

# Testimony on Employee Retention: Addressing Harassment, Discrimination and Hostile Environments

September 15, 2025

Environmental Management Commission

County Of Hawaii, Department of Environmental Management

345 Kekuaanoa Street

Hilo, Hawaii 96720

Dear Commission,

I am writing to you to address a matter of utmost importance within our organization: employee retention as it relates to the prevalence of harassment, discrimination and the existence of a hostile work environment. This letter serves as a call to bring attention to fostering a safe, and supportive workplace.

## Background and Context

Over many years, our organization has experienced an increased rate of turnover, with no exit interviews and nor feedback identifying incidents of workplace harassment and elements of a hostile environment as significant contributing factors. While treatment plants have been understaffed for years, we are proud of our accomplishments and the dedication to protecting the environment despite dilapidated equipment, unsafe working conditions and low morale. There have been issues spanning several administrations with lack of follow up and even turning a blind eye to employee verbal and formal complaints regarding documented harassment, retaliation, false allegations and discrimination by an employee in a supervisory position.

In a time of operator shortage nationwide, retaining talented and licensed employees is not only a practical necessity, but a marker of organizational health and ethical leadership. One major issue is lack of good leadership in the department. Specifically, the revolving door of engineers being temporarily assigned to leadership roles without oversight of themselves or their subordinates. This creates issues with consistency, transparency and accountability for the departments personal.

Research consistently demonstrates that when employees feel unsafe, disrespected, or marginalized, their engagement, productivity, and loyalty suffer. More crucially, the personal well-being of each member of the team is critical to daily operations. These issues have been brought to temporarily assigned Deputy Director Craig Kawaguchi and temporarily assigned Division Chief Chris Sparber and in meetings by different individuals and in emails without any follow up nor resolution since February 2025. We currently have two licensed operators out on authorized leave due to harassment and hostile work environment for over two years and now a third licensed operator. This is preventable if this administration would do better than the previous administrations.

The County of Hawaii is self-insured, so taxpayers are paying for medical treatment and wages of these individuals who are out due to the conditions previously mentioned. The lack of accountability of this department has severely affected mental health of individuals including depression, anxiety and substance abuse. I'm one of the licensed operators on medical leave for over two years due to engaging in protected activity and being discriminated against. There were no repercussions for the individual after an investigation by HIOSH/OSHA finding the individual discriminated against me. The \$10,000 fine was later dropped to \$700 and contested by the County of Hawaii and now awaiting a hearing at the Attorney General's office. ( See attached DNO notice )

## Understanding Harassment and Hostile Environments

Harassment can manifest in various forms—verbal, physical, visual, or psychological. It may include unwelcome comments, jokes, intimidation, exclusion, or other behaviors that create discomfort or fear. A hostile environment emerges when such behaviors pervade the workplace, making it challenging for employees to perform their duties without anxiety or distress.

It is important to recognize that harassment and hostility are not always overt; they can be subtle and systemic, sometimes perpetuated by long-standing cultural norms or unchecked biases. Addressing these issues requires honesty, vigilance, and a willingness to confront uncomfortable truths about this organization's culture.

# The Impact on Employee Retention

The consequences of unchecked harassment and a hostile environment are profound and far-reaching:

- **Decreased morale and engagement:** Employees subjected to or witnessing negative behaviors often feel disempowered and disconnected from their work. Especially when issues are addressed and ignored.
- **Increased absenteeism and turnover:** Persistent hostility leads to higher levels of stress, burnout, and voluntary departures.
- **Damaged reputation:** News of a toxic workplace spreads quickly, affecting our ability to attract and retain licensed operators.
- **Productivity losses:** Time spent coping with or reporting harassment detracts from core responsibilities.
- **Legal and financial risks:** Failure to address these issues can result in complaints, lawsuits, regulatory penalties and increased workers compensation claims.

## Measuring Progress and Soliciting Feedback

It is not enough to have policies; we must measure their effectiveness and adjust as needed. Regular employee feedback, complaints, concerns and feedback channels will need to be established to monitor work environment

## Conclusion

Our departments greatest asset is its employees. To attract, retain, and inspire the best talent, we must create an environment where every individual is valued, protected, and empowered. Harassment and hostility have no place in our workplace and neither does an unwillingness from management to address its employees' concerns.

Thank you for your attention to this vital issue. I look forward to ensuring that our organization remains a place of safety, respect, and opportunity for all without fear of harassment, retaliation and discrimination.

