

***HOISTING MACHINE OPERATORS' ADVISORY  
BOARD***

**2009-2010 Annual Report**

**HMOAB  
Department of Labor and Industrial Relations  
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# **HOISTING MACHINE OPERATORS** **ADVISORY BOARD**

## **PURPOSE**

The Hawaii State Legislature created the Hoisting Machine Operators' Advisory Board for the purpose of assuring the safe operation of hoisting machines in the State of Hawaii by establishing a certification program for operators. The Board is administratively attached to the Hawaii Occupational Safety and Health Division of the Department of Labor and Industrial Relations for the purpose of developing rules for the certification of hoisting machine operators in Hawaii.

## **GOVERNANCE**

Established in 1998 by the Hawaii State Legislature (Act 165) (Hawaii Revised Statutes § 396-19), the Hoisting Machine Operators' Advisory Board is a five member board appointed by the Governor and confirmed by the Senate. The advisory board first met in May 1999 and promulgated Administrative Rules that became effective December 6, 2002.

## **FUNDING**

The Hoisting Machine Operators' Certification Revolving Fund, established in 1998, supports the process for certifying hoisting machine operators in the State of Hawaii. The fund covers personnel and operating expenses for the advisory board to ensure that national certification standards are met for Hawaii hoisting machine operators. The funds also cover the cost of preparing and disseminating information on the hoisting machine operators' certification process, public outreach programs when necessary, and costs associated with annual reporting on the program's accomplishments. The program is self-supporting, although the Board receives support from staff in the Department of Labor and Industrial Relations.

## **ADMINISTRATIVE RULES**

Under Hawaii Administrative Rules, Chapter 12-48, a hoisting machine operator certificate is required to operate any hoisting machine in the State of Hawaii with a lifting capacity of more than five tons and used to perform construction work. The certification process includes a written and practical exam and requires operators to produce evidence (certificate) showing they passed a physical examination that will allow them to safely operate a hoisting machine. This certification program ensures public and worker safety by requiring operators to document training, experience and physical ability before receiving a certificate to operate a hoisting machine in the State of Hawaii.

The certification process requires a prospective hoisting machine operator to submit an application along with a non-refundable \$50.00 application fee. Once approved, the applicant must pay a \$500.00 certification fee for a five-year certificate. There is a renewal fee of \$500.00. The Board is responsible for ensuring that the costs of this program are borne by hoisting machine operators and not the taxpayers of the State of Hawaii. The Board established fees considered affordable to individuals wishing to operate hoisting machines in State of Hawaii.

Hoisting machine operator training is an integral part of an overall certification process. Worker and public safety is enhanced with effective training. The certification process ensures minimum competency levels for operators and provides assurance to employers that the hoisting machine operators they employ have the appropriate training and experience to operate a hoisting machine. This process benefits workers, employers, and the public.

Administrative Rules proposed changes that were mostly housekeeping in nature to clarify the Board's intent is pending revisions from the State Attorney General's Office.

The Board also added a new section requiring certification for operators of tower cranes. The proposed Rule changes require public hearings before final adoption. These are expected to be completed in 2011.

## CERTIFICATION

Since December 6, 2002, the Department of Labor and Industrial Relations has certified seven hundred fifty (750) crane operators statewide and in fiscal year 2010 deposited \$31,720.00 in collected certification fees. For Fiscal Year 2010, 24 crane operator renewal certifications, 8 special certifications, and 38 regular new certifications were issued. There are 340 crane operators that have current certifications.

### *Financial Statement Fiscal Year 2010*

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Revenues		
	Beginning Balance	\$344,273.00
	Certification Fees Collected	\$ 31,720.00
	Interest	\$ 3,271.00
	Gross Revenue in FY 2010	\$ 34,991.00
	Total Revenues	\$379,264.00
Expenses		
	Personnel Costs	\$ 38,500.00
	Deputy AG Fees	\$ 6,906.00
	Operating Expenses, Equipment, etc.	\$ 4,594.00
	Total Expenditures in FY 2010	\$ 50,000.00
Status of Fund at the end of FY 2010		\$329,264.00

## *Executive Board*

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General administrative responsibilities for the Hoisting Machine Operator's Advisory Board rest with a five-member executive board. The board is appointed by the Governor for four year staggered terms. The board includes representatives from both organized labor and management employers.

**Thomas S. Vendetta** is the Chairman of the Advisory Board. He has over 36 years of government experience. As a licensed civil engineer he has worked in various capacities for the City and County of Honolulu in the areas of planning, design, construction and operations. He currently is the program administrator for the City's Division of Industrial Safety and Workers' Compensation.

**Joaquin M. Diaz** has been a safety professional for a decade after receiving his Bachelors in Science in Occupational Safety and Health. He is an active and contributing member of the Hawaii Occupational Safety and Health (HIOSH) Advisory Committee which promotes safe workplaces in Hawaii by providing advice and guidance to the State director of labor. He is currently the Safety Director for Hawaiian Dredging Construction Company.

**Edward G. Sanchez** has two decades of experience with cranes. He has served as an operator, a crane load test director, and license examiner. In 2006, he retired as a crane operator supervisor from the Pearl Harbor Naval Shipyard.

**Jim Weander** has over 41 years of experience in the hoisting and rigging industry. He is a former crane operator and an engineer currently designing lifting apparatus and lifting configurations for Grace Pacific Rocky Mountain Prestress as a consulting engineer. He has extensive experience with some of the largest cranes in the world and has consulted on designs for some of the major crane manufacturers.

## *Personnel*

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**Lora Lee P. Contreras** is the Executive Director for the Advisory Board. She has been appointed to various administrative positions for the past 28 years, including 12 years on various boards and commissions. She also worked for 11 years in the Hawaii State Legislature administratively.