

Nelson B. Befitel's Remarks to the
Governor's Pacific Rim Safety and Health Conference
Sheraton Waikiki Hotel
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Aloha and good morning.

On behalf of Department of Labor of Industrial Relations, I am pleased to welcome you to the 2004 Governor's Pacific Rim Safety and Health Conference.

I would like to start off by thanking our partners in this event, the Hawaii Chapter of the American Society of Safety Engineers, ASSE, in helping organize this conference and being a leading advocate and educator in safety and health in our State. If you would, please join me in applauding their efforts.

I would also like to thank Assistant Secretary Henshaw for taking the time from his busy schedule to speak to us at this conference. Having the head of OSHA present at this conference is quite an honor, and demonstrates OSHA's commitment to working collaboratively with our Administration in creating safer work environments for Hawaii's working families.

We look forward to hearing Secretary Henshaw discuss his goals and vision for OSHA later this afternoon.

The theme of this conference is "E Ho'o Lokahi I Ke 'Ola Mau", "Coming Together to Preserve Life Forever". This 8th Biennial Conference not only provides a wealth of information on how to improve your company's safety and health in the work environment, but also provides an opportunity for

others to showcase exciting new products and services to help you succeed.

The fact that over 700 of you are here today, is a testament to a genuine interest of business owners, employers, labor leaders, health and safety professionals, and employees, to insure our workforce is provided a safe and healthy work environment.

From a business and government perspective, there is no better return -- financially and morally -- than a workforce that is educated in safety and health and a worksite that is free from unnecessary hazards.

As employers, you realize an immediate return because a safe and healthy workforce translates to higher productivity and lower health care costs. It fosters a trusting relationship with your employees, while preserving your most valuable resources.

In fact, Hawaii's employers, employees and safety professionals should be congratulated for improving our worksites. You have successfully provided safer and healthier workplaces as our State has seen a dramatic decline in workers' compensation claims by 29% since 1995.

While this decline clearly illustrates that Hawaii is a community that is dedicated to safety and health, we must increase our efforts and sustain our focus in this area. With the much anticipated multi-billion dollar construction boom on the horizon, it becomes more important that government, business, labor leaders and employees work collaboratively in raising the bar for safety and health in the workplace.

Your State Department of Labor is committed to helping Hawaii capitalize on this exciting economic opportunity. We are doing our best to enable businesses to succeed and contribute to the

economic growth of Hawaii.

In the past, state government often took an adversarial role when it came to enforcing workplace rules. This Administration's approach is to work as a partner with businesses and assist them with accident prevention and containment of costs. We believe our department is on the right track in creating a more business-friendly environment, while not compromising the safety and health of working families.

Sixteen months ago, when our Administration first came onboard, the consistent complaint we heard from Hawaii's employers was that HIOSH was too heavy-handed in their approach, and their attitude towards businesses was adversarial. Unfortunately, there was a great deal of distrust of our agency.

One of the first things we did in fostering trust and respect was to eliminate the practice of citing employers for numerous minor infractions.

Known as the "*de minimis*" policy, this procedure enables a HIOSH inspector to point out non-serious hazards and allow the employer to fix it on the spot, or, issue a "notice of violation" if the hazard can be corrected within two weeks. We believe this is a more fair approach in exercising our enforcement authority.

It is a win-win situation.

First, it benefits employees because they are assured of a safe work environment through immediate correction of a problem. Second, it benefits employers because they receive a notice of violation rather than being hassled with a citation that may carry a monetary penalty, and therefore, fostering an adversarial relationship.

Finally, it benefits our department and taxpayers of our state as it allows our inspectors to concentrate their efforts on addressing serious violations that are most likely to cause injury or death.

Some have questioned this policy as being “relaxed on enforcement of safety and health laws.”

This is entirely incorrect. Let me be clear: strong, effective, enforcement, is, and will always be, the foundation of our program. We must use this tool to produce change where it is necessary to protect our workers from unnecessary risks. Accordingly, we will continue our efforts in focusing our inspections on high hazard industries and vigorously investigate employee complaints.

Another initiative we undertook this past year, was to jump start our partnership and cooperative

programs, such as the Voluntary Protection Program, or, VPP, and the Safety and Health Achievement Recognition Program, or SHARP. These programs not only promote safety and health, but they have saved employers millions of dollars each year.

The VPP program promotes safe worksites through cooperative relationships between management, labor and government. The SHARP program recognizes small businesses and employers who operate exemplary safety and health management systems.

A year ago, only one company in our state achieved VPP status, and there were no SHARP

companies in Hawaii. Today, we have three companies earning VPP status and five companies being recognized in SHARP.

The fact that eight Hawaii businesses have achieved recognition -- compared to just one -- 16 months ago, demonstrates that this collaborative approach works and that businesses truly are committed to their employee's safety and well being.

These partnerships demonstrate that we have made significant strides in changing the way our department, particularly HIOSH, is doing business.

We are honored that Assistant Secretary Henshaw is here to personally present recognition awards to these outstanding Hawaii businesses.

Finally, our Administration looks forward to improving our outreach, education and compliance assistance program. We plan to roll out a pilot program that utilizes private safety and health professionals who volunteer their time, to assist the department in helping small businesses develop effective safety and health plans. Also, by the end of this year, employers and employees will be able to download from our website, a substance abuse prevention and awareness training program. This is

one of our efforts to assist small businesses fighting the "ice" epidemic that is threatening our community.

As we look forward to a very bright and prosperous era for our state, your State Department of Labor is eager to work with you to establish Hawaii as the safest and healthiest place to work and do business.

Thank you for allowing me to share a few comments with you this morning. Enjoy the conference!