

The seal of the City and County of Honolulu is centered in the background. It features a central shield with a yellow crown on top, a blue field with a white anchor, and a red and white striped field. The shield is surrounded by a yellow border with the text "CITY AND COUNTY OF HONOLULU" at the top and "STATE OF HAWAII" at the bottom. Two yellow stars are positioned on either side of the shield.

Department of Human Resources City and County of Honolulu

International Forum on Transforming Cities
for Decent Work
Seoul, Korea

December 3-4, 2019

Industrial Safety

The background features abstract, overlapping geometric shapes in various shades of green, ranging from light lime to dark forest green. These shapes are primarily located on the right side of the slide, creating a modern, layered effect. The rest of the slide is a plain white background.

“The City and County of Honolulu is committed to providing every employee with a safe and healthy workplace.”

Mayor’s Personal Statement on Safety and Health

Industrial Safety Branch

- ▶ Administer a Citywide safety and accident prevention program in compliance with the Hawaii Occupational Safety and Health Law (HIOSH)
 - ▶ Assure safe and healthy working conditions
 - ▶ Prevent workplace injuries and deaths and financial hardships for workers and their families

How Safety Branch Ensures Safety

- ▶ Oversee Departments' safety and health program, plans and policies
- ▶ Provide safety and health training and consultations, including ergonomics for employee workstations
- ▶ Develop accident prevention programs
- ▶ Investigate safety and health inquiries and complaints
- ▶ Conduct “Early Detection By Inspection Program”
- ▶ Manage Personal Protective Equipment Program
- ▶ Administer Safe Driver Recognition and Awards Program
- ▶ Review ALL accident/injury reports
- ▶ Maintain lost time statistics from industrial injuries and vehicle accidents



“Early Detection By Inspection Program”

- ▶ Goal is to inspect every City and County facility
- ▶ Evaluate compliance
- ▶ Recognize and mitigate hazards
- ▶ Provide a safe and healthy workplace for employees
- ▶ Eliminate potential HIOSH/OSHA citations
- ▶ First year statistics
 - ▶ 108 Inspections conducted
 - ▶ \$5,381,179 potential HIOSH fines



Ergonomics

- ▶ What is Ergonomics?
 - ▶ Ergonomics is the science of fitting workplace conditions and job demands to the capabilities of the employees.
 - ▶ Matching the work place to the worker.
- ▶ Main principles:
 - 1) Safety
 - 2) Comfort
 - 3) Ease of use
 - 4) Productivity and performance
 - 5) Aesthetics

Set Up an Ergonomic Workspace

These tips come courtesy of Steve Meagher, from ergonomics consulting firm Site Solutions.

Maintain good posture

Keep your back straight—remember, no slouching!—with your head balanced above your neck, and arms resting at your sides comfortably.

Adjust seat

Position your hips a bit higher than your knees, with your feet on the floor/footrest and your lower back supported.

Position monitor

Raise or lower it so you can clearly see the whole screen without tilting your neck up or down.

