

Disclaimer: transcripts may be automatically generated and not reviewed for accuracy. Please note that transcriptions may contain errors, including incorrect terminology or misinterpretations of the spoken content. For the most accurate information, please refer to the official podcast audio.

Devon: Good morning this is I am your host man. It is nice to have you with us this morning. Joining me is Bronson Luis. He's the Safety Branch Manager for Hawaii Occupational Safety and Health otherwise known as HIOSH, Bronson.

Bronson: Good morning Devon we appreciate your time and opportunity to have us on your show, Hawaii Matters this morning.

Devon: No problem. HIOSH does a lot of stuff because last time we were talking to somebody it was actually for inspection stuff.

Bronson: Correct. It was our Consultation and Training Branch manager, Mr. Alan Yamamoto, my job and role I play at a HIOSH I'm the Safety Branch Manager on a safety branch. We focus mainly on construction projects and enforcement but we also do inspections on general industry or any type of accidents, complaints, and also fatality investigations.

Devon: How long have you been at HIOSH?

Bronson: For me I was going on 7 years.

Devon: Wow. Is that your background, were you doing construction before?

Bronson: Correct, before I got into basically safety with HIOSH, I was a painter by trade myself and my dad and we work for a various painting companies within the painters union, but unfortunately, you know long story short the main reason why I got into safety you know my dad and I we did a side job one day he had to go up to paint a window awning and we use the ladder and plank—a ladder jack scaffold—you know we were from the union we had the training we knew what we should've been doing the right way with a cash job. We just tried to get it done as fast as we could, and unfortunately, when my dad went up on the plank to paint that window awning he actually fell, and luckily he landed on his feet luckily but he had shattered his right ankle. Unfortunate part for him he could never go back painting after that. It was a whole process for him. You know he had to go on Social Security disability because it wasn't a company we were working for it. It was just a cash job for the homeowner. What that actually did it open my eyes on how important safety was. I did go back work painting for about a year or two, but I just couldn't go back working at heights and ultimately I chose to go back to school to further my education at Honolulu Community College and I did take the Occupational Environmental Safety Management

Program took some time for me to graduate from there but once I completed a program I applied I'm here at my first job I applied for for safety. I got the inspector position as a OSCHO 1, compliance officer, and from there I moved my way all the way up to the Safety Branch Manager. Kind of full circle for me seeing how accidents happen while working in the field and now basically working in enforcement and working with these employers on basically how to prevent accidents from occurring and our main goal with any inspection or investigation we conduct is just to make sure these employees make it home to their families at the end of the day that's basically our main goal.

Devon: It's interesting for you because for you it's a personal thing. A lot of people think 'oh it's just a job I gotta do this', but this actually mean something for you.

Bronson: I'm real passionate about safety and it took a serious accident to understand how important safety is. Sometimes that's what I tell a lot of the employers and employees know 'you don't wanna wait till that time because sometimes the accident can be so severe it's gonna be too late' you know and that's kind of where we are going on with this interview talking about trenching and excavation safety within the past year in 2022 specifically in Hawaii you know we had a two trench-related fatalities that could've easily been prevented and the sad part is the two employees that unfortunately you know had lost their life in these incidents you know they were still young. They were in their 20s early 20s. They had a lot more life to live you know and it was just unfortunate that this incident occurred with both of them.

Devon: Once again Bronson Luis, the Safety Branch Manager for HIOSH, Hawaii Occupational Safety and Health department. Explain to people what trenching is I mean I think they hear that word trench they figure 'OK they just digging.' That's partially true a little bit more to it.

Bronson: Correct you so you know there's some you know for a trenching you know anytime to basically digging a trench, or man-made excavation that that would be more than 5 feet in depth is when the trenching systems—or protective systems is what we call would be required—specifically for trenching once the trench will go more than 5 feet in depth, the employers' responsible to provide some sort of protective system to protect their employees from any type of trench collapse.

Devon: What do people, what are people trenching for?

Bronson: Normally, you know it could be something from utilities, you know a lot of they need to change out for example sewer line, sewer pipes, electrical utilities, anything that can be buried underground you know also if they're digging for a new build and they need to build footing to get down to the footing the depth maybe more than 5 feet in depth you

know so basically any type of excavation or trench that is dug more than 5 feet in depth is worthy protective system would come into play.

