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Kathy: This is Hawaii Matters I'm your host Kathy with a K and we are talking with our guest Randal Tiu. HIOSH Administration and Technical Support Branch Manager. HIOSH is Hawaii Occupational Safety and Health division from the Department of Labor and Industrial Relations. Randal's gonna be talking with us about various programs for employers and employees and get a better understanding what OSHA in Hawaii—HIOSH is. Randal how did you arrive at HIOSH?

Randal: That's a very good question so most of us we arrive at HIOSH but probably shouldn't say this, but it was a mistake. When I came back from Hong Kong to Hawaii I'm looking for jobs before HIOSH I'm doing medical research—I'm a med tech—but when I move back from Hong Kong to Hawaii, I don't have my medical license no more and because it's been so long and I saw this government job advertise as 'environmental health specialist' about 10 years ago in 2015-2016. I remember during my college years I studied environmental stuff, so I dug up my old papers and studied it. I was just thinking you know what at this point I don't have a job. I just see what happens after I applied it roughly about 6-9 months later, I got invited for an interview. So when I come in for interview, they didn't ask me anything about. They didn't ask me anything about OSHA, they didn't ask me about occupational stuff. They asked me a whole lot of question about sampling which I did in a college year in my professional careers, so I answer them accordingly and then next thing I knew I was hired. So long story short, my first day I go to work my boss at a time first day he gave me two books 'for the next couple months you should familiarize yourself with this book' and I look at the book it's 29 CFR 1910 and 29 CFR 1926 OSHA regulations and at that point I realized 'Oh am I in OSHA now?' So that's how I got into HIOSH.

Kathy: So, 10 years ago you become part of HIOSH—Hawaii OSHA. Since you've been with the company what does HIOSH do?

Randal: A lot of people understand that HIOSH is part of Federal OSHA. So actually, HIOSH is an independent state plan that got OSHA approved so that means that we can operate our own safety and health program within the state of Hawaii. HIOSH basically have jurisdiction over all employers within the State of Hawaii except federal employers and some private employers such as maritime operations, longshoring that kind of stuff. And then finally we don't have jurisdiction over anything that has exclusive federal jurisdiction—the land. For example, within the federal building or military base, but as everybody knows we go out and do inspections and that's just 50% of our job. if I wanted to summarize

HIOSH operation, basically there's two arms. One arm is everybody familiarize with the enforcement arm and the other arm is not too many people cooperative employers this is the voluntary compliance arm—our cooperative with employers. So, these are the two that we do usually.

Kathy: This is Hawaii Matters I'm your host Kathy with a K and we're talking with HIOSH Administration and Technical Support branch manager, Randal Tiu with HIOSH and OSHA to familiarize the public at large of what OSHA or HIOSH is in our islands so far as OSHA violations company and/or employee that's what OSHA cover. There's intentional, unintentional and don't require an accident to take place for a citation or fine to happen. Generally when OSHA is brought up in any kind of conversation it's like 'What did you do or is something bad happening?' You have can OSHA on your premises and nothing has to be wrong you have people conduct inspections and how does that happen? How does OSHA get introduced to a new business or an existing business?

Randal: So the reason why OSHA exists is because the 70s we have a lot of industrial accidents and fatalities when they're high rise with no fall protection which I believe it's 1970's, our United States legislature deemed that it's necessary to have a specific agencies to handle all these stuff. So in 1970s they come up with the OSH Act, so in the Act which is becoming Law later, defined what OSHA is. And within the State of Hawaii we establish our State plan OSHA—HIOSH—which is in 1974. We got approval to fully independent—I believe in 1984 when we become an independent state operated plan, we basically carry OSHA's mission in the state of Hawaii. For us to go onto a site to inspect there's basically two types. The first one would be program planned and then another one is unprogrammed program meaning that there's some type of program for example National Emphasis Program. This is the program that the national—national OSHA—deemed necessarily for example they look at the national injury rate for BLS, Bureau of Labor Statistics, because or workers compensation they see this area has a lot of interest. For example amputation a lot of people got amputate at work, which is we don't want. We want people to go home with all the ditches and fingers and so they have an emphasis on amputation. Another example would be trenching have fatalities because Hawaii in the past has fatalities because of trenching collapse and it's generally dangerous place—hazardous place. So they would have a national emphasis program. So these are the program planned. And then one of the program I think a lot of people familiar with our targeted industry—high hazard industry programs. Like SST industry program so these are industry that Federal OSHA identified traditionally is high hazards and depending on the injury rate then every year was switched to different industry, but lately they have the Site Specific Targeting program we target not only the high-rate industry, we also target the low-rate industry because Federal OSHA statistics they find people under report so our responsibility to go to establishment with

low-injury rate to verify if they have a high. These are the programmed planned. Another one higher priority than the program inspection is the unprogrammed activities: complaints, accidents, fatalities, referrals, imminent dangers that means that we're not planning for the inspection—we do the inspection as it happens.

