



FY 2023

HAWAII OCCUPATIONAL SAFETY AND HEALTH PROGRAM

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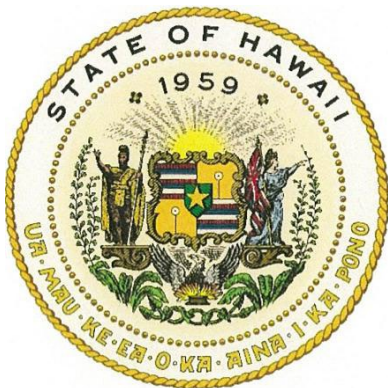


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Fiscal Year (FY) 2023 Executive Summary

Hawaii's State Plan Program is administered through the Hawaii Occupational Safety and Health Division (HIOSH), a division of the State's Department of Labor and Industrial Relations (DLIR). HIOSH has jurisdiction over a substantial percent of employment in the State in both the public and private sectors. Exceptions to State jurisdiction is private sector maritime, long-shoring, ship building activities, federal agencies, military, and all employment contained within the national parks and secured military bases (as of October 11, 2011). Activities mandated under the OSH Act are considered core elements of HIOSH and provide an essential safety net for workers exposed to hazards with the potential to cause death or serious physical harm.

HIOSH's mission as stated by the Hawaii Occupational Safety and Health Law, Chapter 396, Hawaii Revised Statutes, is to "Assure so far as possible, every working man and woman in the State safe and healthful working conditions." HIOSH's goal is to work in partnership with Hawaii's businesses to save lives and prevent injuries in the workplace.

HIOSH's role is to promote voluntary compliance first and foremost through a mix of incentives — HIOSH recognition and achievement programs such as the Hana Po'okela (Hawaii Voluntary Protection Program), HI-SHARP (SHARP), other partnership programs (Alliances), and on-site consultation and training assistance. HIOSH works in partnership with businesses that share the same principles and goals and uses enforcement as a tool for compliance for those companies that choose to disregard their obligations under the law.

During this evaluation period, HIOSH was continually challenged by the recruitment and the retention of HIOSH staff. Both enforcement branches had lost a significant number of experienced senior inspectors. Along with the recovery efforts from the Maui Wildfire, the overall inspection number goals for FY 2023 and the goals set out for the creation of alliances and partnerships was severely impacted. In FY 2023, HIOSH was only able to accomplish approximately 84% of annual targeting goals for identified high hazard industries, abatement, National Emphasis Programs, training, and monitoring, which directly affect the completion of the set Five-Year Strategic Plan.

During FY 2023, HIOSH continue to conduct outreach activities. This included utilizing various media such as newspaper advertisement, radio broadcast and interviews to promote hazards awareness such as fall protection, heat stress, trenching and excavation, and electrical hazards. HIOSH continued mailing out monthly hazard awareness pamphlets through the HIOSH Hazard Highlights (HHH) publication and routinely updated the website for hazard and activity awareness to reach both employees and employers. HIOSH staff were also required to provide translation services to the public when conducting inspections and work activities.

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PROGRESS TOWARD STRATEGIC ACCOMPLISHMENTS

HIOSH's Five-Year Strategic Plan which covers Fiscal Year (FY) 2021-2025, is based on the following two strategic goals. These two, main strategic goals are supported by the Annual Performance Goals FY 2023 listed as performance indicators and baselines.

1. **Improve workplace safety and health for all workers, as evidence by fewer hazards, reduced exposures, and fewer injuries, illnesses, and fatalities.**

Goal 1.1

- Decrease injury and illness rates in high hazard industries by 2% (Based on 2018 data, the most recent available. At the end of 2025, the latest BLS data will be for 2023).

Indicators:

- Decrease of 2% in the Total Case Incident Rate (TCIR) in the following identified high hazard industries (2018 Rates): Construction (23), Manufacturing (31-33), Wholesale Trade (42), Transportation & Warehousing (48-49), Healthcare & Social Assistance (62), Arts, Entertainment & Recreations (71), Accommodation & Food Services (72) and State & Local Government (S&LG).