Devon: Wow OK so basically pretty much anything that's going in the ground at this point because from my understanding in area like Kailua where I live, everything is underground.

Bronson: Correct.

Devon: The electrical is underground. Obviously your sewer pipes, water pipes are all gonna be underground so all of that stuff needs to be put somewhere and one part of it is figure out where everybody's putting the pipes everywhere in the ground but then it's also with this trenching thing you're talking about its making sure that you reinforce the walls right, chances of it about Hawaii we have very soft dirt.

Bronson: The soil can vary per trench and excavation. The other thing that these employers are required to do before they even start any digging is what we consider One Call and what the company will do is have some people come out to inspect the grounds that the employers are gonna dig into find and locate any utilities that's under and where they're gonna dig you know so they don't run into any gas line, sewer lines, waterlines, gas line, correct. Actually I'm not not sure if you believe in a few years back I know in Kapahulu they were doing some roadwork and they hit a gas line and there was a gas leak that caused an explosion. It was pretty severe luckily, I believe there was no injuries at that particular incident. That's the main reason for our employers to reach out and calling One Call basically they'll come out and check for any utilities before they start digging.

Devon: Now for that number that they that they use it service the clearing house? For saying hey 'OK you got gas line over here. You got electrical line over here. You got sewer line over here you got waterline over here.' I know that one of the things, and I probably know more about trenching than you think—full disclosure I used to work at Board of Water Supply and I know that one of the things that we would always deal with is the fact that the line was not where the line is supposed to be when people are building stuff—sorry we're gonna get into the weeds a little bit on this stuff—but we have half an hour bro—so when people are building their buildings, you know all these pipes need to go into the buildings, same thing with houses housing, and they laid out and what these utilities and private companies are required to do is required to do what's causing as-built—known as-built—is this is where we put everything right. And they're supposed to report that to you folks so that when another line goes in another house goes in an apartment gets built and they can go to HIOSH or go to wherever and say 'OK where are the lines in this? Where are the lines? Where do we go? Where are we hooking up to?' The surprising thing I found is that a lot of that information is actually not either complete or not correct.

Bronson: Correct, sometimes you know it's not documented or the unfortunate part is sometimes contractors they failed to give One Call that opportunity to come out and tone or check for these lines you know and that's where the unfortunate things happen when lines are just buried upon sewer lines or gas line for us.

Devon: Yeah, that happens for us Board of Water Supply. You've got a waterline, and an electrical line on top of the waterline. 'Brah what are you guys doing?'

Bronson: When you get water main break you know that's one thing Board of Water run into.

Devon: What is the reason these people for not calling you guys and saying it 'by the way, this line is going over' because it doesn't actually cost?

Bronson: For HIOSH we don't enforce the One Call—there are OSHA standards requiring the employers to give One Call to come out and check the line before they dig you know for HIOSH specifically we don't enforce that particular process. It's another, basically the agency that enforces that particular utility went before they but you know for us, it's part of a standard that they required to follow and obey, but we're not the ones that go out and tone and then look for these—it's another agency.

Devon: There's also a specific depth, that's another rule you're supposed to follow. If you're joining us right now and wondering 'why are you talking about burying?' speaking with Bronson Luis he's a Safety Branch Manager for Hawaii Occupational Safety and Health otherwise known as HIOSH. We're talking about trenching specifically because we've been having so much construction lately. Seems like it's all in the Kaka'ako area but lotta buildings going up because a lot of building buildings are going up there's lot more people in the ground. There's a lot more trenching that that's done—trenching of course obviously is when they're digging these these areas so that they can put the lines in for the various utilities—be it electrical or sewer or whatever because one of the other things too is the lines have been getting—I would assume—the lines are getting bigger that they're laying down because the buildings are bigger.

