

JOSH GREEN, M.D.
GOVERNOR



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SUPERINTENDENT

STATE OF HAWAII
DEPARTMENT OF EDUCATION
KA 'OIHANA HO'ONA'AUAO
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Date: 03/20/2023

Time: 03:00 PM

Location: CR 229 & Videoconference

Committee: Senate Education

Department: Education

Person Testifying: Keith T. Hayashi, Superintendent of Education

Title of Bill: HB 0260, HD1 RELATING TO EDUCATION.

Purpose of Bill: Requires DOE to develop and implement safety training for all cafeteria student helpers and ensure the student helpers receive the training prior to them volunteering. Requires DOE to provide personal protective equipment for all cafeteria student helpers prior to the student helpers volunteering. Requires all cafeteria student helpers to be directed and supervised by trained personnel at all times. Effective 6/30/3000. (HD1)

Department's Position:

The Hawaii State Department of Education (Department) supports the intent of HB 260, HD 1, and provides comments.

The School Food Services Branch will expand its current guidance for schools on student cafeteria helpers to include developing safety training for schools. Current guidance includes, but is not limited to, guidelines for using student help in the cafeteria, recommended duties, non-recommended duties, and duties of the School Food Services Manager related to student help.

As the Department is already moving forward with our efforts we feel that this measure is not necessary at this time.

Thank you for the opportunity to testify on this measure.

HB-260-HD-1

Submitted on: 3/18/2023 11:08:25 AM

Testimony for EDU on 3/20/2023 3:00:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|--------------|--------------|--------------------|------------------------|
| Jon White | Individual | Support | Written Testimony Only |

Comments:

Mahalo Chair and Committee members for taking the time to consider my testimony.

My son Makua is a spectacular baseball player. Catcher and third baseman for Kainalu Dodgers who won our district undefeated last season, Allstar Team invitee four consecutive seasons, and invited to play in Ohio this July for the All American Team. All of this comes to a grinding halt one day last December when I get a call from him at work. "Dad I got hurt, I need stitches"! The worst type of call as a parent while at work. He was working cafeteria duty at Kailua Intermediate and the staff told him to push a large metal cabinet down the hall. Ultimately it ran over his heel tearing his Achellies and fracturing his heel. I did an investigation because not much seemed right.

First: he was not wearing shoes. This type of PPE is required for cafeteria staff set forth by U.P.W in which they are union members. This PPE would have protected his heel from this injury

Second: that action is not typical work for students working cafeteria duty. After speaking with a union representative from U.P.W. the activity of pushing that cart is considered covered jurisdictional work in their collective bargaining agreement.

Third: my son did not receive any type of pre job instruction to identify hazards, ergonomics, required PPE, or plan of what of activities.

Fourth: cafeteria staff DID NOT RENDER AIDE!!!!!! For this I was livid. My son working ALONE was injured doing a PAID union members covered job, sitting on the floor screaming for help as blood poured out of him and they just watched!!! An IT teacher who was walking in the area heard the commotion and came to his aide and carried him to the health room.

As our elected officials what do you see is wrong with this picture? Who is responsible? Who is in charge?

My son or any student should not be performing work that is a paid job for an adult employed by the state. OSHA has rules and guidelines mandating hazard recognition in the workplace and

either eliminating it or mitigating it with policies procedures or PPE. This is a labor job that requires CONSTANT supervision; or should we talk to Dept of Labor about child labor practice. We all know this is not a culinary arts program. Cafeteria staff does not teach about cooking techniques or food preparation skills, proper food handling or temperatures, or even cleaning and health requirements as we require for food establishments in the state. Let's call it what it is..... either they need the labor from the kids because they're understaffed OR lazy! I am appalled no one rendered aid!!! either they are not trained and don't know OR they're lazy!

Solution:

- create a mandatory training requirement in hazard identification, proper PPE, first aid and CPR
- require adequate training and communication pre task to students working in the cafeteria under CONSTANT supervision
- turn this child labor practice into a learning program so kids can learn about working in kitchens. Teach about food safety, cooking techniques, kitchen safety, state health requirements

Question is you are all asking how will we fund it?

my proposal is this: turn any type of fine within the school zones an exorbitant one and use funds to help subsidize the costs. Example- speeding ticket in a school zone \$5000, criminal property damage on school property \$10,000 etc, etc. This would work two fold where these activities would decrease because of the steep penalty and we can help the keiki with better services. We must demand excellence, we must require excellence, we must expect excellence! As a constituent I demand, require and expect excellence from our elected officials and state run facilities and programs. It's not a secret our state run facilities and programs are a disgrace. My hope is our excellent 2023 legislature will be the beacon of change and make things right. Let's walk the walk and give it all to our future, the keiki! We have all the right people in place to start doing the peoples work.

Mahalo