NAICS:	23	31-33	42	48-49	62	71	72	S&LG
2018	3.7	3.2	3.8	5.7	3.4	5.0	4.2	3.2
2019	3.0	4.0	4.2	6.4	3.9	5.1	4.1	3.7
2020	3.1	5.0	3.4	4.5	4.2	-	3.0	2.4
2021	2.8	6.1	4.3	6.0	3.2	4.5	3.8	3.2
2022	3.1	3.8	3.0	5.8	3.9	4.5	3.5	4.1
	-16%	+19%	-21%	+2%	+15%	-10%	-17%	+28%

(BLS State of Hawaii Total Incidence Rate Data)

- Response: The intention of this goal for a 2% decrease was created to show a 5-year overall reduction for TCIR rates in historically identified high hazard industries. For this report on FY 2023, BLS data is available for 2019 to 2022 to compare to the 2018 data baseline. The total injury and illness rate decreased by 2% for four out of the eight identified high hazard industries. In Manufacturing, Healthcare & Social Assistance and State and Local Government, rates substantially increased from 2018 to 2023. TCIR rates also increased for Transportation and Warehousing, whereas Construction, Wholesale Trade, Art, Entertainment & Recreations, and Accommodation & Food Services were decreased.

Going forward into FY 2024, HIOSH will focus enforcement and outreach efforts in Manufacturing, Healthcare & Social Assistance, Transportation and Warehousing, and State and Local Government. HIOSH is partially on track in completing this goal and will continue to dedicate resources and see these high hazard industries in its site-specific targeting (SST) plan to accomplish this goal.

- HIOSH enforcement will focus on safety and health hazards within high hazard identified industries: 75% of all Safety Inspections and 60% of all Health Inspection will be conducted

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within these industries with 6% of Safety & Health Inspections conducted within state and local government.

- Response: 826 of 1050 safety inspections were conducted within these identified high hazard industries. The five-year goal for safety inspections in these identified high hazard industries is 75%, with the current percent at 78.6%. 417 of 850 health inspections were conducted within these identified high hazard industries. For health inspections, the five-year goal is 60% with the current percent at 49.0%. The current percent of inspections within state and local government is 8.2%, with the goal being 6%. HIOSH is currently meeting this five-year strategic goal, except for Health inspections. Please note that the three years of data is still unavailable for HIOSH to state if this goal has or has not been met.

Goal 1.2

- Reduce the fatality rate by approximately 2% averaged over a rolling five-year period through scheduled inspections and visits at workplaces in high hazard industries.

Indicators:

- Fatality rate reduction of 2% from the Hawaii 5-year fatal occupational injury rate average (FY2014-2018) baseline of 3.12.
 - Response: The intention of this goal is to show HIOSH efforts in relations to Hawaii State fatality rates. The five-year average from FY 2014 to 2018 was identified as 3.12, with HIOSH's five-year goal to reduce this rate to 3.05. For FY 2023, only FY 2019, FY 2020, and FY 2021 rates are available, 4.1, 2.9, and 2.2 respectively. The current average fatality rate is 3.0. Three years of data is still unavailable for HIOSH to state if this goal has or has not been met.

Goal 1.3

- Reduces employee health injuries and illnesses, such as particulate, mist, vapor, & gas exposure and noise exposure hazards through the use of personnel monitoring, direct readings, and bulk and wipe sampling.

Indicators:

- HIOSH will conduct 5% of inspections where monitoring is conducted for particulate, mist, vapor, gas and noise exposure hazards.
 - Response: HIOSH has conducted a total of 1523 inspections so far between FY 2021 and FY 2023, with 64 of those inspections including monitoring for exposures to health toxicants such as particulates, mists, vapors, gas, & noise. Currently, 4.2% of the total HIOSH inspections conducted in the FY 2021 to FY 2025 goal timeframe have including health hazard monitoring.

