

DAVID Y. IGE
GOVERNOR

SHAN S. TSUTSUI
LIEUTENANT GOVERNOR



LINDA CHU TAKAYAMA
DIRECTOR

LEONARD HOSHIO
DEPUTY DIRECTOR

**STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS**

830 PUNCHBOWL STREET, ROOM 321

HONOLULU, HAWAII 96813

www.labor.hawaii.gov

Phone: (808) 586-8844 / Fax: (808) 586-9099

Email: dlir.director@hawaii.gov

April 15, 2016

To: The Honorable Mark M. Nakashima, Chair
The Honorable Jarrett Keohokalole, Vice Chair, and
Members of the House Committee on Labor & Public Employment

Date: Friday, April 15, 2016
Time: 11:30 a.m.
Place: Conference Room 309, State Capitol
From: Linda Chu Takayama, Director
Department of Labor and Industrial Relations (DLIR)

**Re: SCR71 SD1 /SR42 - DESIGNATING APRIL 28, 2016, AS "WORKERS'
MEMORIALDAY" IN HAWAII IN MEMORY OF WORKERS KILLED,
INJURED, OR DISABLED IN THE WORKPLACE**

Chairs Nakashima, Vice Chairs Keohokalole, and Members of the Committee:

My name is Linda Chu Takayama and I am the Director of the Department of Labor and Industrial Relations (DLIR). DLIR strongly supports this measure that recognizes the members of our community that have been injured, disabled or killed in workplace accidents. Designating one day as "Workers' Memorial Day" is a fitting method to recognize the sacrifices and contributions made by individual members of Hawaii's labor force and to increase public awareness of this important matter. Further, since 1989, Workers' Memorial Day is annually observed throughout the world on April 28 to remember workers killed or disabled because of workplace injuries and April 28 was designated as Workers' Memorial Day because it is the anniversary of the founding of the Occupational Safety and Health Administration.

Thank you for the opportunity to provide testimony.

DENNIS W. S. CHANG

Attorney at Law, A Limited Liability Law Corporation

WORKER'S RIGHTS - LABOR LAW
WORKER'S COMPENSATION
SOCIAL SECURITY DISABILITY
LABOR UNION REPRESENTATION
EMPLOYEES RETIREMENT SYSTEM
BODILY INJURIES

HOUSE OF REPRESENTATIVES THE TWENTY-EIGHTH LEGISLATURE REGULAR SESSION OF 2016

COMMITTEE ON LABOR & PUBLIC EMPLOYMENT

Rep. Mark M. Nakashima, Chair

Rep. Jarrett Keohokalole, Vice Chair

Rep. Henry J.C. Aquino

Rep. Sharon E. Har

Rep. Linda Ichiyama

Rep. Aaron Ling Johanson

Rep. Matthew S. LoPresti

Rep. Joy A. San Buenaventura

Rep. Roy M. Takumi

Rep. Kyle T. Yamashita

Rep. Andria P.L. Tupola

COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Rep. Angus L.K. McKelvey, Chair

Rep. Justin H. Woodson, Vice Chair

Rep. Della Au Belatti

Rep. Tom Brower

Rep. Richard P. Creagan

Rep. Sharon E. Har

Rep. Mark J. Hashem

Rep. Derek S.K. Kawakami

Rep. Chris Lee

Rep. Mark M. Nakashima

Rep. Marcus R. Oshiro

Rep. Joy A. San Buenaventura

Rep. Gregg Takayama

Rep. Ryan I. Yamane

Rep. Beth Fukumoto Chang

Rep. Bob McDermott

NOTICE OF HEARING

DATE: Friday, April 15, 2016

TIME: 11:30 a.m.

