



# **HOISTING MACHINE OPERATORS ADVISORY BOARD**

**2006-2007 Annual Report**

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

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## 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 machines in the 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 level for operators and provides assurance to employers that the hoisting machine operators they employ have the appropriate training and experience to operate this equipment. 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.

## FINANCIAL STATEMENT

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	<u>2004-2005</u>	<u>2005-2006</u>	<u>2006-2007</u>
Personnel	\$33,923	\$35,623	\$35,623
Fees / Equipment	\$ 1,168	\$ 1,168	\$ 1,168
Expenses / Supplies	\$ 3,427	\$ 3,427	\$ 3,427
Travel			
TOTAL:	\$38,518	\$40,218	\$40,218

## EXECUTIVE BOARD

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General administrative responsibilities for the Hoisting Machine Operators 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 31 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.

**Ralph S. Cushnie** is presently the Island Superintendent for all field operations on Kauai and surrounding remote islands. He has extensive experience and knowledge with maintaining quality and safety control, budgets and value engineering.

**Roy S. Akamine** has been a safety professional for more than 21 years, providing occupational safety and health consulting services to insurance companies and clients in the construction industry. He is currently working for King & Neel, Inc. Insurance Company, and continues to be a strong advocate for the public's safety.

**Daniel Nelson** is the representative from the Operating Engineers Local Union #3 and a union member since 1966. He has extensive years of experience in the construction industry and currently serves as the Apprenticeship Coordinator/Instructor for Local #3.

## ***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 26 years, including 11 years on various boards and commissions. She also worked for 11 years in the Hawaii State Legislature administratively.