	AIR	NOISE	DIRECT	BULK/WIPE
FY 2021	2	6	7	1
FY 2022	1	4	2	10
FY 2023	1	8	10	12

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TOTAL	4	18	19	23
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Goal 1.4

- Ensure employer abatement of identified serious safety and health hazards.

Indicators:

- Ensure that 100% of serious violations are abated and 90% of them are verified by inspectors within 20 days of the abatement date. For contested cases, verification will be within 20 days of the final order date.
 - Response: Currently, data is only available for FY 2021, FY 2022, and FY 2023. During this period, HIOSH has issued 1,156 violations classified as serious. Seventeen (17) violations are still in contest, eight (8) violations are not completed due to employer no longer existed, thirty- nine (39) violations with missing abatement information, so 1,092 will be used as violation total. HIOSH has not yet fulfilled either of these goals. Since HIOSH will not be able to reach 100% within the five-year goal period, HIOSH will attempt to increase the average on next year's report from 51.9% serious violations abated within 20 days and 49.5% verified within 20 days by retraining staff and sending out reminders to employers earlier.

Issued Serious/Repeat Serious Violation Breakdown:

CORRECTED DURING INSPECTION	ABATED W/IN 20 DAYS	VERIFIED W/IN 20 DAYS
580 (53.1%)	580 (51.9%)	541 (49.5%)

2. Increase, develop and maintain public awareness and confidence through various resources, programs, and outreach.

Goal 2.1

- Develop, maintain, and implement HIOSH Emphasis Programs, Alliances and Partnerships program initiatives.

Indicators:

- Increase the number of participants in HIOSH partnerships, alliances, and the voluntary protection program (VPP) by 1
 - Response: At the end of FY 2023, there were no new HIOSH partnership, alliances or VPP participants. Currently, the reorganization of the administration & technical support branch has been finalized. HIOSH will focus on recruitment in FY2024. There are two years remaining for HIOSH to reach this goal.
- 10% of all safety and health inspections will be conducted under an emphasis program.
 - Response: HIOSH has completed three years of the five-year time period (FY 2021 to FY 2023), yielding a total of 1,063 safety and health inspections. Ninety-three (93) of those inspections were conducted under a National Emphasis Program (NEP). HIOSH currently has not adopted any Local or Regional Emphasis Programs (LEP or REP).

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HIOSH is not yet meeting this goal, with 8.75% of all safety and health inspections under an emphasis program. Going into FY 2023 HIOSH has adopted another NEP and believes at the conclusion of the five-year time period, 10% or more of the total number of safety and health inspections will be conducted under an emphasis program.

Goal 2.2

- Increase, develop and maintain public satisfaction through the availability of resources and awareness through the use of various media, languages, and accessibility as evidence by survey ratings.

Indicators:

- Stakeholder survey results of 80% or higher in each HIOSH category: Resource Availability, Enforcement, HIOSH Website, Complaint Line, & limited English proficiency (LEP) Services.
 - Response: During FY 2023, the questions on the survey was revised to better reflect the offering of translation services. However, the survey operation was temporary suspended due to the severe loss of the administration & technical support branch staffs. HIOSH will resume the survey operation in FY 2024.
- 100% of staff will be trained on LEP resources annually.
 - Response: 100% of staff were trained on resources and procedures regarding Limited English Proficiency (LEP) in FY 2023 using the state created and provided LEP training video.
- 100% of opening conferences, employee interviews and informal conference will offer translation services.
 - Response: In FY 2023, the question was revised to better reflect the offering of translation services. Although the survey operation was temporary suspended since February 2023, HIOSH will resume the survey operation in FY 2024.

Goal 2.3

- Increase, develop and maintain professional, required, and specialized staff development through a variety of methods.

Indicators:

- Compliance safety and health staff will receive at least 80 hours of professional development training annually.

