

Appendix F—FY 2010 State OSHA Annual Report (SOAR)

HAWAII STATE OSHA ANNUAL REPORT (SOAR) FY 2010

I. Executive Summary

The Hawaii State plan's 5-year Strategic goals and FY 2010 Annual Performance Plan (APP) goals were the required minimum – to reduce fatalities, injuries, and illnesses.

In FY 2010, Hawaii exceeded its APP goal of reducing injuries and illnesses by 3% for the following industries:

- 23 Construction;
- 48-49 Transportation & Warehousing;
- 562 Waste Management & Remediation Services; and
- 623 Nursing & Residential Care Facilities.

It did not meet its APP goal for 71 Arts, Entertainment, & Recreation and Local Government. It could not evaluate its performance for 42 Wholesale Trade because the Bureau of Labor Statistics (BLS) Total Recordable Case (TRC) and Days Away, Restricted, or Transferred (DART) rates for 2009 were not available.

By FY 2010, Hawaii had met its 5-year Strategic goal of reducing injuries and illnesses by 15% by 2010 for the following industries:

- 23 Construction;
- 31-33 Manufacturing;
- 48-49 Transportation & Warehousing; and
- 11 Agriculture.

According to the 2009 BLS fatality statistics, Hawaii met its APP goal of reducing the number of fatalities from falls from elevation in 23 Construction by one (1) and its 5-year Strategic goal of zero (0) by 2010. However, Hawaii's Workers' Compensation (WC) statistics had one (1) fall from elevation fatality in 23 Construction in 2009.

In FY 2010, Hawaii exceeded its program activity goal for public sector health inspections by 40%. This was the only program activity goal met by Hawaii in FY 2010. A reduction-in-force (RIF) at the end of October 2009 and a hiring freeze affected Hawaii's ability to meet its other program activity goals in FY 2010.

Hawaii based the projected number of safety and health inspections on having five (5) safety and five (5) health inspectors and hiring one (1) safety and one (1) health inspectors. During FY 2010, two (2) health inspectors left the State plan program. Because of the hiring freeze, Hawaii could not hire the one (1) safety and the three (3) health inspectors. Therefore, Hawaii ended FY 2010 with five (5) front-line safety

inspectors and one (1) safety supervisor and three (3) front-line health inspectors and one (1) health branch manager. The loss of the health inspectors and not being able to hire safety and health inspectors in FY 2010 affected the number of inspections conducted.

Because of the reduced number of inspectors and a RIF of most of the support personnel, Hawaii deobligated 39% of its 23(g) grant monies in FY 2010.

In FY 2010, HIOSH co-sponsored the 2010 Governor's Biennial Pacific Rim Safety & Health Conference with the ASSE Hawaii. HIOSH sent almost 4,600 invitations to employers in emphasis industries 42 Wholesale Trade and 48-49 Transportation & Warehousing and to employers in the industries targeted by the NEP for lead. Two hundred seventy-five (275) employers attended the conference. As expected, the economic downturn at the end of 2007 affected the attendance at the conference. Compared to past Pacific Rim conferences where the attendance exceeded 400, attendance at the 2010 conference was low. To make part of the 2010 Pacific Rim conference accessible to employers who could not afford to attend the conference, the exhibit area was open to the public, free of charge, on one afternoon so that employers interested in the latest safety and health products available could visit with the vendors.

The materials HIOSH distributed at its exhibition booth were as follows:

OSHA Publications

3162-12R – 2009 Screening and Surveillance: A Guide to OSHA Standards

3362-05 – 2009 Controlling Silica Exposure in Construction

3373-10 – 2009 Hexavalent Chromium

OSHA Form 33

Form 33 Possible Actions for Improvements (Items 1-19)

OSHA 3071 – 2002 (Revised) Job Hazard Analysis (abridged)

Information re: OSHA 300 Records

OSHA 2254 – 1998 (Revised) Training Requirements In OSHA Standards and Training Guidelines (abridged)

