

MAR 04 2010

SENATE CONCURRENT 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



1 WHEREAS, OSHA, due to the jurisdictional distinctions
2 outlined above, is not an equivalent alternative to HIOSH,
3 because OSHA does not cover public workers and does not fully
4 replace State programs; and

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

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

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

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

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

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

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40 BE IT FURTHER RESOLVED that certified copies of this
41 Concurrent Resolution be transmitted to the Governor of the
42 State of Hawaii, the Director of Labor and Industrial Relations,
43 the Director of Health, Director of Finance, the Director of



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1 Human Resources Development, and chairperson of the Hawaii
2 Occupational and Safety Health Division Advisory Committee.
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OFFERED BY: *J. L. Chen*

