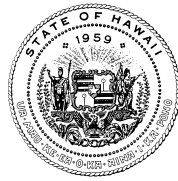


TESTIMONY

GM 460

LINDA LINGLE
GOVERNOR



DARWIN L.D. CHING
DIRECTOR

COLLEEN Y. LaCLAIR
DEPUTY DIRECTOR

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

830 PUNCHBOWL STREET, ROOM 321
HONOLULU, HAWAII 96813
www.hawaii.gov/labor
Phone: (808) 586-8842 / Fax: (808) 586-9099
Email: dlir.director@hawaii.gov

April 8, 2009

To: The Honorable Dwight Y. Takamine, Chair
and Members of the Senate Committee on Labor

Date: April 9, 2009

Time: 2:45 p.m.

Place: Conference Room 224, State Capitol

From: Darwin L.D. Ching, Director
Department of Labor and Industrial Relations

**GM 460 – JOAQUIN M. DIAZ
Hoisting Machine Operators Advisory Board**

The Department of Labor and Industrial Relations (DLIR) **strongly supports** the confirmation of Mr. JOAQUIN M. DIAZ.

Joaquin Diaz was instrumental in developing the curriculum and implementing the Pathway to Success Program, which was presented by the DLIR's Hawaii Occupational Safety and Health Division (HIOSH). This innovative program partnered the DLIR and the Veterans of Safety, which is an association of private-sector safety professionals. The program reached out to small businesses and human resource professionals by offering a series of training courses designed to provide grounding in the basic principles of workplace safety and health. In addition to helping create the curriculum, Mr. Diaz volunteered his valuable time to serve as an instructor for the course.

Moreover, Mr. Diaz has served on the HIOSH Advisory Committee. In this role, he has proven to be a knowledgeable, strong advocate for improving safety in the workplace and increasing community outreach to drive the message that safety pays.

Mr. Diaz has demonstrated his commitment to ensure that safety is a core value in the workplace. This passion has been shaped by a career of over thirteen (13) years as a safety

GM 460 – Joaquin M. Diaz
April 8, 2009
Page 2

professional in Hawai`i, particularly, as the Regional Safety Manager for Dick Pacific, and most recently, as the Safety Director of Hawaiian Dredging. Mr. Diaz brings a wealth of practical experience regarding cranes to the Hoisting Machine Operators' Advisory Board. Prior to embarking on his career as a safety professional, he also served our country in the United States Marine Corps.

Mr. Diaz has the character, knowledge, enthusiasm and commitment to serve as a valuable asset not only to the Hoisting Operators' Advisory Board, but ultimately to the entire State. In summary, Mr. JOAQUIN M. DIAZ is well-qualified and deserving of confirmation for the Hoisting Machine Operators Advisory Board.

HAWAII CARPENTERS UNION

UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA, LOCAL 745

March 19, 2009

Senator Rosalyn H. Baker
Chair
Commerce & Consumer Protection Committee
Hawaii State Senate

Dear Senator Baker and Committee Members:

The following serves as a **letter of recommendation** for Mr. Joaquin Diaz who was recently nominated by Governor Lingle for consideration to join the Joisting Machine Operators Advisory Board for the term of July 1, 2009 through June 30, 2013.

I have personally known Joaquin Diaz for over 7 years. We both currently serve on the HIOSH Advisory Board, and have worked in the construction field together where I worked as the foreman and Joaquin was the "Safetyman."

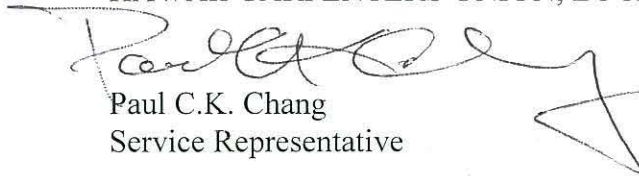
In my capacity as foreman, I can personally attest that although Joaquin Diaz' primary concern was always the safety of his fellow workers he always showed the foresight and determination of seeking ways to improve working conditions on the job site in an effort to prevent accidents before they occurred.

Confirming Joaquin Diaz to the Hoisting Machine Operators Advisory Board would be a great asset to both the construction industry and the State of Hawaii.

If I can be of further assistance in Joaquin's nomination, please do not hesitate to contact me at 847-5761, ext. 166.

Sincerely,

HAWAII CARPENTERS UNION, LOCAL 745



Paul C.K. Chang
Service Representative

STATE HEADQUARTERS & BUSINESS OFFICES

OAHU: 1311 Houghtailing St. Honolulu, Hawaii 96817-2712 • Ph. (808) 847-5761 Fax (808) 841-0300

HILO OFFICE: 525 Kilanea Ave. Hilo, Hawaii 96720-3050 • Ph. (808) 935-8575 Fax (808) 935-8576

KONA OFFICE: 75-126 Lunapule Road, Kailua-Kona, Hawaii 96740-2106 • Ph. (808) 329-7355 Fax (808) 326-9376

MAUI OFFICE: 330 Hookahi St. Wailuku, Maui 96793-1449 • Ph. (808) 242-6391 Fax (808) 242-5961

KAUAI OFFICE: Kubio Medical Ctr Bldg. 3-3295 Kubio Hwy, Suite 201, Lihue, Kauai 96766-1010 • Ph. (808) 245-8511 Fax (808) 245-8911



March 16, 2009

Senator Dwight Takamine (Chair)
LABOR COMMITTEE
HAWAII STATE SENATE

Dear Chairman Takamine and committee members,

The following serves as a **letter of recommendation** for Mr. Joaquin Diaz who was recently nominated by Governor Lingle for consideration to join the Hoisting Machine Operators Advisory Board for the term of July 1, 2009 through June 30, 2013.