As part of OSHA's letter to grain storage facility operators regarding serious hazards which are endangering workers' lives, HIOSH received a list with the names and addresses of eight companies that had grain storage facilities in Hawaii. After reviewing the business information and locations of the companies, HIOSH determined that 29 CFR 1910.272 applied to only one company in Hawaii. HIOSH customized OSHA's letter to grain storage facility operators and sent it to this one company

HIOSH received another list with the name and address of a power plant owner in Hawaii as part of OSHA's letter to natural gas power plant operators. The electric power plants operated by this owner are oil-powered. None of the other electric power generation plant owners in Hawaii use natural gas. HIOSH did not send OSHA's letter to natural gas power plant operators to any of the electric power plant owners in Hawaii.

II. Introduction

The Hawaii State plan is administered by the Hawaii Occupational Safety and Health Division (HIOSH). HIOSH is a division of the State Department of Labor and Industrial Relations (DLIR). In FY 2010, the State Plan Designees were Darwin L.D. Ching, Director of DLIR, and Pearl Imada Iboshi, Acting Director of DLIR. The State Plan Designees were also the Administrators of HIOSH.

HIOSH is comprised of two major sections:

1. Occupational Safety and Health (OSH), which administers the Hawaii Occupational Safety and Health Law, Chapter 396, Hawaii Revised Statutes; and
2. Boiler and Elevator Safety, which administers the Hawaii Boiler and Elevator Safety Law, Chapter 397, Hawaii Revised Statutes, and which is not part of the OSHA grants.

The OSH section of the OSHA approved State plan had four branches. The branches were:

1. Administration and Technical Support Branch;
2. Occupational Safety Branch;
3. Occupational Health Branch; and
4. Consultation and Training Branch.

However, a RIF at the end of October 2009 reduced the number of branches in the OSH section to the following three branches:

1. Occupational Safety Branch;
2. Occupational Health Branch; and
3. Consultation and Training Branch.

HIOSH started FY 2010 with a 23(g) base award of \$1,538,000. The grant included funding for the following full-time staff:

1. OSH Compliance Officer (2 supervisors and 6 safety inspectors);
2. Environmental Health Specialist (1 supervisor and 6 health inspectors);
3. OSH Advisor (1 safety consultant for public sector consultation); and
4. Support staff (15).

The grant also included funding for three (3) part-time staff.

With the RIF at the end of October 2009, the full-time staff was reduced to the following:

1. OSH Compliance Officer (1 supervisor and 5 safety inspectors);
2. Environmental Health Specialist (1 supervisor and 5 health inspectors); and

3. Support staff (6).

The one (1) public sector safety consultant was part of the RIF. The part-time staff was reduced to one (1).

The 23(g) grant includes research statisticians who are integral to the OSH section operations but are not part of HIOSH. The research statisticians are part of DLIR's Research & Statistics office. They provide various program data in support of the HIOSH mission, such as the inspection-scheduling list, activity reports, and workers' compensation data. The research statisticians are included in the Support staff number. HIOSH started FY 2010 with three (3) research statisticians and ended the fiscal year with two (2) because of the RIF at the end of October 2009.

The Hoisting Machine Operator's Certification Board is part of HIOSH, but is not included in the 23(g) grant. The function of the board is to oversee the administration of a hoisting machine operator's certification program and to advise HIOSH on hoisting machine safety.

HIOSH provides public sector consultation under the 23(g) grant and private sector consultation under the 21(d) cooperative agreement. The private sector consultation performance results are in the FY 2010 Consultation Annual Project Report (CAPR).

III. Summary of Annual Performance Plan Results

HIOSH's FY 2010 strategic goals were the required minimum – to reduce fatalities, injuries, and illnesses. The strategic goals were:

- 1.0 Reduce the rate of workplace injuries and illnesses in construction, general industry, and local government by 15% by 2010.
- 2.0 Reduce the number of fatalities from falls from three (3) in 2003 to zero (0) by 2010.