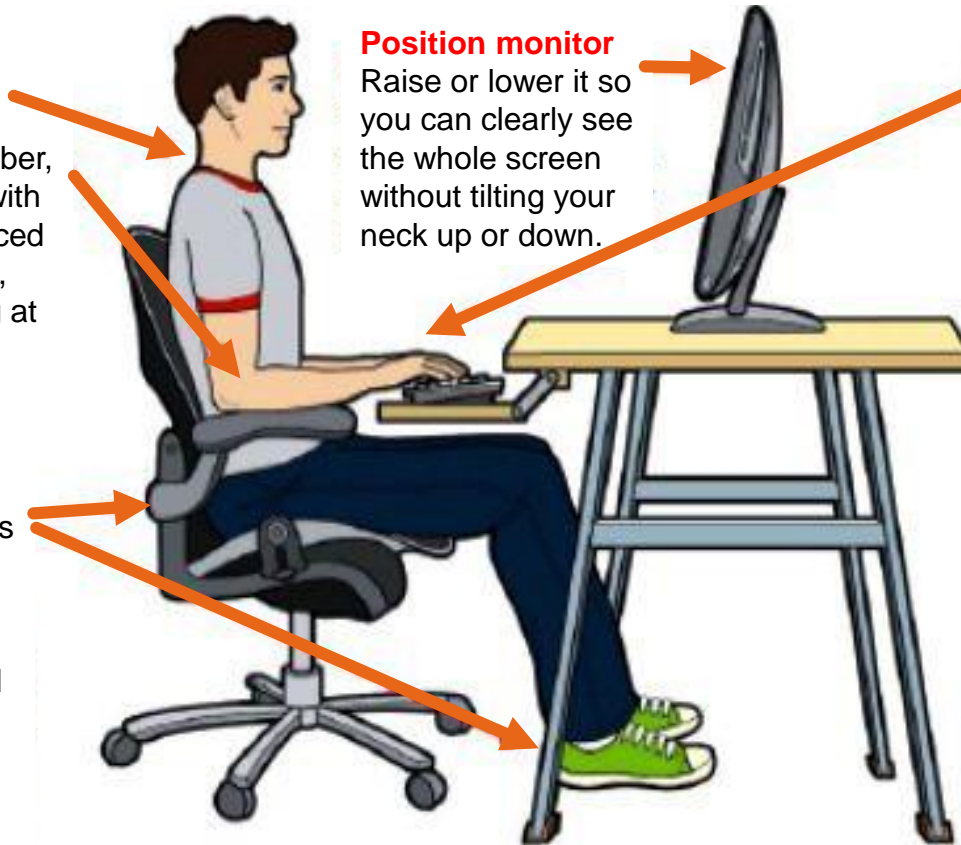
Place keyboard and mouse

Keep them close to each other on the same level, with the home row of keys easy to reach with your elbows positioned at 90°. As you type, your wrists should be straight.

Rest regularly

Every 20 minutes or so, take short, 15- to 30-second breaks. Take a few longer breaks during the day.

--Jason Cross



Worker's Compensation (WC)



If There is an Injury, Employees Have Protections and Rights in the WC Law - HRS Chapter 386

- ▶ Hawaii Workers' Compensation Law provides employees who sustain work-related injury or illness with medical care, wage loss replacement and permanent disability benefits
- ▶ WC law presumes that a claim is for a covered work injury
- ▶ Unlawful for employer to suspend or discharge employee solely because employee sustains a work-related injury
- ▶ Injured employees have priority for vacant positions under City's policies

Workers' Compensation Branch

- ▶ Administers City's self-insured workers' compensation program in accordance with the Hawaii Workers' Compensation Law

Duties of WC Branch

- ▶ Administer all workers' compensation claims filed by City employees
- ▶ Authorize payments of benefits
- ▶ Represent City at administrative hearings
- ▶ Recover WC payments from third-parties who cause work-related injuries to City employees
- ▶ Manage the City's retention, rehabilitation and placement program
- ▶ Oversee the City's return to work program



Workers' Compensation Benefits Paid for by the City

- ▶ Medical care, services, and supplies
 - ▶ Physician, hospital, prescription drugs, physical therapy, occupational therapy
- ▶ Income and indemnity
 - ▶ \$ for lost time from work, permanent disability
- ▶ Vocational rehabilitation
 - ▶ Priority Placement Program - seeks to place the employee in another position within the City
 - ▶ Private Vocational Rehab - seeks to place the employee in suitable, gainful employment with another employer
- ▶ Death
 - ▶ Funeral and burial costs, dependent benefits

Employment and Personnel Services



Family and Medical Leave Act (FMLA)

The FMLA is a federal law entitling eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health coverage under the same terms and conditions as if the employee had not taken leave



Under the FMLA, eligible employees are entitled to:

- ▶ 12 workweeks of unpaid leave in a 12-month period for:
 - ▶ birth and care of newborn child;
 - ▶ placement and care of adopted/foster child;
 - ▶ care for spouse, child, or parent with serious health condition;
 - ▶ serious health condition that makes the employee unable to perform the essential job functions;
 - ▶ any qualifying exigency arising from spouse, son, daughter, or parent on “covered active duty” in military

OR

- ▶ 26 workweeks of unpaid leave during 12-month period to care for a eligible employee’s servicemember spouse, son, daughter, parent, or next of kin with a serious injury or illness (military caregiver leave)

Fair Labor Standards Act (FLSA)