Kathy: This is what matters I'm your host Kathy with a K just heard from Randal Tiu with HIOSH Administration and Technical Support branch manager. With HIOSH when you're talking about a high-rate of incident reporting and low-rate of incident reporting it's exactly that the reporting of it some people may not think it's necessary and not good or bad do you in your position still visit workspaces as an inspector?

Randal: I do, but it's not as an enforcement inspector so my position right now involve a lot more cooperative side of the program so we will visit candidates—employer who volunteer—we call it voluntarily compliance—to volunteer to participant in several programs we have for example HVPP. These are employers that we highlight they doing very, very outstanding job in the safety and health. These are employers that basically they run the safety program and if you become one of those candidates or successfully nominated as part of the HVPP program then you'd be exempt from program planned inspection for example you own a business and you want to be HVPP and your business showed up on my list as a programmed planned then just delete it no need to do it for the duration of the VPP that kind of stuff. I visit workplaces to determine whether they're VPP. It's a really nice status for business.

Kathy: How can a business find out if they're qualified or is it something that they initiate a visit?

Randal: Yes they initiate the visit. Under the Cooperative Programs. There's VPP I just mentioned, Alliance Program, Consultation & Training program and finally OSHA challenge program. All of these programs are available for the employer to participate to find more information through our website in HIOSH website.

Kathy: The OSHA cooperative programs and there's also the OSHA outreach training program. I was over viewing both of them at the official HIOSH website. They each voluntary; they're not mandatory. What kind of certification or completion of program does that help or aid an employee or an employer? Let's talk about the OSHA outreach training program.

Randal: Outreach training program has a variety of things. You can invite us out to give a specific topic, host seminars which next year we're going to have whole bunch educational section with you guys or you know just whatever you guys need. We give a lot of speech on different topic and also there are OSHA 10 and OSHA 30 classes currently HIOSH doesn't

offer that so we stopped that for a little bit, but then there is a lot other certified trainers within the state of Hawaii that you guys can search through the website and go attend those class. I cannot say whether those classes are free or not if HIOSH is hosting it then it should be free. OSHA 10 is usually for construction workers and they cover generalize topic of safety. OSHA 30 is usually for foremen for construction industry. So they cover a little bit more than the broad topic but regardless of OSHA 10 OSHA 30 or presentation speeches, none of them are mandatory but some company—some construction companies that I know—will require employees to do OSHA 10, OSHA 30.

Kathy: When you went through your training to be working at Hawaii OSHA—HIOSH—did you gain the ability to be out off the clock and not be with that judgmental eye scanning like though ‘that’s a violation’?

Randal: Very good question to be honest with you no I cannot turn it off. I see it every day. Every time I see violations usually I talk to the employer ‘excuse me this is not good for the employees because of these you might want to take a look’ I’m not going to say ‘oh I work for HIOSH and I’m going to cite you’ it’s more like advisory. Sometimes on weekends when I take the kids out playing in a park around the neighborhood I look at some guys on the roof not tying off 20 feet high and I know they’re rushing because there’s 6 guys on the roof. I know the reason why they’re doing that because they’re rushing this super high to each other so I would tell them ‘this is super dangerous you’re right feet high no fall protection on a steep roof.’ But I’m not gonna tell them I work for HIOSH or anything.

Kathy: You just heard from Randal Tiu, HIOSH Administration and Technical Support branch manager. I’m Kathy with a K I’m your host with Hawaii Matters learning more about OSHA outreach training program. Not mandatory but it does sound handy. I thought it was really interesting. I did not work in any of those industries it would be to their benefit is it suggested at all to take OSHA training.

