



## DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS

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### FOR IMMEDIATE RELEASE

Dec. 26, 2013

### STATE CITES MAUI COMPANY FOR WORKPLACE VIOLATIONS INVOLVING ASBESTOS

*Proposed Penalties Total \$155,375*

HONOLULU—The Hawaii State Department of Labor and Industrial Relations' (DLIR) Hawaii Occupational Safety and Health Division today announced that it issued citations to Hale Mahaolu for exposing workers and the public to asbestos. The health violations were related to work with asbestos-containing material (ACM) in the Lahaina Surf Complex between January and June 2013. Contractors and maintenance personnel were not informed that there was ACM present and about the precautions necessary to protect themselves during work with such material. Hale Mahaolu has contested the citations.

"Hale Mahaolu sacrificed worker and public safety through the deliberate neglect of safe asbestos handling fundamentals—this exposure could and should have been prevented," said DLIR Director Dwight Takamine.

Hale Mahaolu management admitted that they knew that some of the units they managed contained ACM. In previous years, they had hired licensed asbestos abatement contractors. However, for the work conducted in 2013, Hale Mahaolu failed to conduct air monitoring on work done by its own employees on ACM and failed to inform contractors it hired to work on ACM that the material contained asbestos, contrary to the HIOSH standards.

As a result, Hale Mahaolu has been cited for two willful violations for failing to conduct air monitoring during work on ACM and failing to inform contractors of the presence of ACM included in the scope of their work. A willful violation is one committed with intentional, knowing

or voluntary disregard for the law's requirements, or with plain indifference to worker safety and health.

In addition, Hale Mahaolu was cited for a serious violation for the company's failure to provide adequate training to its own employees that it assigned to work with ACM. A serious violation occurs when there is substantial probability that death or serious physical harm could result from a hazard about which the employer knew or should have known about.

To ask questions, obtain compliance assistance, file a complaint, or report workplace hospitalizations, fatalities or situations posing imminent danger to workers, the public should call HIOSH at (808) 586-9116.

Under the Hawaii Occupational Safety and Health Law of 1972, employers are responsible for providing safe and healthful workplaces for their employees. HIOSH's role is to ensure these conditions for Hawaii's working men and women by setting and enforcing standards, and providing training, education and assistance. For more information, visit <http://labor.hawaii.gov/hiosh>.

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