- ▶ The FLSA is a federal law guaranteeing workers a minimum wage, requiring overtime pay, and protecting children in the workforce
- ▶ Covered workers are entitled to a minimum wage of \$7.25 per hour
 - ▶ \$10.10/hour per State of Hawaii law
 - ▶ \$15.00/hour for City and County of Honolulu employees, per Mayor's Directive, effective 7/1/19
- ▶ Employees who qualify for overtime pay *must* be paid at least 1 ½ times regular pay for work performed beyond 40 hours in a week

Drug and Alcohol Testing Program



- ▶ Authorized under federal law for commercial drivers
 - ▶ Also by collective bargaining agreements for many positions
- ▶ Aims to keep the workplace free from hazards resulting from the use of alcohol and controlled substances; increase safety of the public and employee working conditions
- ▶ Assistance provided to employees with drug or alcohol problems through voluntary disclosure program which allows employees to seek treatment

Equal Opportunity

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Discrimination is Prohibited in Employment

Federal and State laws make it illegal to discriminate against a job applicant or an employee because of the person's protected status



Protected Statuses

Federal and Hawaii State Employment Discrimination Laws

- ▶ Sex
- ▶ Race
- ▶ Color
- ▶ Age
- ▶ Religion
- ▶ National Origin
- ▶ Disability
- ▶ Veterans Status
- ▶ Pregnancy
- ▶ Genetic Information
- ▶ Marital Status
- ▶ Ancestry
- ▶ Sexual Orientation
- ▶ Arrest/Court Record
- ▶ National Guard Participation
- ▶ Assignment of Income for Child Support Obligation
- ▶ Breastfeeding
- ▶ Gender Identity or Expression
- ▶ Reproductive Health Decision (*new 2019*)
- *Retaliation*
- *Sexual Harassment*

Harassment is a Form of Discrimination

Harassment is unwelcome conduct that is based on a person's protected status and becomes unlawful where:

- 1) enduring the offensive conduct becomes a condition of continued employment, OR
- 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive

Americans with Disabilities Act (ADA)

- ▶ Protects qualified individuals with disabilities from employment discrimination
- ▶ Requires reasonable accommodations

Reasonable Accommodation

- ▶ An employer is required to provide reasonable accommodations to a qualified individual with a disability to enable them to perform the essential functions of their job, unless doing so would
 - ▶ impose an undue hardship on the organization, or
 - ▶ pose a direct threat to the individual or others



Retaliation is Prohibited

It is illegal to discriminate against a person because the person:

- 1) complained about discrimination,
- 2) filed a charge of discrimination, or
- 3) participated in an employment discrimination investigation or lawsuit



Labor Relations

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Alternative Work Schedules

- ▶ Most City employees work 8 hours a day for 5 days each week
- ▶ For some City operations, an alternative to normal work schedule can benefit the employer and employee
- ▶ The most common alternative work schedule is 10 hours a day for 4 days each week
- ▶ Other alternative work schedules are 9 or 12 hours a day, with varying number of workdays per week

Paid Leaves of Absence

- ▶ City employees accrue 21 days of paid vacation leave and 21 days of paid sick leave for each year of work
- ▶ Leaves are accrued monthly and can be used right away
- ▶ If accrued leaves are not used:
 - ▶ Employees can accumulate 90 days of vacation leave
 - ▶ Employees can accumulate an unlimited amount of sick leave

Holidays

City employees have the following paid holidays each year:

- ▶ New Year's Day
- ▶ Dr. Martin Luther King, Jr. Day
- ▶ President's Day
- ▶ Prince Kuhio Day
- ▶ Good Friday
- ▶ Memorial Day
- ▶ King Kamehameha Day
- ▶ Independence Day
- ▶ Statehood Day
- ▶ Labor Day
- ▶ Election Day (even-numbered years only)
- ▶ Veterans Day
- ▶ Thanksgiving Day
- ▶ Christmas Day

Employee Assistance Program

- ▶ Counseling and referral services are available to City employees and their family members
- ▶ Employees can seek assistance for a variety of issues, including:
 - ▶ Anxiety or depression
 - ▶ Dealing with the loss of a loved one
 - ▶ Marital counseling
 - ▶ Managing stress
 - ▶ Communication skills
 - ▶ Caring for elderly parents
 - ▶ Money management

Carolee C. Kubo

Director of Human Resources

City and County of Honolulu