Bronson: Yeah I'm sure you. I'm sure you know for us when we do inspections on job sites, you know we know we normally don't tend to visit the job site too early in the phase when they're actually doing this type of work. For us we kind of wait until the project is a little bit more developed and more work activity basically. You know, but for what Federal OSHA actually did due to all of the fatalities that's been occurring they had a implement National Emphasis Program. We consider NEP for trenching and excavation. Basically what that does for inspectors like us within HIOSH and Federal OSHA basically gives us a jurisdiction to walk up and if we see any type of trenching or excavation work going on you know that

gives us the ability to walk up on this trenches and excavation, and basically check and making sure the employers are providing a safe and helpful workplace and following the standards that they should know specifically if the trenches are more than 5 feet in depth. That's where the protective systems would come into play.

Devon: When you speak about 'protective systems' what are you talking about?

Bronson: So basically you know they have a few options and it's up to the employer on what type of method they would wanna choose to use, but you can either use what we consider 'sloping or benching.' Sloping or benching is basically cutting into the Earth or into the trench, basically scaling it back so it'll prevent actually trench from collapsing. And those is basically you're just digging, your cutting, you're making slanted you're actually there's not too much pressure on the top so there's not that weight that would come down on employees but another option and you see a lot out there in the field is what we consider shoring. Shoring and trench boxes shoring is basically safety equipment or material that these employers can either rent or or a lot of them have on their own and you put the trench boxes or these shorings into the trenches and the employees actually work in these boxes in between the hydraulic shoring, and if there was any type of collapse that was to occur, you know it'll basically keep them inside—sometimes we see employers fail just to provide any protective system man. You know when you look at a trench, they may be working with the trench for a few days and they think it's stable but you know one you know just at one time you know the trench can collapse if there is employees in there that's that's basically an accident happened.

Devon: So when when the trench did collapse on those on those occasions was it because they didn't put up the shoring, was it because they didn't think—it is it cheaper for them to do the grading to grade the trench or is it cheaper for them to just put up the shoring or does it cost about the same regardless?

Bronson: You know, I'm sure to keep cost down sloping or benching the trench/excavation would be a cheaper method with the trench boxes under ensuring it is equipment that has to be either rented or purchase or you know cost wise, I would say sloping or benching would be a cheaper method, but it would all depend on the type of trench or excavation that you're trying to dig you know, and not all the time these trenches the location of the trenches would basically Have that option to slope or bench you know sometimes it's you see a lot of roadwork going on the trench that you're digging, you know specifically a good example would be Board of Water. You know you wouldn't see Board of Water sloping, or benching any type of water main break because of most of the time because they're close to the road. These water mains that you're trying to get pretty deep and majority more than 5 feet so they normally use hydraulic shoring. I actually have some history with Board of

Water. Water like one of the first inspections I did for trenching and it was unfortunate inspection for them. I know it was an emergency water main break. They had on Ala Moana Boulevard a few years ago and that's kind of what got me into focusing on trenching. That was my first inspection. The unfortunate part it was a pretty hefty citation they had to pay, but you know the fortunate part for them is that no employees got injured.

Devon: What did they want? Those two people or those people lost their lives is it just is it that the ground gets wet? Is it that there's there's movement from the machinery is it I mean, what is the thing that makes it collapse?

Bronson: You know I'm not gonna talk any specifics. The first situation was a trench about 65 feet in length, the width was around 4 feet, and but the depth was around 8 feet so the employee an employee was in there trying to pull some measurements inside of the trench itself and unfortunate part it was an un-shored trench. There was no protective system being used. And the sad part is the soil. You know it was it was actually real sandy and loomi so it was very unstable was actually near a beach that was when you looked at the topsoil you could see when the trench did collapse and emergency responders responded on the incident. The only thing in the report stated that they could see the employees' hands.

Devon: Oh my gosh.

Bronson: Unfortunate yeah the employee they did a rescue him. It took about 20 minutes to get out of that trench, but just not sheer weight and the force of the sand and soil and gravel. You know it can really take a toll on somebody body. The employee passed away from the injuries they receive.

Devon: Oh my gosh OK so once again, we are speaking with Bronson Luis. He is a safety branch manager for and we're speaking specifically about trenching which is you know when you're driving by when they're doing work on any of these giant things that are happening right now you see guys working inside of a ditch. They're digging out digging out the road and they're jumping in there and they're doing their work and a lot of them have a hard hat on, but one of the things are all supposed to do—they're also supposed to do if they go down further than 5 feet is also put up some showering or some type of protective system.

