

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 1988 by the Hawaii State Legislature (Act 165), 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, training 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 machine 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 a 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.

During the fiscal year, the Board worked with the State Attorney General's Office to complete revisions to the Administrative Rules, proposing changes that were mostly housekeeping in nature to clarify the Board's intent.

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 next year.

CERTIFICATION

The Department of Labor and Industrial Relations has certified five hundred sixty six (566) crane operators statewide and deposited \$275,250.00 in collected certification fees.