Sincerely,

Alan Fukamizu

UPW Unit 168 Chief Steward,

Grade 2 Wastewater Operator

JOSH GREEN, M.D.  
GOVERNOR  
  
SYLVIA LUKE  
LIEUTENANT GOVERNOR



JADE T. BUTAY  
DIRECTOR  
  
WILLIAM G. KUNSTMAN  
DEPUTY DIRECTOR  
  
NORMAN AHU  
ADMINISTRATOR

STATE OF HAWAII  
KA MOKU'ĀINA O HAWAI'I  
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS  
KA 'OIHANA PONO LIMAHANA  
HAWAII OCCUPATIONAL SAFETY AND HEALTH DIVISION  
830 PUNCHBOWL STREET, ROOM 425  
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Email: [dilir.hiosh@hawaii.gov](mailto:dilir.hiosh@hawaii.gov)

May 8, 2023

CERTIFIED MAIL – RETURN RECEIPT REQUESTED



Dear Mr. Fukamizu:

RE: County of Hawaii DEM Hilo WWTP/Fukamizu/Case No. 22-002

On April 11, 2022, you (Complainant, hereafter known as “CP”) filed a discrimination/whistleblower complaint under §396-8(e), Hawaii Revised Status (“HRS”). You alleged you were placed on leave pending investigation in retaliation for reporting various safety issues including but not limited to confined spaces issues, fall protection issues, and insufficient employee training issues to your employer. Following an investigation by a duly authorized investigator, the Hawaii Occupational Safety and Health Division (“HIOSH”) finds that the evidence establishes that County of Hawaii DEM Hilo WWTP (Respondent, hereafter known as “RP”) discriminated against you in violation of §396-8(e), HRS, and issues the following findings and orders.

#### FINDINGS OF THE INVESTIGATION

##### Timeliness of Complaint

Under §12-57-8, Hawaii Administrative Rules (“HAR”), complaints must be filed with the Director of the Department of Labor and Industrial Relations (“Director”) within 60 days of an alleged violation of §396-8(e), HRS. CP alleged he was suspended on March 9, 2022, and the complaint was filed on April 11, 2022. The complaint is thus deemed timely filed.

##### Protected Activity

On March 2, 2022, CP engaged in protected activity under §396-8(e), HRS, when he raised a safety concern during a training session directly to the trainer.

Between March 4 and March 8, 2022, CP again engaged in protected activity under §396-8(e), HRS, when he emailed his concerns regarding confined space evaluations on two pump stations;

Equal Opportunity Employer/Program  
Auxiliary aids and services are available upon request to individuals with disabilities.  
TTY/TDD (808) 586-8844

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Kolea and Zoo and the entry and exit method of Zoo pump stations to various management officials.

#### Respondent Knowledge

The RP has actual knowledge of CP's protected activity. CP brought up his concerns directly to various management officials either verbally or via email.

#### Adverse Action

On March 9, 2022, CP was placed on "Leave without pay pending investigation", for violating RP's policy prohibiting workplace violence and damaging County property.

On April 6, 2022, RP extended CP's suspension until May 9, 2022.

#### Nexus

Temporal Proximity between CP's protected activity and the adverse action suggests a causal relationship because the adverse action took place approximately 1 day after CP's last protected activity.

#### Respondent's actions were pretextual.

According to RP, CP was suspended from employment based on a complaint filed by CP's coworker alleging an incident that took place on March 6, 2022, where CP was intimidating and threatening the coworker and purposely damaging the County's truck by driving and braking erratically.

The investigator has documented signed witness statements that alleged workplace violence incident did not take place as the RP had presented to the investigator. According to the witness, the coworker involved did not file any complaint with RP about any incident that took place on March 6, 2022.

Regarding RP's allegation that CP tried to damage the County's truck by driving erratically on March 6, 2022, witness's statement to the investigator indicated that, at most, the truck climbed a curb. Moreover, RP had the County's truck professionally checked and there was no actual damage found.

In sum, CP has satisfied his burden to prove, by preponderance of the evidence, that the RP's actions were pretextual. RP failed to satisfy the burden of prove to show otherwise.

#### ORDER

Upon receipt of this Determination Notice and Order, Respondent is ordered to provide relief to Mr. Alan Fukamizu as follows:

1. Respondent shall provide training as well as retraining regarding rights and responsibilities of management and employees under HRS 396-8(e).

