



STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
Hoisting Machine Operators Advisory Board
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Hoisting Machine Operators Advisory Board Minutes
Wednesday, January 20, 2016 at 1:30 p.m.
DLIR Conference Room, 321

Present: Members Tristan Aldeguer, Angela Chinen, Chairperson Joaquin Diaz, Rich Lentes, Jim Weander
Staff: Executive Director Robert M. Armstrong
Guests: Pane Meatoga

1. **Call to Order:** The meeting was called to order at 1:33 p.m. by Chairperson Diaz. He announced the agenda items would be taken out of order, so the discussion found here may not be in chronological order.
2. **18 November 2015 Minutes:** Lentes moved and Weander seconded to approve the minutes as written. The motion was approved unanimously and without discussion.
3. **DLIR Discussion:** The Chairperson shared with Mr. Hoshijo his concerns regarding the lack of support for the Board from the Administration. A long discussion ensued, which included community member Mr. Meatoga, detailing difficulties and the lack of communication between HMOAB and DLIR. Of biggest concern by the Chair was the development of legislation (despite previous statements from the Administration) to eliminate HMOAB and fold it into HIOSH or some other DLIR area, with little to no regard for worker safety, cost savings, or the general public. Diaz called this especially offensive since the Director hasn't laid out her plans for either the Department or HIOSH, which is currently leaderless and understaffed.

Diaz reminded those present the Board serves an important function especially as federal regulations are being rewritten and due to be promulgated next year. He said everything the agency does is continuously scrutinized (and borne out in the minutes): accident statistics, annual fees, employer obligations for training and/or certification, rigging rules, outreach to neighbor islands (which Jim Weander reiterated as an important need), and of course, reviewing State hoisting regulations and pukas. Diaz reiterated the HMOAB

revolving fund must be managed responsibly and methodically, as well as saved for poorer economic times, which will undoubtedly come again to the State.

Mr. Hoshijo explained this is why, in a recent e-mail to Board members right before the holidays, he asked for agency justification and legislator bullet points. He recognized HI regulations go farther than federal rules, as ours require medical examinations. To questions regarding our upcoming office move to room 114, he explained space is tight in the building as operations in Waipahu are now moving to Punchbowl Street and the new office formerly called the 'Health Connector' is moving on site. Finally, he advised members of the opening of the State Legislature today.

In the end, the Chairperson proposed a motion asking Jim Weander and the Executive Director to begin formulating a response to the legislative proposal, including a justification, current obligations, and sensible timeline for approximately the next 18 months. After a second from Weander, the motion passed unanimously.

Further, he invited input from the Board for future needed certification legislation, including a review of qualifications, rigging rules, general industry licensing, possibly lowering annual fees, and how a new committee might work in place of this Board.

Finally, the Chair proposed a six-part motion calling for the following bullet points: 1) an editable copy of HIOSH certification regulations; 2) accident and violation data from HAAG Engineering; 3) an estimation of additional monthly hours needing to be approved; 4) fees and expenses needed for a new agency and/or program; and with 5) input from the Attorney General's office, a look at 6) how funds would be transitioned, if HMOAB were eliminated. Lentes seconded and the motion carried with Chinen abstaining.

4. **HIOSH Report:** Clayton Chun, representing Safety Branch Manager Soon Hye Edgerton, had nothing to report.
5. **Executive Director's Report:** Due to time constraints, Executive Director Bob Armstrong urged members to look at the written documents which a) report \$4200 in revenue during the past two months against a bit more than \$5200 in expenses (including our first digital payment). b) Sixteen new and/or renewed applications were processed during that time. The agency now has 440 certified crane operators in Hawai'i, a record number, and approximately \$25,000 in agency income for the first half of the fiscal year, up about 21%. He also hoped to c) show Board members a first draft of the new website and d) the visual crane application next month. Armstrong worried data entry for the changes will take a long time and made more complicated by the earlier discussion today.
6. **Old Business:** a) Rich Lentes indicates progress with HAAG Engineering is continuing and may be concluded by February. b) Angie Chinen will know by February from Joel

Olivia regarding the NCCCO Directors meeting, as a survey to them has been sent. c) HMOAB meetings from now on will be in room 114, the last room on the left side of the building from next month forward. The space needs a lot of work but will be big enough to house the office, host monthly meetings, accessible to the public, and perhaps house a small library/training site. Given the earlier discussion, item d) was tabled.

7. **New Business:** A motion to approve Tristan Aldeguer for reappointment to the Board on 1 July 2016 was forwarded by Joaquin Diaz and seconded by Angie Chinen. The motion carried unanimously, without discussion, and now sent to the Governor's office.

The Chair thanked both qualified individuals for their interest in replacing outgoing member Jim Weander's term beginning 17 August 2016. The merits of each candidate were discussed and ultimately a motion to recommend to the Governor the name of John P. Mihlbauer, Jr. was made by the Chair and seconded by Aldeguer. The vote went 3-2 with Weander joining Diaz and Aldeguer, citing concerns over future time availability of the other candidate as his business has expanded.

8. **Community Comments:** Mr. Meatoga says his interest in sponsoring the aforementioned legislation this year is his way of getting the agency to move forward, perhaps sooner than desired.
9. **Next Board Meeting:** As noted, the next public Board meeting will be in room 114 and rescheduled for Wednesday, 24 February at 1:30 p.m. due to scheduling conflicts.
10. **Adjournment:** Diaz motioned to adjourn at 3:20 p.m. and seconded by Aldeguer. Without discussion, the motion carried unanimously.