Randal: Yes, so this is what OSHA’s belief and I also believe is enforcement is also important—they call it compulsory compliance meaning people have to be forced into compliance. However enforcement activity—it doesn’t matter how many times I inspect the employer over and over again, that inspection is just a snapshot of the time that I’m there. If that employer doesn’t have a good safety and health culture, it doesn’t matter. We can penalize them however much but to them it doesn’t matter. However with the cooperative program side, this is voluntary so when the employer willing to do it the benefits is a lot more than enforcement. So I truly believe that enforcement and cooperative program comes hand in hand. First you need to educate people, which is the outreach and they gain the knowledge they can do their own plans and stuff like that and then we can go in and alliance program, partnership program, all of these program—where

alliance is where we team with up with industry, employers or association or union to address a broad topic members to their members whereas partnership we partner with a specific employer, usually look at a specific job site or union thinking old in the past several members have a lot of fall protection issues. 'We don't know how to address it' or 'we want HIOSH to help with that' then, of course he can always go with our Consultation and Training program but the consultation and training program focus on individual employers. Partnership program we can still work with the union or whatever work group to target specific hazards so all of these things to me it's a lot more beneficial than wait until the inspector shows up and tell you guys this is not right. Plus all of our cooperative programs are free, there's no citations however some programs will have inspection deferrals meaning some are exempt from inspections and some don't. So it's depending on how willing employers work with us and how will willing they want to change their culture.

Kathy: Randal when it comes to the OSHA Cooperative Programs of the ones available is there one or two that you would say 'take the course, make the time, have your employees become familiar with that?' Everyone has the same information when they go through these OSHA cooperative programs and OSHA outreach training programs and that's key.

Randal: All these Cooperative Programs tailored to more employers because we wanted to change safety and health culture—we believe it starts at the very top. That's why we wanna educate the employers so that they can implement specifically safety and health policies, procedures that fit their own company so that's why usually if you're new employees you should ask your employer what kind of training I got. Depending on what I got or what you do. One thing I always ask employees to ask their managers is to 'do you have a hazard assessment for my job?' So what it does is the management look at the process that you do and determine whether not this is safe, this is not safe. This is not safe, they're gonna follow a hierarchy of control to control hazards to minimize the chance of being injured. If I wanted to say one or two program, I strongly suggested 'go for the top?' Of course before that our CT, Consultation and Training program, is also good and they have a similar program like VPP but it's called SHARP.

Kathy: The Safety and Health Achievement Recognition Program. The on-site consultation program.

Randal: But they have whole bunch of eligibility so. For details you can go on our website and contact us also. But go for the top.

Kathy: You just heard from Randal Tiu from HIOSH Administration and Technical Support branch manager. This is Hawaii Matter, so I'm your host Kathy with a K. Learning about HIOSH, about OSHA. It's about being safe and the more information you yourself are

equipped with either as a supervisor, the owner of a company, the employer, the person who's first time on the job even if you've been with the company for a really long time and people turn to you for information 'where is the equipment? where do I store these things?' a year later five years later things change and get updated and you know like even for myself many years in an office and I get comfortable going through these different programs and asking questions helps you be safe and helps other people continue to have a safe work environment, which is what Randal's been talking about. What other elements of HIOSH do you want to impress upon people who may not be impacted by all things, OSHA?

Randal: From my experience being an enforcement officer at HIOSH, being a manager, being a supervisor, one thing that I see is that a lot of people think that HIOSH is just an enforcement agency that just come out and cite, cite, cite people. And even with a lot of private consultants they don't see HIOSH as something that matters because they just thing cite, cite, cite. For me and I know a lot of people who work for HIOSH has the same goal 'we all work towards us being unemployed.' This is our goal. So whether if they are inspectors or program specialist, whoever we go to the job site, hopefully employer will listen to us and create a safe environment for their employees. Being an enforcement officer you see a lot of heartbreaks and there are several cases that tugs my heart strings and that gives me the drive to continue to work in HIOSH. I've worked many jobs before, but this job is not a great paying job, but I think for myself at least this job rewards me the most because I have almost direct impact on other people's life. If you do enough investigation in HIOSH you see that cases.

Kathy: What has been some of the general reasons that employees or employers will say 'we can't do that—we can't correct that?'

Randal: There are several reasons. The more business terms 'we don't have the money to do that' or 'yeah we taught them they're not doing it' or for more personal level like 'I've been doing this for 30 years, nothing happened to me' or 'yeah we've been doing this for however long look at our history there's no injuries' and to me those are the terms that I hear a lot.

Kathy: What is your response?

Randal: The whole thing about HIOSH is to 'prevent the first incident.' I usually respond to people 'oh yeah, 30 years and nothing happened to me.' When I first started in HIOSH I inspected a place that makes countertops.

Kathy: Countertops? Okay.