Bronson: They have a few options to choose what I wanted to kind of share you know, take it a little back and share some statistics with so basically you know I'll go back sometime but you know this is just to shed some light on basically the importance for this NEP that Federal OSHA has and trenching safety in general you know so between 2011 and 2018 this is nationwide statistics you know we had had basically calculated 166 employees died

from trench collapses between 2011 and 2018 that was the average for about 21 deaths per year within that time. This prompted to them to implement trenching NEP. For us we've been kind of lucky we did contribute to the 2022 statistics move forward a bit but 2022 nationwide was the deadliest year we had for trenching fatalities at 39 deaths when they are 39 actually were basically pertaining to some sort of trench or excavation collapse. For us like I mentioned Hawaii did contribute to that number with two fatalities for us. We've been kind of fortunate you know we haven't had trench fatalities basically within the past 10 years so for Hawaii the two fatalities is basically the only two we have within 10 years.

Devon: I was going to ask how we compare with the rest of the nation just because we seem to be doing more construction.

Bronson: A lot of construction here being developed pretty rapidly for us. You know the companies honestly you guys I don't see much issues with these companies doing this type of work you know but when we do with this NEP now it gives us the ability to know like I said we get to go on a check up on any excavation or we see going on and just to make sure the employers are our providing you know the proper shoring systems or protective systems for the employees while working in these trenches.

Devon: OK they're keeping you busy. How many people in the office by the way?

Bronson: For us you know at full staff for the safety branch and we also have a health branch. Full staff we should have nine inspectors, including myself unfortunately you know our staffing this year being kind of low you know it's been up-and-down but right now we currently have six full-time staff. I'm on the safety side and same as the branch but you know our our target number would be nine inspectors on both sides.

Devon: Yeah, that's a lot of ground to cover. So when you say HIOSH is taken care of are you covering neighbor islands as well.

Bronson: Correct for us you know I know we get that question a lot you know employers ask us 'are you guys only do inspect only on this side' for us unfortunately, we're so thin we can be in Kahuku in one day, we can be in Waimanalo even Waianae the next day. We travel pretty much the whole island as well as neighbor island. So we each inspector we do at least two visits per year you know so yeah we try to get out to the Neighbor Island. You know for us only island that we actually have a full-time permanent inspector on island of Kona That inspector is a senior inspector for 34-35 years, Mr. Charles Clark and one of the longtime seniors that I myself had learned a lot from him and basically he's he's the go to for any issue we have on Kona or Hilo or actually just sent him out to accident in Maui because that's how thin we are. So they put a lot of time and effort in their job and travel a

whole lot and you know I said it's just to make sure these employees make it to their families that the end of the day.

Devon: Is that you know you're a little under staff but if someone wanted to get into this kind of work, what would you tell him to do what would be your advice?

Bronson: You know correct you know currently we are looking for inspectors or OSHCOS as well as positions on the health branch. We actually have a radio ad running with you guys, Pacific Media Group, you guys been very helpful with us trying to get new applicants with our radio ad. We have we have a good relationship with Pacific Media Group since last year and moving onto this year, so you know you guys being a big help and benefit. We did get a few current employees that are employed with HIOSH from the radio so it has been working you guys so for us we really appreciate all of your folks help and your advertising of our ad and you guys.

Devon: Do you recommend specific training that somebody should have?

Bronson: Our entry level position basically doesn't require education—on the safety branch but for the health branch the requirements of a little bit different you need a four-year degree, and they basically do the same as us, but they entail a little bit more. They do a lot of monitoring and sampling of hazardous chemicals or whatever it may be you know so that position does require a degree, but for my branch—the safety branch you know education is very minimal.

Devon: Take off your managers' hat for a second and just as I'm talking to I wanna work for you guys what should I be interested in because you know you spoke very personally about something that affected you I mean that led you too the dedication that you have for HIOSH so if you were speaking to somebody 'you know I'm thinking about it' what would you say 'hey be thinking about these things.'

