

Hawaii Occupational Safety and Health (HIOSH) Inspections

The Hawaii Occupational Safety and Health Law and Regulations are intended to assure safe and healthful working conditions for the women and men of the State. Hawaii is one of 26 jurisdictions approved by the Federal Occupational Safety and Health Administration (OSHA) to operate its own state's safety and health program under Section 18 (b) of the Occupational Safety and Health Act of 1970.

Type of Inspections & Investigations

- Unprogrammed Inspections
- Accident Investigations
- Complaint Inspections
- Referral Inspections
- Follow-Up Inspections
- Discrimination Investigations
- Programmed Inspections
- **"The List"**

"The List" Industries with incidence rates higher than the State average or with a fatality/catastrophe during previous years.

When HIOSH Comes To Your Door ...

The Inspection Process

Site Entrance

The inspector will: verify he/she is at the right place, identify himself/herself as a HIOSH inspector & show his/her credentials, and request to speak with the top management official. You have the right to deny entry. All enforcement inspections are unannounced.

Opening Conference

The inspector will: provide the reason for inspection, state the scope of the inspection, and explain the inspection process.

Document Review

The inspector will: review HIOSH mandated Safety and Health Programs, such as OSHA 300 logs, Hazard Communication, Bloodborne Pathogens, Respiratory Protection, and training records, etc.

Walkaround

The inspector will: walkthrough the premises, identify & document potential violations. This includes taking pictures, monitoring the environment for health hazards, and speak with employees.

Employee Interviews

The inspector will interview employees to: determine what hazards the employee is exposed to, assess the training that has been provided, ensure proper policies and procedures are in effect, ensure proper PPE is being provided and used, and address employee questions and concerns.

Closing Conference

The inspector will: explain the alleged violations, establish abatement dates for uncorrected alleged violations, explain your rights and responsibilities, informal conferences, & your right to contest citations and/or penalties.

After The Inspection

- Citations may be issued for any willful, serious, other-than-serious, repeat, or failure-to-abate violations of HIOSH standards.
- Penalties may be assessed for each violation.
- Each violation must be corrected.
- You have the right to disagree With Any Citation and/or Penalty
- Informal Conference
- Contest
- Follow Up Inspections May Be Conducted

HIOSH Penalties Increased in 2019

Since January 24, 2019, HIOSH adapted the following new penalty system:

Type of Violation	Maximum Penalty Per Violation	
	Previous	As of January 1, 2019
Willful or Repeated	\$77,700	132,598 <i>but not less than \$9,472</i>
Serious	\$7,700	\$13,260
Other - than- Serious	\$7,700	\$13,260
Posting Requirements	\$7,700	\$13,260
Failure to Abate	\$7,700	\$13,260 <i>per day unabated beyond the abatement date (generally limited to a maximum of 30 days)</i>
Discrimination	\$1,100	\$9,472