PLACE: Conference Room 329
State Capitol
415 South Beretania Street

**RE: SCR 71. SD1 (SSCR3398)
DESIGNATING APRIL 28, 2016, AS "WORKERS' MEMORIAL DAY"
IN MEMORY OF WORKERS KILLED, INJURED, OR
DISABLED IN THE WORKPLACE**

DILLINGHAM TRANSPORTATION BUILDING

735 BISHOP STREET ● SUITE 320 ● HONOLULU, HAWAII 96813 ● TELEPHONE: (808) 521-4005

Lives and the safety of our Hawai'i work force are the highest priority for everyone. Historically, our dedicated workers usually have a long commute to work, may work very long hours, or two or more jobs, and by the time they reach home, they indisputably barely have sufficient time to think about anything, except for self-care, hopefully eating a good meal and sleep. This is a repetitive cycle and after years of this daily schedule, they go to work tired or bodies slowly broken, which surely require that workplace safety should be closely monitored to prevent work injuries.

I **wholeheartedly support** the measure designating April 28, 2016 as "Workers' Memorial Day" in Hawaii in memory of workers killed, injured, or disabled in the workplace. They deserve recognition for a price that they never bargained for when working. There are two additional critical points that I wish to stress in the measure. The last whereas portion states that "this body continues to pursue and call for increased workplace safe." Just as important, SCR8 SD1 amended the measure by inserting language to clarify "that the date was selected because it is the anniversary of the founding of the Occupational Safety and Health administration."

These two items lead me to suggest that after every serious or potentially life threatening accident, OSHA should be promptly conducting an investigation. In my long career devoting a substantial portion of my time as a workers' compensation and a disability attorney, I can sincerely state that this is not done in the bulk of cases where workers are seriously injured and the accidents could have been preventable. In the first place, there should be inspections to ensure the safety of our workers, but the current process does not even make an effort to determine how to prevent additional workplace accidents.

Like the national organization, I also propose that every April the Department of Labor and Industrial Relations process a poster in commemoration of the special day, April 28. Here is one of my favorite posters taken from the federal sector to bring awareness to the public to the meaningful date.¹ Of course, to make this measure work, we do need funding, if not already allocated to the DLIR.

I hope that you incorporate the two suggestions. I fully support **SCR 71. SD1 (SSCR3398)**.

¹ (over to next page)

Workers Memorial Day

April 28, 2010



*Pray for the dead
and fight like hell
for the Living.*

Mary Harris "Mother" Jones
1837-1930



U.S. Department of Labor
Hilda L. Solis, Secretary of Labor

Hawai'i Construction Alliance

P.O. Box 179441
Honolulu, HI 96817
(808) 348-8885

April 13, 2016

The Honorable Mark M. Nakashima, Chair
The Honorable Jarrett Keohokalole, Vice Chair
and members
House Committee on Labor & Public Employment
415 South Beretania Street
Honolulu, Hawai'i 96813

RE: Strong Support for SCR71, Designating April 28, 2016 as "Workers' Memorial Day" in Hawai'i in Memory of Workers Killed, Injured, or Disabled in the Workplace.

Dear Chair Nakashima, Vice Chair Keohokalole, and members:

The Hawai'i Construction Alliance is comprised of the Hawai'i Regional Council of Carpenters; the Operative Plasterers' and Cement Masons' Union, Local 630; International Union of Bricklayers & Allied Craftworkers, Local 1; the Laborers' International Union of North America, Local 368; and the Operating Engineers, Local Union No. 3. Together, the member unions of the Hawai'i Construction Alliance represent 15,000 working men and women in the basic crafts of Hawai'i's construction industry.

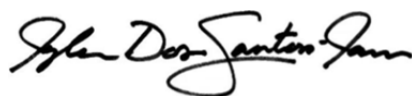
We strongly support SCR71, which would designate April 28, 2016 as "Workers' Memorial Day" in Hawai'i in memory of workers killed, injured, or disabled in the workplace. This is a date selected by the AFL-CIO on the national level.

Worker safety is an issue that our unions take very seriously. Our unions and our signatory contractors are continuously striving to ensure that our members are working to the strictest safety standards. This includes advocacy at the State Legislature for laws to tighten labor standards, ensure effective enforcement of existing labor laws, and add more funding for DLIR.

