

\_\_\_ .B. NO. \_\_\_

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# A BILL FOR AN ACT

RELATING TO OCCUPATIONAL SAFETY AND HEALTH LAW.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Chapter 396, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§396- Hawaii occupational safety and health advisory  
5 board. (a) There is established within the department for  
6 administrative purposes the Hawaii occupational safety and  
7 health advisory board, consisting of thirteen members appointed  
8 by the governor as provided in section 26-34. The term of each  
9 member shall be three years, except as provided for in the  
10 initial appointment. The board shall include the following  
11 members or their designees:

12           (1) A member from an employer in the construction sector  
13           who shall serve an initial term of three years;

14           (2) A member from a construction employers association who  
15           shall serve an initial term of two years;

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- 1       (3) Two members from labor organizations in the  
2               construction sector other than the specialty trades  
3               and who shall serve an initial term of three years;
- 4       (4) A member from a labor organization in the specialty  
5               trades who shall serve an initial term of two years;
- 6       (5) A member from an employer from the health care sector  
7               who shall serve an initial term of one year;
- 8       (6) A member from a labor organization in the health care  
9               sector who shall serve an initial term of one year;
- 10       (7) A member from a workers' compensation insurance  
11              carrier who shall serve an initial term of two years;
- 12       (8) A member from an employer in the accommodation sector  
13              who shall serve an initial term of one year;
- 14       (9) Two members from labor organizations in the  
15              accommodation sector who shall serve an initial term  
16              of two years;
- 17       (10) A member from a professional occupational health and  
18              safety organization who shall serve an initial term of  
19              one year; and
- 20       (11) A member from an organization composed of small  
21              businesses who shall serve an initial term of three  
22              years.

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1 All provisions of section 26-34 shall apply, as appropriate.

2 The board shall select annually a chair and a vice chair.

3 (b) The Hawaii occupational safety and health advisory  
4 board shall advise the director on the following matters:

5 (1) Occupational safety and health hazards that are not  
6 addressed in current state or federal safety and  
7 health standards;

8 (2) Public awareness of occupational safety and health  
9 issues;

10 (3) Methods to recruit and retain personnel for the  
11 occupational safety and health division;

12 (4) The Development of materials to educate the employers  
13 and workers in occupational safety and health matters;

14 (5) The evaluation of programs to encourage and enable the  
15 determination of causes of accidents in work places  
16 and to prevent those accidents from reoccurring;

17 (6) Strengthen effective coordination, communication and  
18 cooperation within the occupational safety and health  
19 community in the State; and

20 (7) The establishment of collaborative strategic  
21 approaches to improve the safety and health of workers  
22 in the State.



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**Report Title:**

Occupational Safety and Health; Hawaii Occupational Safety and Health Advisory Board

**Description:**

Establishes the Hawaii Occupational Safety and Health Advisory Board.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

JUSTIFICATION SHEET

REVISED: November 22, 2013

1<sup>st</sup> Draft DATE: October 16, 2013

DEPARTMENT: Labor and Industrial Relations

TITLE: A BILL FOR AN ACT RELATING TO OCCUPATIONAL SAFETY AND HEALTH LAW.

PURPOSE: Establishes the Hawaii Occupational Safety and Health Advisory Board. Currently, the Hawaii occupational safety and health advisory committee is an informal committee that advises the Director on matters pertaining to the Hawaii Occupational Safety and Health Division (HIOSH). The measure seeks to elevate the board's status to a formal one with appointment by the Governor and advice and consent by the Senate.

MEANS: Add a new section to chapter 396, Hawaii Revised Statutes.

JUSTIFICATION: The advisory committee promotes safe and healthy workplaces in the State by providing advice and guidance to the Director. The formalization of the committee into a board would enhance the recognition of the importance of safety and health matters in the workplace across the State.

Codification of the committee into a board will ensure that in the future the important roles provided by the committee will be recognized by policy makers, the executive branch, and stakeholders in the community. In addition to providing advice and guidance to the director, the committee's ability to fulfill its other functions will also improve as a board, including disseminating information to stakeholder organizations, such as changes to safety and health standards, suggesting strategic approaches to improve safety and health of workers, conducting outreach to employer organizations and employers on practical

approaches to promoting safety and health in the workplace, and advancing public awareness of worker safety and health statewide.

Impact on the public: Will increase public awareness of the importance of workplace safety and health. The workings of a formal advisory board will likely increase both worker safety and health and result in the lowering of workers' compensation premiums and costs for employers in both the private and public sectors.

Impact on the department and other agencies: Will help control the costs associated with the State's workers' compensation system.

GENERAL FUND:

None.

OTHER FUNDS:

Federal.

PPBS PROGRAM  
DESIGNATION:

LBR 143.

OTHER AFFECTED  
AGENCIES:

Department of Education  
Department of Human Resources Development  
University of Hawaii  
Office of Hawaiian Affairs

EFFECTIVE DATE:

Upon approval.