Response: In FY 2023 14 out of 14 compliance safety and health staff received at least 80 hours of professional development training. HIOSH reached 100% in FY 2023. This was done by utilizing OTI class, OTI road course, and virtual training opportunities.

Annual Performance Results & Response

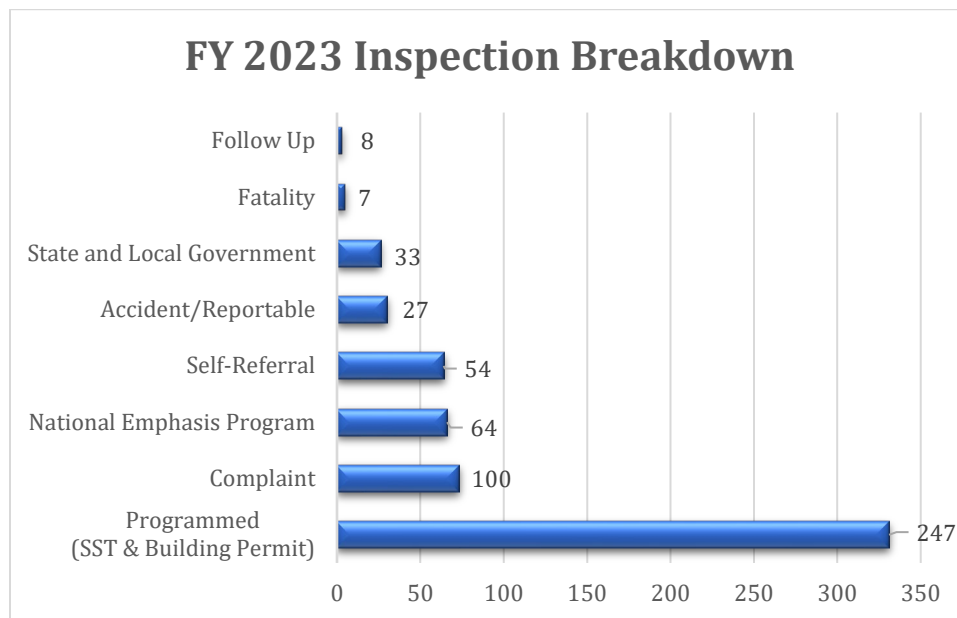
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COMPLAINTS

For FY 2023, HIOSH received a total of 348 occupational safety and health complaints. Out of the total 348, 92 resulted in a completed safety and health inspection.

TOTAL INSPECTIONS

For FY 2023, HIOSH conducted a total of 460 occupational safety and health inspections. HIOSH did not meet its FY 2023 goal of 550 inspections. This was primarily due to issues in recruitment and retention of inspectors.



1.1 INDICATORS

- Decrease injury and illness rates (TCIR) in high hazard industries by 2% (Based on 2018 data, the most recent available. At the end of 2025, the latest BLS data will be for 2023). Focus HIOSH resources in these chosen most hazardous industries: Construction (23), Manufacturing (31-33), Wholesale Trade (42), Transportation & Warehousing (48-49), Healthcare & Social Assistance (62), Arts, Entertainment & Recreations (71), Accommodation & Food Services (72) and State & Local Government (S&LG).
 - See above FY 2023 Executive Summary, Section 1.1 for HIOSH's current status on the reduction of TCIR rates in identified high hazard industries.
 - HIOSH enforcement will focus on safety and health hazards within high hazard identified industries: 75% of all Safety Inspections and 60% of all Health Inspection will be conducted within these industries with 6% of Safety & Health Inspections conducted within state and local government.
 - Response: 219 of 257 safety inspections were conducted within these identified high hazard industries. The annual performance goal for safety inspections in these identified high hazard industries is 75%, with the current percent at 85.2%. 121 of 203 health inspections were conducted within these identified high hazard industries. For health inspections, the annual goal is 60% with the current percent at 59.6%. The current percent of inspections

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within state and local government is 7.17%, with the goal being 6%. HIOSH is currently meeting most of the FY 2023 annual performance strategic goal except for Health high hazard inspections.