Randal: So they've been in business for a long time. When I went there, they don't have good respirators so I talk to the owners. I talked to the general managers. The family owned

for decades. The owner told me that ‘yeah I’ve been doing this for 30 and I never use respirator.’ So the hazard is silica so he’s doing this for 30 years he never use a respirator, they’re grinding and all of that, breathing the debris and basically he argue with me. ‘I don’t need it’ so I can show them this is what the signs about. His son actually agree with me—the general manager. He ended up abating everything, get the respirator. And several years later, super unfortunate the owner was diagnosed with silicosis from all the silica that breathe in. So I use this example to educate the people that I talk to. Even now when I don’t have to do inspections when I go out and verify the VPP status I always ask them ‘What makes you want to join VPP?’ because it’s not easy. It requires a lot more than what the standard says. So I would listen to them. Learn from those people a lot of times when they say ‘oh I don’t have money for that’ then I’m gonna do research for them. These other options that doesn’t require that much money. ‘You already spending this much money on the workers’ comp because you have all these injuries.’ Imagine if you invest that much money into this. You eliminate all that down time, all those injuries, workers’ compensation. Usually people it’s logical for them to make that. Of course for other people it’s like ‘it doesn’t matter.’

Kathy: And you also catch that and people are like ‘yes thank you for catching that. We’re gonna we’re gonna work on it when you revisit the worksite.’

Randal: Yes, it’s a step up. I encounter people that who doesn’t know what safety is. They just started their business. I inspected them and there’s citation. Now that I don’t have to visit them but other people for whatever reason they’re in high industry they cycle back. This is the same employer I inspected several years ago. And now they have all these things in place. I’m proud of them. It’s not me, it’s them. Cause there’s a place I visited it’s really bad. Cause they use strong chemical to do something. A lot of employees complained and workers’ compensation going on. When I visited them they changed. Several years later another inspector visited them. The employee I talked to back then was about to quit because of the situation. Now that she’s the general manager, she’s staying with the company because all of these things changes. And the company has other issues but the issue I addressed is basically gone.

Kathy: Randal Tiu, HIOSH Administration and Technical Support branch manager this is Hawaii Matters. I’m your host Kathy with a K with you sharing different stories when you were an inspector out in the field, it really lends to the overall health and also morale and mood of the employees at the work site. Sometimes it is little things to improve it can help the folks wanting to stay on that that’s a great story about the employee who is now a general manager. Would you suggest a program for small businesses that are like on wheels—are there ways that there’s a checklist?

Randal: So Federal OSHA's website and our websites, both website have various checklist and employers can go search for it. When you go to Federal OSHA's website, you go on the website A-Z index then you can look for the specific hazard and it teaches you how to abate it or prevent that. Then for us, we have a Consultation and Training program. They publish a small business handbook. We updated and published within the next year?

Kathy: Oh that's cool.

Randal: Yeah I don't know how they're going to release it.

Kathy: PDF.

Randal: PDF would be the next best thing. But for for more details you can contact us, Consultation and Training branch, and on our website has a lot of fact sheets that we create can add more and more. So different places have different resources, but let's say food truck right? If I'm the food truck owner of course first thing first I'm gonna research on what kind of law that applies to me first? Of course definitely Department of Health all the food safety stuff and then with employees back to the JHA, job hazard analyses, I'm gonna look at everything that I do for example I'm gonna drive myself to a location and then I'm gonna picture what kind of hazard I would encounter on the drive then you're gonna abate it based on the hierarchy of contro—if I park my car there, I'm cutting onions Step one pick out the onion. Step two Grab a knife, step three I start slicing onions—of course you get cut and like that—and look at the control, the most effective control is eliminate hazard, the second is substitution, and then engineering control, administrative control, and finally PPE. So, I always use this analogy when I talk to people about this hierarchy of control. For example, imagine you are general for wartime. You have to send your soldiers to enemy territory to patrol. The hazard is identify as being shot by enemy forces. First step the most effective: eliminations. Can I eliminate the hazard. Tell all the enemy 'don't shot my troops' cannot right? So go one step further: substitute. Substitute all my soldiers to robots that's good right? But probably not a good idea because of the money or whatever, the technology. One step down is engineering control so separate people from the hazard—instead of people send in tanks. It's effective—they don't get shot, it can protect them, but tank cannot go everywhere. So next step down administrative control—change how people work. Instead of sending them patrolling eight hours a day; send them two hours a day so it's lower. And finally with all else failed you can always give them a personal protective equipment. PPE. Here a bulletproof will do its job. So you can see the level of efficiency. A lot of people think 'I give them PPE,' but it's not the best.

Kathy: Thank you Randal Tiu, HIOSH Administration and Technical Support branch manager you can visit labor.hawaii.gov/hiosh for official information to replay or share this

episode. Search Hawaii matters where you stream podcast for Pacific Media Group and Kathy with a K Mahalo.