HIOSH's FY 2010 annual performance goals were:

- 1.1 Reduce the rate of workplace injuries and illnesses in 23 Construction by 3%.
- 1.2 Reduce the rate of workplace injuries and illnesses by 3% in the following general industries:
 - 42 Wholesale Trade
 - 48-49 Transportation & Warehousing
 - 562 Waste Management & Remediation Services
 - 623 Nursing & Residential Care Facilities
 - 71 Arts, Entertainment, & Recreation
- 1.3 Reduce the rate of workplace injuries and illnesses in Local Government by 3%.
- 2.0 Reduce the number of fatalities from falls by one (1).

Strategic activities for HIOSH involved enforcement inspections, a local emphasis program for fall protection in construction, consultations visits, and recognition and exemption programs. HIOSH informed the emphasis industries that they were on the enforcement inspection-scheduling list by posting the list of emphasis industries on the DLIR's Web page. HIOSH directed its strategic activities to the above listed emphasis industries.

The Annual Performance Plan (APP) activities and results were as follows:

A. Program Activity

	Projected No.	Actual No.	Result
Private Sector Inspections			
Safety	315	204	64.8%
Health	135	82	60.7%
Public Sector Inspections			
Safety	20	8	40.0%
Health	5	7	140.0%
TOTAL INSPECTIONS	475	301	63.4%
Public Sector Consultation Visits			
Safety	65	1	1.5%
Health	0	0	---
TOTAL VISITS	65	1	1.5%
VPP Participants – Gen. Industry	0	0	---
VPP Participants – Construction	0	0	---
VPP Participants – Public Sector			

HIOSH conducted 140% of the projected number of public sector health inspections. This was the only program activity goal met in FY 2010. HIOSH fell short for the other program activity goals for inspections because of a hiring freeze and fell short for the program activity goal for public sector safety consultation visits because of the RIF in October 2009.

B. Annual Performance Goals

	Projected No.	Actual No.	Result
1.1 Construction NAICS			
No. of inspections	55	170	309.1%
No. of hazards corrected		92	
1.2 General Industry NAICS			
No. of inspections	268	49	18.3%

No. of hazards corrected		96	
1.3 Local Government			
No. of inspections	23	11	47.8%
No. of hazards corrected		6	
2.0 LEP – Fall Protection in Construction			
No. of inspections	0	128	
No. of employers w/o violations in subsequent inspections		6	

In the third quarter of FY 2010, HIOSH conducted follow-up inspections of employers in 23 Construction who had received citations for fall from elevation violations in the last two years because of media attention on the fall from elevation incidents in 2010. This resulted in HIOSH conducting more inspections in construction than projected and less than the projected number of inspections in general industry and local government. HIOSH found only 6 employers who had no violations of the fall protection standards in the 128 follow-up inspections in 23 Construction.

The Bureau of Labor Statistics (BLS) 2003 baselines and 2004, 2005, 2006, 2007, 2008, and 2009 Total Recordable Case (TRC) and Days Away, Restricted, or Transferred (DART) rates for the emphasis industries for APP goals 1.1 – 1.3 were as follows:

Industries	TRC						
	2003	2004	2005	2006	2007	2008	2009
23 Construction	10.1	8.3	7.9	6.8	6.0	6.1	4.7
31-33 Manufacturing	5.8	7.6	7.1	5.8	5.9	4.9	3.8
48-49 Transportation & Warehousing	10.5	9.2	10.5	9.2	9.1	7.9	7.3
71 Arts, Entertainment, & Recreation	5.8	6.2	7.0	6.4	6.4	6.2	7.4
22 Utilities			6.2	5.4	6.5	4.4	NA
11 Agriculture				5.0	4.6	4.8	3.7
562 Waste Management & Remediation Services				10.7	8.2	6.0	7.6
721 Accommodation				6.6	6.7	6.2	5.9
42 Wholesale Trade					7.0	4.4	NA
623 Nursing & Residential Care Facilities					6.8	5.8	5.2
Local Government	7.6	7.2	6.5	5.5	9.3	7.7	8.6