1.2 INDICATORS

- Reduce the fatality rate by approximately 2% averaged over a rolling five-year period through scheduled inspections and visits at workplaces in high hazard industries.

➤ See above FY 2023 Executive Summary, Section 1.2 for HIOSH's current status on this goal.

1.3 INDICATORS

- Reduce employee health injuries and illnesses, such as particulate, mist, vapor, & gas exposure and noise exposure hazards through the use of personnel monitoring, direct readings, and bulk and wipe sampling.
- 3% of FY 2022 HIOSH inspections will include monitoring conducted for particulate, mist, vapor, gas, and noise exposure hazards.
- Response: For FY 2023, HIOSH conducted a total of 460 inspections with 31 of those inspections including monitoring for exposures to health toxicants such as particulates, mists, vapors, gas, & noise (approximately 6.7%). HIOSH met the annual performance goal for number of inspections where monitoring was conducted.

	AIR	NOISE	DIRECT	BULK/WIPE
FY 2023	1	8	10	12

1.4 INDICATORS

- Ensure employer abatement of identified serious safety and health hazards.
- Ensure that 100% of serious violation are abated and 90% of them are verified by inspectors within 20 days of the abatement date. For contested cases, verification will be within 20 days of the final order date.
- Response: In FY 2023, HIOSH had 450 serious and repeat-serious citations. Out of the 450 issued serious/repeat serious citations, 100% were abated within 20 days. Abatement verification data was able to obtain from OIS for FY 2023. Going forward in FY 2024, HIOSH will learn how to obtain such data or develop additional tracking information.

Issued Serious/Repeat Serious Citation Breakdown:

CORRECTED DURING INSPECTION	ABATED W/IN 20 DAYS	VERIFIED W/IN 20 DAYS
197 - (42.4%)	464 - (100%)	No data obtained.

2.1 INDICATORS

- Develop, maintain, and implement HIOSH Emphasis Programs, Alliances and Partnerships program initiatives.
- There is one (1) VPP participant in FY 2023.

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- There is no Alliances in FY 2023
- There is no Partnership in FY 2023
 - Response: With the re-organization of the administration & technical support branch finalized in FY 2023, HIOSH is hoping to recruit and fill at least the CAS position in FY 2024, which will allow outreach and work to begin on creating partnerships, alliances and VPP that should yield new participants going forward.
- 10% of all safety and health inspections will be conducted under an emphasis program.
 - Response: For FY 2023, 64 of 460 safety and health inspections were conducted under a National Emphasis Program (NEP). HIOSH currently has no adopted LEPs or REPs. HIOSH has met this annual performance goal with 13.9% of the total safety and health inspections being conducted under an emphasis program.

2.2 INDICATORS

- Increase, develop and maintain public satisfaction through the availability of resources and awareness through the use of various media, languages, and accessibility as evidence by survey ratings.
 - Stakeholder survey results of 80% or higher in each HIOSH category: Resource Availability, Enforcement, HIOSH Website, Complaint Line, and Limited English Proficiency (LEP) services.

During the first quarter of FY 2023, HIOSH continue to mail out surveys to gauge enforcement and LEP activities. However, the survey operations was suspended due to the lost of the administration & technical support branch manager. HIOSH will resume the survey operation in FY 2024.
 - 100% of staff training will be trained on limited English proficiency resources annually.
 - Response: 100% of staff were trained within FY 2023 using the state created and provided LEP training video.
 - 100% of opening conferences, employee interviews and informal conferences will offer translation services.
 - Response: During FY 2023, the question on the survey was revised to better reflect the offering of translation services. However, since the survey operation was temporarily suspended, actual data on offering of translation services was not available. In FY 2024, HIOSH will resume the survey operations and data will be available.

