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## HOUSE RESOLUTION

URGING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO MEET  
OR EXCEED OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION  
POSITION BENCHMARKS FOR WORKPLACE SAFETY AND HEALTH.

1           WHEREAS, the State of Hawaii operates under an agreement  
2 with the Occupational Safety and Health Administration (OSHA) in  
3 accordance with Section 18 of the Occupational Safety and Health  
4 Act of 1970; and

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6           WHEREAS, the Department of Labor and Industrial Relations  
7 (DLIR) is the designated state agency to administer the program  
8 through the Hawaii Occupational Safety and Health Division  
9 (HIOSH); and

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11           WHEREAS, the Hawaii State Plan applies to all private and  
12 public sector employees and places of employment in the State  
13 other than federal employees, the United States Postal Service,  
14 private sector maritime employees, and land that is located  
15 exclusively within a federal jurisdiction, all of which are  
16 subject to federal OSHA jurisdiction; and

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18           WHEREAS, Hawaii has adopted the majority of federal OSHA  
19 standards verbatim; and

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21           WHEREAS, critics have questioned the accuracy of falling  
22 injuries and illnesses reported by the Bureau of Labor  
23 Statistics, and OSHA announced on October 1, 2009, that it  
24 instituted the National Emphasis Program on recordkeeping to  
25 check the accuracy of employer reporting, especially in the  
26 construction industry where it appears that incomplete reporting  
27 may be a serious and widespread problem; and

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29           WHEREAS, the United States Government Accountability Office  
30 cites academic studies, which suggest that OSHA misses up to  
31 two-thirds of all workplace injuries and illnesses; and

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33           WHEREAS, OSHA, due to the jurisdictional distinctions  
34 outlined above, is not an equivalent alternative to HIOSH,



1 because OSHA does not cover public workers and does not fully  
2 replace State programs; and

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4 WHEREAS, according to the Construction Injury Law Firms  
5 report of February 11, 2010, there are over eleven thousand two  
6 hundred disabling construction injuries annually; and

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8 WHEREAS, of the one hundred eleven fatalities in the  
9 construction industry that occurred between 2004 and 2008,  
10 twenty-three of those fatalities occurred in Hawaii; and

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12 WHEREAS, the current DLIR staffing levels do not meet OSHA  
13 benchmark levels and despite this, the DLIR continues to reduce  
14 staffing levels and thereby jeopardize its ability to fulfill  
15 the mission of HIOSH, which exposes Hawaii workers to greater  
16 risk; and

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18 WHEREAS, workplace safety and health, which happens to be  
19 the mission of HIOSH, saves lives, prevents the loss of workers'  
20 livelihoods, prevents debilitated workers from losing time with  
21 their families and recreational endeavors, and reduces costs for  
22 employers and society in general; now, therefore,

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24 BE IT RESOLVED by the House of Representatives of the  
25 Twenty-fifth Legislature of the State of Hawaii, Regular Session  
26 of 2010, that the DLIR is strongly urged to meet or exceed OSHA  
27 benchmark safety levels for Health Compliance Officers, Safety  
28 Compliance Officers, Safety Consultants, Health Consultants,  
29 Compliance Assistants, and other positions as required for HIOSH  
30 and the DLIR to fulfill its mission in workplace safety and  
31 health; and

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33 BE IT FURTHER RESOLVED that the DLIR is requested to report  
34 on its progress and plan to meet or exceed OSHA benchmark safety  
35 levels to the Legislature no later than twenty days before the  
36 convening of the 2011 Regular Session; and

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38 BE IT FURTHER RESOLVED that certified copies of this  
39 Resolution be transmitted to the Governor of the State of  
40 Hawaii, the Director of Labor and Industrial Relations, the  
41 Director of Health, Director of Finance, the Director of Human  
42 Resources Development, and chairperson of the Hawaii  
43 Occupational and Safety Health Division Advisory Committee.

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H.R. NO. 84

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OFFERED BY: Karl Moorh

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