	DART						
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Industries	2003	2004	2005	2006	2007	2008	2009
23 Construction	6.7	4.9	4.9	3.9	3.6	3.9	2.7
31-33 Manufacturing	3.6	4.7	5.5	3.9	4.0	3.5	2.5
48-49 Transportation & Warehousing	6.8	5.5	7.9	6.5	7.5	5.3	4.7
71 Arts, Entertainment, & Recreation	3.5	3.7	3.7	3.3	4.0	3.7	3.4
22 Utilities			4.0	3.1	3.6	2.7	NA
11 Agriculture				3.4	2.7	3.5	2.8
562 Waste Management & Remediation Services				8.6	5.3	4.6	3.8
721 Accommodation				4.4	4.5	4.2	3.8
42 Wholesale Trade					5.7	2.6	NA
623 Nursing & Residential Care Facilities					4.5	3.9	3.1
Local Government	5.0	5.2	5.2	4.3	6.4	5.7	6.2

The BLS TRC and DART rates for 2003 were the data available in 2005 when HIOSH developed the 5-year Strategic goals. As a result, the baselines for the 5-year Strategic goals and the APP goals 1.1 – 1.3 were set at 2003. However, the strategic activities to affect a change in the BLS TRC and DART rates for the emphasis industries began in FY 2006. Therefore, the true baselines for measuring progress toward accomplishing the Strategic plan and APP goals should be the BLS TRC and DART rates for 2005.

HIOSH achieved its 5-year Strategic goals for the emphasis industries in 23 Construction; 31-33 Manufacturing; 48-49 Transportation & Warehousing; and 11 Agriculture. HIOSH missed its 5-year Strategic goals for 71 Arts, Entertainment, & Recreation; 562 Waste Management & Remediation Services; 721 Accommodation; 623 Nursing & Residential Care Facilities; and Local Government. HIOSH could not evaluate its performance for 22 Utilities and 42 Wholesale Trade because the 2009 BLS TRC and DART rates were not available for these two industries.

II. Progress toward Strategic Plan Accomplishments

The percent change in the 2009 TRC and DART rates from their 2003, 2005, 2006, or 2007 baseline rates were as follows:

Industries	TRC						DART					
	2003	2005	2006	2007	2009	% Chg	2003	2005	2006	2007	2009	% Chg
23 Construction	10.1				4.7	-53.5	6.7				2.7	-59.7
31-33 Manufacturing	5.8				3.8	-34.5	3.6				2.5	-30.6
48-49 Transportation &	10.5				7.3	-30.5	6.8				4.7	-30.9

Warehousing												
71 Arts, Entertainment, & Recreation	5.8				7.4	+27.6	3.5				3.4	-2.9
22 Utilities		6.2			NA	--		4.0			NA	--
11 Agriculture			5.0		3.7	-26.0			3.4		2.8	-17.6
562 Waste Management & Remediation Services			10.7		7.6	-29.0			8.6		3.8	-55.8
721 <i>Accommodation</i>			6.6		5.9	-10.6			4.4		3.8	-13.6
42 Wholesale Trade				7.0	NA	--				5.7	NA	--
623 Nursing & Residential Care Facilities				6.8	5.2	-23.5				4.5	3.1	-31.1
Local Government	7.6				8.6	+13.2	5.0				6.2	+24.0

Comparing the 2009 TRC and DART rates for the emphasis industries to their baselines, HIOSH exceeded its APP goal of reducing injuries and illnesses by 3% for the following:

23 Construction,
31-33 Manufacturing,
48-49 Transportation & Warehousing,
11 Agriculture,
562 Waste Management & Remediation Services,
721 Accommodation, and
623 Nursing & Residential Care Facilities.