Bronson: Yeah you know for me I try I try to look for a little bit of experience when the construction industry we do we focus a lot on construction inspections you know that's not a requirement on our end. You know anybody that's basically has a passionate for safety in general or you know people that just want to protect employees from any type of safety or health concern you just have the drive and motivation in order to do inspecting work. I guess you know sometimes it's not. It's not for everyone. We have a high-turnover rate. It can be for various reasons why it's not always just a job sometimes people just find out it's not their fit. As long as you open mind, and you have a passionate for safety or health you know things can work for you. I mean, we have all types of inspectors. You know we don't single any particular type of individuals so it's basically if you want to apply like I said 'come on down.' You know I know you guys play our ad periodically throughout the day but

basically people can visit our our website labor.hawaii.gov/hiosh and you can see on that particular website any open positions we have and you guys can basically apply from there. You know we are currently recruiting for inspectors on the safety branch and the health branch.

Devon: Once speaking with Bronson Luis, safety branch manager for hi and speaking specifically about trenching trenching. Of course you got a dig a trench into the ground. Is there something I think I mentioned we mention a little bit earlier, but in terms of does having background in knowing this place help you? Right I mean if you're if you're at a trenching area and you were saying you know there's one that was close to the beach you know it's gonna have Your man guys 'come on yeah.'

Bronson: But technically, these employers know like I said before even getting to the digging part, there's requirements that they will need to follow One Call like I mentioned this one particular process they would have to follow through before digging. You know another process is basically taking soil samples taking soil samples of the soil that they're gonna dig into and based on the different soil types, which we have a A, B, or C depending on that type of soil, and the depth of these employers will need to dig to will basically determine what type of protective system or sloping or benching method that they'll be able to use.

Devon: So you give them some options of things. These things that you give them, that are specific to HIOSH in Hawaii or are they are these like national guidelines that are sort of you know because Hawaii is a different place.

Bronson: You know you make a good point Devon, Hawaii does have their own Hawaii state plan, but technically the standards that we are enforcing for excavation is nationwide. It's basically Federal OSHA standards that's been implemented and in play for quite some time. The one reason for these standards is basically a one point or one time you know people people actually had severe accidents were died from working in trenches and it just does not go for only the trenching it goes for all the standards that OSHA basically implemented. And one a time accidents were occurring fatalities were happening, so that's why these standards were generated.

Devon: Now if you were a worker on one of these sites and you're like 'bruh this is a little spooky,' is there a number that they can call?

Bronson: We have a complaint line any employees out to ever feel that you know they just feel unsafe with the work they're doing you can always call our complaint line. We have a complaint number 808-586-9092. That is the OSHA complaint line you know it strictly anonymous you know we don't disclose any of the complainant information with to the

employers so they feel like they're just not being treated fairly or they feel like they're working on safe and things can be better and the employer just doesn't have time to deal with them. Please feel free to reach out to the HIOSH complaint line. I will try to address your concern as best as we can

Devon: Bronson believe it or not at a time we're actually out of time.

Bronson: We appreciate Pacific Media Group assistance with everything he has been doing for us moving forward the other thing I just wanted to send out you guys if any employers out there you feel like you guys need assistance from HIOSH. We do have our consultation and training branch. Mr. Alan Yamamoto is the branch manager you know please give them a call. They can come out to any of your guy's job site and basically they should do the same as the inspector would do, but instead of giving out citations. It won't result in penalties or fines but it's a free service. We do cater to the smaller contractors out there. You know any employer please feel free to give them a call and see if you can get on the waiting list to have one of the consultants come out to your guys job site.

Devon: That is very cool once again Bronson Luis joining us safety branch manager from Hawaii Occupational Safety and Health called HIOSH, they are actively hiring people. They are doing the work out there to keep workers safe which I think it's really important and the really nice thing is some of them like Bronson have a very specific personal reason why they're taking part of this and doing this and making sure that employees are are being kept safe. That's a cool thing. Thank you Bronson for that for your work we appreciate it everybody over at HIOSH if you have any questions the website again is...

Bronson: labor.hawaii.gov/HIOSH and you guys can also reach out to the complaint line like I mentioned or our branch number 586-9110. If you guys have any questions about anything safety your health related.

Devon: Did you ever think you're gonna talk for half an hour?

Bronson: Appreciate you've been a pleasure brother pleasure working with you guys. I really appreciate it.

Devon: Thank you very much again for being here thank you for being here with us. See you next week all right.

Bronson: Thank you, my brother. Aloha.