I have worked closely with Mr. Diaz over the past two years as a fellow safety professional. During that time I have had the pleasure of serving on the General Contractors Association of Hawaii Safety Committee as well as the HIOSH Voluntary Protection Program Committee with him. Mr. Diaz has proven to me his dedication and desire to represent the best interests of the safety profession within the wonderful State of Hawaii. Mr. Diaz has demonstrated his ability to research issues, approaching them thoughtfully. He then addresses the issues with key stakeholders thereby bringing consensus on a plan of action and or resolution.

I am convinced that confirming Mr. Diaz to the Hoisting Machine Operators Advisory Board is in the best interest of the State of Hawaii and its people. There is no doubt in my mind that he will serve the boards needs and be a key asset in order to fulfill the task at hand.

Should you have any further questions regarding this recommendation, please do not hesitate to contact me at 541-9101.

Respectfully,

A handwritten signature in black ink that reads "Brian Polis". The signature is written in a cursive, flowing style.

Brian N. Polis
District Health, Safety & Environment Manager
Nordic PCL Construction Inc.

1065 Ahua Street
Honolulu, HI 96819
Phone: 808-833-1681 FAX: 839-4167
Email: info@gcawhawaii.org
Website: www.gcawhawaii.org



GCA of Hawaii

GENERAL CONTRACTORS ASSOCIATION OF HAWAII

Quality People. Quality Projects.

April 9, 2009

The Honorable Senator Dwight Y. Takamine
Chairperson
Committee on Labor
Hawaii State Capitol, Room 224
415 South Beretania Street
Honolulu, Hawaii 96813

Re: Nomination of Joaquin M. Diaz to the Hoisting Machine Operators Advisory Board

Dear Chairperson Takamine And Members of the Committee on Labor:

My name is Garrett Sullivan and I am the President of the General Contractors Association (GCA), an organization comprised of over five hundred-sixty (560) general contractors, subcontractors and construction related firms, writing in support of the Senate's confirmation of Joaquin Diaz as a member of the Hoisting Machine Operators Advisory Board.

Joaquin has served as a member of both the GCA Safety Committee and the Legislative Committee. He has over thirteen years of experience in the construction industry and is the safety director of Hawaiian Dredging Co., one of the larger construction contractors in Hawaii. Joaquin is also very active in his profession as a member of the HIOSH Advisory Committee and the American Society of Safety Engineers. While serving on various GCA committees, Joaquin has shown keen insight and knowledge of the broad spectrum of problems faced by Hawaii's fast paced economic growth. He has provided the GCA with a perspective that has helped to analyze and arrive at possible solutions to mitigate potential problems brought about by construction activity.

As the safety director of a large construction firm, Mr. Diaz understands and appreciates the many issues and problems facing our community regarding on-the-job safety as well as proper operation of various construction equipment.

The GCA strongly supports the appointment and confirmation of Joaquin Diaz as a member of the Hoisting Machine Operators Advisory Board.