The percent change in the 2009 TRC and DART rates from the start of the strategic goals were as follows:

Industries	TRC						DART					
	2005	2006	2007	2008	2009	% Chg	2005	2006	2007	2008	2009	% Chg
23 Construction	7.9				4.7	-40.5	4.9				2.7	-44.9
31-33 Manufacturing	7.1				3.8	-46.5	5.5				2.5	-54.5
48-49 Transportation & Warehousing	10.5				7.3	-30.5	7.9				4.7	-40.5
71 Arts,	7.0				7.4	+5.7	3.7				3.4	-8.1

Entertainment, & Recreation												
22 Utilities			6.5		NA	--			3.6		NA	--
11 Agriculture				4.8	3.7	-22.9				3.5	2.8	-20.0
562 Waste Management & Remediation Services				6.0	7.6	+26.7				4.6	3.8	-17.4
721 <i>Accommodation</i>				6.2	5.9	-4.8				4.2	3.8	-9.5
42 Wholesale Trade					NA	--					NA	--
623 Nursing & Residential Care					5.2	--					3.1	--
Local Government	6.5				8.6	+32.3	5.2				6.2	+19.2

The 2009 TRC and DART rates exceeded the APP goal of reducing injuries and illnesses by 3% and the 5-year Strategic goal of reducing injuries and illnesses by 15% by 2010 for the following emphasis industries:

23 Construction,
31-33 Manufacturing,
48-49 Transportation & Warehousing, and
11 Agriculture.

HIOSH added 11 Agriculture, 562 Waste Management & Remediation Services, and 721 Accommodation to its APP emphasis industry list for general industry in FY 2009 and 42 Wholesale Trade and 623 Nursing & Residential Care in FY 2010.

HIOSH did not meet its APP and 5-year Strategic goals for 71 Arts, Entertainment, & Recreation and Local Government. The TRC and DART rates for 22 Utilities and 42 Wholesale Trade were not available for 2009.

The economic downturn at the end of 2007 may have contributed to the decrease in the TRC and DART rates for 23 Construction, 48-49 Transportation & Warehousing, and 721 Accommodation. The average employment in these three industries peaked in 2007 and fell to less than the average employment level in 2005 by 2009. The average employment level in Local Government has steadily increased since 2005, and may be a contributing factor in the increase in the TRC and DART rates in Local Government. The average employment trend in the other industries is not as consistent as that in 23 Construction, 48-49 Transportation & Warehousing, 721 Accommodation, and Local Government.

Industries	Average Employment				
	2005	2006	2007	2008	2009
23 Construction ↑↓	33,110	35,730	38,807	37,542	31,035
31-33 Manufacturing	15,219	15,155	15,278	14,893	13,699
48-49 Transportation & Warehousing ↑↓	27,922	29,837	29,970	26,417	23,546
71 Arts, Entertainment, & Recreation	11,610	11,521	12,042	11,604	10,698
22 Utilities	2,873	2,931	3,016	3,083	3,190
11 Agriculture	7,600	7,313	6,596	6,733	6,439
562 Waste Management & Remediation Services	1,564	1,673	1,736	1,656	1,695
721 Accommodation ↑↓	38,723	39,145	39,239	37,774	34,789
42 Wholesale Trade	17,627	17,953	18,435	18,765	17,815
623 Nursing & Residential Care Facilities	6,646	6,675	6,819	7,060	7,127
Local Government ↑	17,222	17,470	17,930	18,525	18,663

The 2003 BLS Census of Fatal Occupational Injuries (CFOI) baseline and 2004, 2005, 2006, 2007, 2008, and 2009 fatalities from fall to lower level for Annual Performance Goal 2.0 were as follows:

Event or Exposure	2003	2004	2005	2006	2007	2008	2009
Fatalities from Fall to Lower Level	3	0	3	0	3	0	0

According to the BLS 2009 fatality statistics, HIOSH met its goal of reducing the number of fatalities from falls by one (1) for Annual Performance Goal 2.0 and the 5-year Strategic goal of zero (0) by 2010. However, the trend for this goal is inconsistent. The number of fatalities from falls to a lower level in 23 Construction had been alternating between 3 and 0 every other year. Although the BLS 2008 and 2009 fatality statistics had zero (0) fatalities for fall from elevation, Hawaii's Workers' Compensation (WC) statistics had one (1) fall from elevation fatality in 23 Construction in 2008 and one (1) in 2009.