2.3 INDICATORS

- Increase, develop and maintain professional, required, and specialized staff development through a variety of methods.
 - Compliance safety and health staff will receive at least 80 hours of professional development training annually.
 - Response: For FY 2023, 14 out of 14 compliance safety and health staff received at least 80 hours of professional development training. Five compliance staff resigned within FY 2023 and six (6) were hired within FY 2023, but all were able to finish 80 hours of professional development training within FY 2023. HIOSH completed this goal using OSHA Training

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Institute (OTI) road and virtual courses, as well as sending compliance officer to OTI for training.

SPECIAL OUTREACH INITIATIVES

- Special Outreach Activity
 - On August 8, 2023, the State of Hawaii was devastated by the Maui Wildfires. The town of Lahaina and a portion of Upcountry/Kula was almost completely destroyed by the wildfire. With the assistance from Federal OSHA, HIOSH's Consultation and Training Branch and Enforcement Branches was able to distribute more than 110,000 personal protective equipment such as, but not limited to, coveralls, vests, gloves, and shoe covers to the Maui County Safety Office. HIOSH continue to attend the weekly safety meeting regarding the ongoing Maui Wildfires recovery.
- **HIOSH Hazard Highlight (HHH)**
 - HIOSH continued its monthly newsletter covering safety, health, and other relevant topics that the division chose based on current trends. Subjects included an overview of commonly cited hazards, teens safety, and more. Additional information can be found on the HIOSH website, under HIOSH Hazard Highlight (HHH). <https://labor.hawaii.gov/hiosh/hiosh-hazard-highlight/>
- **HIOSH Radio Outreach**
 - HIOSH utilized local radio stations and digital marketing platforms in promoting employee rights, as well as campaigns such as Safe + Sound, Heat Hazards Awareness, Fall Hazard Awareness and Trenching Hazard Awareness.
 - Besides hazard awareness campaigns, HIOSH also utilized these media platforms to bring attention to vacant positions for compliance officers. Since initiation, HIOSH has filled six (6) vacant compliance officer positions.

PERFORMANCE OF MANDATED ACTIVITIES

- Activities mandated under the OSH Act are core elements of Hawaii's occupational safety and health program and provide an essential safety net for workers exposed to hazards with the potential to cause death or serious physical harm. For FY 2023, HIOSH continued to perform all mandated activities in those industries and employment activities where it retains jurisdiction including:
 - First Instance Sanctions
 - Legal procedures for compulsory process and right of entry.
 - Ensuring abatement of potentially harmful or fatal conditions.
 - Prompt and effective standards setting and allocation of resources.
 - Safeguards to protect an employer's trade secrets.
 - Counteraction of imminent dangers.
 - Response to complaints.
 - Fatality/Catastrophe Investigations
 - Ensuring Employees:
 - ✓ Protection against, and investigation of, alleged discrimination
 - ✓ Access to hazard and exposure information
 - ✓ Apprised of employee protection and rights via postings
 - ✓ Right to have an employee representative participate in the walk-around.

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- ✓ Right to have an employee review a decision not to inspect (following a complaint).
- Public employee coverage under the Law.
- Employer recordkeeping and reporting.
- Voluntary compliance activities.

HIOSH continued to integrate the above mandated elements through activities and goals within the 5-year and FY 2023 Annual Performance measures.



Continuing & New Initiatives

PROFESSIONAL TRAINING & CERTIFICATION

Staff continued to view provided webinars from Federal OSHA's shared eLearning system. For FY 2023, HIOSH was able to fulfill trainings using the virtual OTI training system, as well as in-person and road courses. Three (3) road courses including: #1310 Interviewing Techniques, #2450 Safety and Health Management System, and #1280 Safety Hazards Awareness were completed in HIOSH. In-person trainings including: two (2) safety and two (2) health inspectors in #1000/1001 – Initial Compliance, two (2) health inspectors in #1241 Introduction to Health Standards “for Industrial Hygienists”, one (1) safety inspector in #1050/1051 – Introduction to Safety Standards for Safety Officers, two (2) safety and two (2) health inspectors in #3090 Electrical Standards.,

ONLINE PAYMENTS

In FY2023, HIOSH started to accept online payments with bank account or card online. Prior to FY 2023, employers were only able to pay using cash or check mailed or brought into the HIOSH office.