Sincerely,

Garrett Sullivan
GCA President

Letter of Recommendation for Joaquin Diaz

It's an honor to submit my testimony for Joaquin Diaz, a true leader in the construction safety industry. I've worked with him for over seven years in my role as Chief of Safety, Honolulu District Corps of Engineers; he is assertive, intelligent, loyal and passionate about the safety and health of all workers, government or construction. Many times I've called on Joaquin to train government workers on OSHA regulations and principles, and even Corps of Engineer construction subjects. He is one of the best safety managers, I've worked with and I'm a 20 year veteran with Army Safety program. Joaquin and I have worked side by side on many high risk multi floor projects, Whole Barracks Projects, 2CD, 2E/2F1, Drum Road Phase I, Clearwater Rinse, and many other small projects. Every time we dealt with tough safety issues on Cranes, Hoisting, Rigging, and Fall Protection, he would fall back on risk management principles and personnel management. Joaquin has some of the best people skills that I've run across for a safety and health manager, he thrives on training unskilled personnel such as union painters, and carpenters, and teaching the very basics until they can grasp more of the knowledge, then he will elevate or lower until they totally understand the basic concepts. Joaquin's attention to detail is second to none, many times; he would invite OSHA or HIOSH personnel on site to give his team a second set of eyes to ensure all hazards on his site were recognized and the site was safe. Lately, Joaquin is partnering with the Corps of Engineers and the Navy to ensure we are on the same team in reference to the right standards and procedures. This is a savvy political move to assure that both of us are singing the same song and to ensure there are no double standards. Also, I've noticed many times Joaquin elevating the safety incentive items on sites to ensure the project has good feedback to the workers that work safely to improve over all performance. When I have issues at the Corps of Engineers, Joaquin Diaz is the first person I call, he is willing and enjoys helping. He is a team player and asset to the Army Safety program. He is due much recognition and kind of an "unsung hero". He is constantly thinking of rewarding others, improving processes and making the field sites safe with engineering or administrative controls. Over the past several years, I've come to appreciate more Joaquin's leadership in the State of Hawaii. Recently, the Navy revised a test and program, (train the trainer), and the test was difficult, it is my understanding that only two people passed the test, and Joaquin Diaz was one of those. Finally, if I was going to an Island and was 2,500 to 3,000 miles away from safety professionals, and I needed someone to step up to the plate and lead a difficult project or to manage several high risk construction projects or write safety regulations and policies related to cranes, hoisting, and rigging procedures, the first person I'd ask would be Joaquin Diaz. We are truly blessed to have someone of his caliber in the great State of Hawaii, with his knowledge, skills and ability to communicate effectively and produce safe projects, Joaquin Diaz is your man. It is a privilege to nominate Joaquin Diaz as a candidate to the Hosting Advisory Board, trust me; he will serve you well and with great enthusiasm.

Mahalo!

v/r

Jeff Cochran

Chief of Safety & Occupational Health Office, Honolulu District, COE

KING & NEEL, INC.

1164 Bishop Street • Suite 1710 • Honolulu, Hawaii 96813

Telephone: (808) 521-8311

Fax: (808) 526-3893

NATIONAL ASSOCIATE MEMBER



March 16, 2009

Rosalyn H. Baker, Chair
Senate Committee on Commerce and Consumer Protection
Hawaii State Capitol, Room 231
415 South Beretania Street
Honolulu, HI 96813

Re: Joaquin M. Diaz (Hoisting Machine Operators Advisory Board)

Dear Chairwoman Baker,

Please accept this letter in support of Mr. Diaz's nomination and confirmation to the Hoisting Machine Operators Advisory Board. As colleagues in the occupational safety and health profession Mr. Diaz and I have worked together for many years in providing safe working environments for Hawaii's workforce. During this time he has continuously demonstrated professionalism, honor and integrity and would be a great asset as a board member.

Please feel free to contact me if you have any questions.

Sincerely,

Tim Matthews, M.S., CSP
Vice President/Director of Safety



HAWAIIAN DREDGING
CONSTRUCTION COMPANY, INC.

March 19, 2009

Senator Dwight Takamine, Chair
Senator Labor Committee
Hawaii State Capitol, Room 204
415 South Beretania Street
Honolulu, HI 96813

Subject: Nomination of Joaquin Diaz to the Hoisting Machine Operators Advisory Board

Dear Senator Takamine:

This letter serves as a **letter of recommendation** for Joaquin Diaz to serve on the Hoisting Machine Operators Advisory Board.

Joaquin is the Safety Director for Hawaiian Dredging, the State's largest and most diversified general contractor. He is a respected industry safety professional. I am proud that he chose to join the Hawaiian Dredging team last year. He has made a significant impact on our entire organization in that time. He approaches all issues with a positive, can do attitude. He treats all interpersonal contacts with dignity and respect.

He will work tirelessly as a member of the Advisory Board to assist it in fulfilling its mission. He will have the best interests of the State of Hawaii and its people always as the top priority.

I would be pleased to address any questions regarding this recommendation.

Sincerely,

A handwritten signature in black ink that reads "William J. Wilson".

William J. Wilson
President

Gentlemen-

Joaquin Diaz is a well-known and well-respected leader in the safety field of Hawaii's construction industry and is well suited for this appointment.

I have worked beside Joaquin on various boards and committees and have found him to be knowledgeable and rational when it comes to decisions concerning safety and health. For example, Joaquin & I have worked on committees within the American Society of Safety Engineers, Hawaii Chapter (ASSE), and the State of Hawaii's HIOSH advisory board. In both organizations, Joaquin has participated in a productive and meaningful way.

Joaquin has had the opportunity to be the head of the safety departments of two of Hawaii's leading general contractors, DCK Inc. (formerly Dick Pacific) and Hawaiian Dredging, where he is currently employed. In both positions, Joaquin has developed safety programs which are the envy of the industry and no doubt has prevented many industrial accidents.

Based on Joaquin's experience and methods, the Painters Union has used Joaquin's skills as a trainer for our safety and health classes for several years. He has won the respect of our members and has assisted them in learning about the hazards associated with their work. Joaquin is versatile and we call on him to train in many subjects including fall protection, hazard communication, first aid and CPR, and confined space.

I highly recommend the appointment of Joaquin Diaz to the Advisory Board.

Richard Vieira
Apprenticeship & Training Director
Painters Union Local 1791
Honolulu, Hawaii