comments may send written or e-mail correspondence to: the above address or HMOAB@hawaii.gov. Any person requiring a special accommodation (large print materials, sign language interpreters, etc.) should make a request in writing or by calling (808) 586-8146. The request must be received at least five business days before the hearing date.