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2. Respondent shall expunge Complainant's employment records of any adverse materials/references related to Complainant's exercise of his rights under the Hawaii Occupational Safety and Health Law.
3. Respondent shall not retaliate or discriminate against Complainant in any manner for instituting or causing to be instituted any proceeding under or related to HIOSH Law, chapter 396, Hawaii Revised Statutes.
4. Respondent shall post immediately in a conspicuous place in or about Respondent's facility, including all places where notices are customarily posted including Respondent's internal website for employees or emails, if Respondent customarily uses one or more of these electronic methods for communicating with employees, and maintain for a period of least sixty(60) consecutive days from the date of the posting, the attached notice to employees, to be signed by a responsible official of the Respondent and the date of actual posting to be shown thereon.

#### CITATION AND PENALTY

Based on the above findings, Respondent violated 396-8(e), HRS, when it discriminated against Complainant for canceling CP's medical insurance and/or not paying the CP full medical removal benefits i.e., difference in wages. In accordance with section 396-10(h), HRS, a penalty of \$9,054.00 is hereby assessed.

Payment of the penalty is due within twenty (20) calendar days from receipt of this order, unless contested (see below). Please make your check or money order for the \$700.00 penalty payable to "Director of Budget and Finance." All checks should be mailed to the Hawaii Occupational Safety and Health Division, 830 Punchbowl Street, Room 425, Honolulu, Hawaii 96813.

#### CONTEST AND RECONSIDERATION RIGHTS

You may contest this Determination Notice and Order by filing a notice of contest with the Administrator of HIOSH in writing within twenty (20) calendar days after receiving this Determination Notice and Order. You must file your notice of contest by mailing or hand delivering it to the following address:

Administrator  
Department of Labor and Industrial Relations  
Hawaii Occupational Safety and Health Division  
830 Punchbowl Street, Room 423  
Honolulu, Hawaii 96813

The adjudicatory body is the Hawaii Labor Relations Board (HLRB) who will hear the case based on all evidence and arguments presented before them at a formal hearing. They will determine whether you have met the burden of establishing a violation of §396-8(e), HRS.

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If this Determination Notice and Order is not contested, it becomes a final order (not contestable) twenty (20) calendar days after you receive this Order.

Sincerely,

Norman Ahu  
Administrator

Certified #: 7022 2410 0000 2463 9482  
Enclosure  
cc: Respondent

Mitchell D. Roth  
Mayor

Lee E. Lord  
Managing Director



Ramzi I. Mansour  
Director

Brenda D. Iokepa-Moses  
Deputy Director

## County of Hawai'i

### DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

345 Kekūanāo'a Street, Suite 41 · Hilo, Hawai'i 96720

Ph: (808) 961-8083 · Fax: (808) 961-8086

Email: cohdem@hawaiicounty.gov

#### CONFIDENTIAL

August 31, 2022

Mr. Alan Fukamizu  
388 Manele Lane  
Hilo, HI 96720

Re: Notice of Conclusion of Investigation

Dear Mr. Fukamizu:

This letter is to notify you that we have concluded our investigation of the Violence in the Workplace Incident Report that you filed regarding allegations that on or about March 8-9, 2022, [REDACTED] used the workplace violence policy against you with malicious intent, and that he did so due to your protected activity and used the policy to harass and intimidate you after his numerous failed attempts to discipline you without a legitimate reason.

The incident was previously investigated by a third party investigator. The review of all documents found insufficient evidence to support the complaint that the workplace violence policy was used against you with malicious intent to harass and intimidate you. Supervisors have an obligation to report incidents that may be in violation of the Violence in the Workplace Policy. In this case the supervisor complied with that obligation and therefore did not violate the policy.

Our policy prohibits retaliation against anyone who files a complaint or participates in an investigation. Retaliation is a negative or adverse consequence. Employees who engage in retaliation will face immediate and appropriate disciplinary action, up to and including discharge. Any disciplinary action shall be taken pursuant to the collective bargaining agreement applicable to the offending employee.

If you have any questions, please contact Robin Bauman, Business Manager, at (808)961-8179.

Sincerely,

A handwritten signature in black ink that reads "Ramzi I. Mansour".

Ramzi I. Mansour  
Director

cc: Robin Bauman, Business Manager  
Eric Takamura, Wastewater Deputy Division Chief