STAFFING

During FY 2023, HIOSH lost three (3) safety and two (2) health inspectors, one (1) clerical office assistant, one (1) program specialist and one (1) administration technical support manager. One (1) safety inspector was transferred to the Consultation and Training Branch and became a consultant. HIOSH also hired two (2) safety and four (4) health inspectors. In FY 2023, HIOSH had finalized the reclassification of the Compliance Assistant Specialist (CAS) position to a higher level. Advertisement for the position will start in early FY 2024. Besides the CAS position, HIOSH had also created and filled one (1) Environmental Health Specialist V position. This position served as the supervisor for the Occupational Health Branch. HIOSH will continue to advertise all the vacant positions in FY2024.

DIRECTIVES

In FY 2023, HIOSH has adopted and revised Directives such as CPL 02-00-166 Communicating HIOSH Fatality Inspection Procedures to a Victim's Family, CPL 02-01-064 Site-Specific Targeting (SST) For Reference: MOU for Data Sharing, CPL 02-00-169 Severe Violator Enforcement Program (SVEP), CPL 03-00-008 National Emphasis Program – Combustible Dust, CPL 03-00-024 National Emphasis Program – Outdoor and Indoor Heat- Related Hazards, CSP 02-00-004 Revised Consultation Policies and Procedures Manual (CPPM), CSP 03-01-05 Voluntary Protection Programs Policies and Procedures Manual, CSP 04-01-003 HIOSH Alliance Program, and FY 2021-001 Revised HIOSH Enforcement Survey Procedures. In FY 2024, HIOSH will continue its effort to continue to work on adding missing, previously adopted, and past-due revised directives, instructions, policies, and memos to its website for easier and more effective public and internal access. This is part of HIOSH's strategic goal #2 to increase, develop and maintain public awareness and confidence through various resources, programs, and outreach through the access of these significant documents.

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HAWAII VOLUNTARY PROTECTION PROGRAM (PO'OKELA)

Hawaii VPP participants currently include:

- Monsanto Technology, LLC (Kihei)
- Bayer Production Supply, LLC (Molokai)
- Covanta Honolulu Resource and Recovery Venture (Oahu)



In FY 2023, there were no new applications for the HIOSH Voluntary Protection Program (VPP). A re-evaluation of Monsanto Technology LLC (Kihei) is scheduled to be conducted in the beginning of FY 2024. Bayer Production Supply, LLC (Molokai) HIOSH did initiate the first meeting with two establishments interested in the program with hope for final applications in FY 2023. Covanta Honolulu Resource and Recovery Venture continued in its inactive status. The Spring 2023 reevaluation has been postponed by the establishment.

2023 Regulations & Legislation

HAWAII ADMINISTRATIVE RULES

No other changes were initiated in FY 2023 for the Hawaii Administrative Rules.

HAWAII LEGISLATION

For FY 2023, there were no legislative updates passed through the State of Hawaii that directly affected the HIOSH program.

In January 2023, HIOSH increased the penalty amounts for citations issued per the legislative update from FY 2017. Specific information on HIOSH penalty updates for FY 2022 can be found here:

<https://labor.hawaii.gov/hiosh/hiosh-news/adjusted-hiosh-penalties-january-15-2023/#:~:text=%20For%20a%20repeated%20other%2Dthan,%242%2C232%20for%20a%20third%20repetition.>

Contact Information

Department of Labor & Industrial Relations **Hawaii Occupational Safety and Health**

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<http://labor.hawaii.gov/hiosh/>

Email:
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HIOSH Complaint Information

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