More must be done. According to the U.S. Bureau of Labor Statistics, 31 Hawai'i residents died of work-related injuries in 2014, which was up from 11 work-related deaths in 2013. Sadly, nine of the fatalities in 2014 were in the construction industry.

In closing, we hope that this resolution will bring more attention to the issue of safe and healthy worksites not only in the construction industry but in all sectors of Hawai'i's economy.

Mahalo,



Tyler Dos Santos-Tam
Executive Director
Hawai'i Construction Alliance
execdir@hawaiiconstructionalliance.org

LABtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, April 13, 2016 2:30 PM
To: LABtestimony
Cc: moore4640@hawaiiantel.net
Subject: Submitted testimony for SCR71 on Apr 15, 2016 11:30AM

SCR71

Submitted on: 4/13/2016

Testimony for LAB on Apr 15, 2016 11:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Douglas Moore	Hawaii Injured Workers Association	Support	No

Comments: Mahalo from the Hawaii Injured Workers Association

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov



Randy Perreira
President

HAWAII STATE AFL-CIO

345 Queen Street, Suite 500 • Honolulu, Hawaii 96813

LATE

The Twenty-Eighth Legislature, State of Hawaii
Hawaii State House of Representatives
Committee on Labor and Public Employment

Telephone: (808) 597-1441
Fax: (808) 593-2149

Testimony by
Hawaii State AFL-CIO
April 15, 2016

S.C.R. 71, S.D.1 – DESIGNATING
APRIL 28, 2016, AS "WORKERS'
MEMORIAL DAY" IN HAWAII

The Hawaii State AFL-CIO strongly supports S.C.R. 71, S.D.1, which designates April 28, 2016, as Workers' Memorial Day in Hawaii.

On April 28th, the AFL-CIO and its affiliated unions across the country observe Workers' Memorial Day to honor those who have died or been injured on the job and to renew the fight for safe working conditions. S.C.R. 71, S.D.1 honors the thousands of Hawaii workers who have unfortunately been injured or died on the job and encourages a more safe and healthy workplace. The Hawaii State AFL-CIO strongly urges the passage of S.C.R. 71, S.D.1.

Thank you for the opportunity to testify.

Respectfully submitted,

Randy Perreira
President



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

LATE

The Twenty-Eighth Legislature, State of Hawaii
House of Representatives
Committee on Labor and Public Employment

Testimony by
Hawaii Government Employees Association
April 15, 2016

S.C.R. 71, S.D. 1 – DESIGNATING
APRIL 28, 2016, AS “WORKERS’ MEMORIAL DAY
IN HAWAII IN MEMORY OF WORKERS KILLED, INJURED,
OR DISABLED IN THE WORKPLACE

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly supports the purpose and intent of S.C.R. 71, S.D. 1, which is to honor and pay tribute to the thousands of workers who were injured, disabled, or killed on-the-job. We must renew our efforts to fight for safe jobs. The Occupational Safety and Health Act promises workers the right to a safe job. Unions have fought hard to make that promise a reality—winning protections that have made jobs safer, saved hundreds of thousands of lives and prevented millions of workplace injuries and illnesses.

However, many job hazards are unregulated and uncontrolled. Some employers cut corners and violate the law, putting workers in serious danger and costing lives. Workers who report job hazards or job injuries are fired or disciplined. Employers contract out dangerous work to try to avoid responsibility. As a result, each year thousands of workers are killed and millions more are injured or diseased because of their jobs.

Decades of struggle by working people and their unions have improved working conditions and made jobs safer, but business groups have launched an attack on working people, seeking to turn back the clock and block all progress. We must push forward and continue our fight to defend safety and health protections and workers' rights.

Thank you for the opportunity to testify in support S.C.R. 71, S.D. 1.

Respectfully submitted,

Randy Perreira
Executive Director