

The Virgin Islands Consortium

WAPA Propane Site Workers Made To Use "Homemade" Tools, Prt. 2

Business / **Published On January 22, 2015 09:53 AM /**

Cynthia Graham **January 22, 2015**



With concern for the high unemployment rate on St. Croix and a struggling economy, some local workers employed at WAPA's propane conversion facility construction site in Christiansted are voicing their [disapproval of an influx of imported workers](#) from neighboring islands, as well as hazardous conditions under which they work.

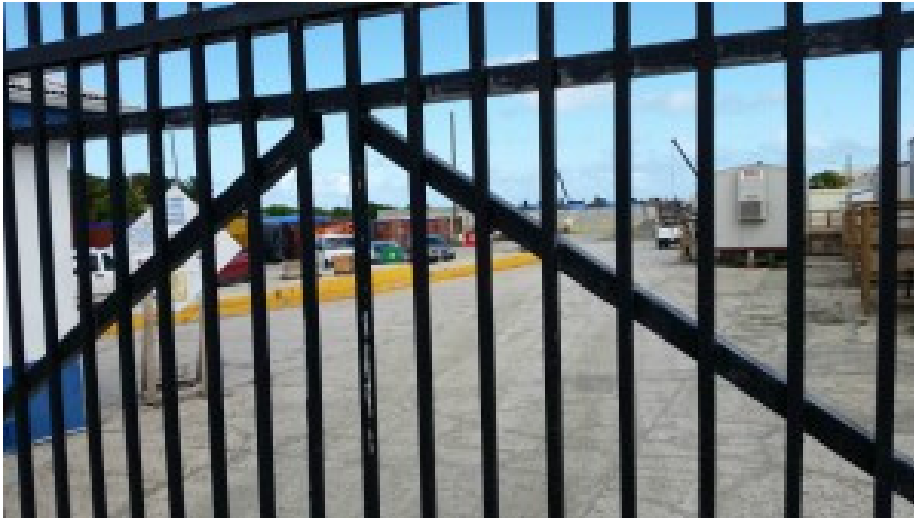
Much of their complaints are about subcontractor, AT Construction, a Puerto Rico-based firm with offices at UVI's RT Park on St. Croix.

In a recent interview, Acting Commissioner of the Department of Labor Catherine Hendry told *VI Consortium*, "When it comes to the law, resident workers versus out-of-

state workers, basically, as long as you're a citizen of the United States, you can come and apply for a job any which way. Residency is not enforced."

She went on to say that there are certain requirements companies must meet in filling vacancies with local workers, particularly companies who receive Economic Development Authority (EDA) tax benefits.

According to Margarita Benjamin, director of applications for the EDA, construction companies are among businesses not eligible to receive EDA benefits. The [latest list of the agency's beneficiaries](#) do not contain the names of WAPA's propane conversion project's primary contractor, Vitol, or the other subcontractors.



s in the territory must

WAPA's propane

conversion facility work site in Christiansted

"With any entity that is doing business here, they are required to register any vacancies, that has to do with Title 27-304, with our employment service department," she explained.

However, Hendry stressed the Dept. of Labor has no control over the workers companies ultimately hire.

"Registering means listing the positions. As for hiring, they can hire whoever they feel is qualified for the position," she said.

Unsafe and unsanitary working conditions

A number of employees *VI Consortium* spoke with offered details of hazardous working conditions on the project site, with one laborer saying it would take him an entire day to describe the many grievances he and his co-workers have with the WAPA subcontractors.

One female worker who spoke with *VI Consortium* at the work site said many tools are broken, but workers have been instructed to use them anyway. She also said workers do

not have the proper gear to safely complete their tasks. With that, she pointed to a worker walking nearby wearing transparent safety eye glasses. She said safety standards require the man to be outfitted with tinted ones to protect his eyes from the glare of the sun because of the nature of his job. The woman said there were no tinted safety eye glasses at the site.

"It's a lot to talk about, and it's not just going to be a five-minute or ten-minute thing," another man said, "because there are other people, too, who've seen things and who've been through things here."

The man, who works for AT Construction, went on to say company officials have not heeded workers' complaints.

"The safety is not for us, the safety is for the company," he said. "We go to them with safety issues and they still turn it around and make it look like it's our fault. We have faulty equipment."

Then, trailing off in frustration, he added, "Man, it's too much."

"This was going on throughout the month of November, and when I speak up, I look like a bad guy, but I'm supposed to stand there and take it?" he said.

VI Consortium reporters witnessed an outdoor meeting with workers and company officials the morning of Jan. 14. In a telephone interview later that same morning, workers told reporters the gathering was a safety meeting company officials held every morning.

When asked if workers have the opportunity to make known their grievances at that time, the man scoffed.

"When you bring up the concerns, they don't want to hear it," he said. "They say, 'This is not the place and the time for that'."



Vehicles enter WAPA's

propane conversion work site in Christiansted

The man, who has been working at the site since last August, also highlighted unsanitary conditions on the job.

He said from the time he began working there, he had been requesting water and soap be placed in the portable bathrooms. Those requests fell on deaf ears for close to five months.

"You know when they put water and soap there," he asked, "December thirty-first."

The man also spoke of the poor drinking water quality at the site. He said he covertly put company management to the test to see if they maintained the water filtration system as they said they did.

"What they don't know is that I put a piece of tape behind the filter when I first started working here. So, if you take the filter cover off, you will break the seal. Then, I came to the meeting and asked them about the filter, and they said, 'Oh, yeah. We changed those filters this week.'

After that meeting, the man said, he checked the back of the filter only to see the same piece of tape he had placed there undisturbed.

"That's just to show you the crap that's going on," he said.

The worker did not make clear when his investigation was conducted, however.

Regarding tools that are not safe for work, employees said they've had to use ones that could result in serious injury to themselves and those in close proximity because they were "homemade." The tools were referred to as such because they were damaged and instead of being replaced or professionally repaired, employees were instructed to repair them with duct tape.

Regarding workers' complaints of hazardous and unsanitary working conditions at the site, Hendry said her department has no jurisdiction in handling those matters and referred *VI Consortium* to the area Occupational Safety and Health Administration (OSHA) office in Puerto Rico.

"Our bylaws are in charge of public areas," she said. "This [project], in particular, is a private contractor doing work."

Jose Carpena, OSHA area director in Puerto Rico, said the federal agency can assist workers with their complaints.

"There are contractors involved, and even though WAPA is a government facility, any private contractor, private employee, would fall under the federal jurisdiction," he explained.

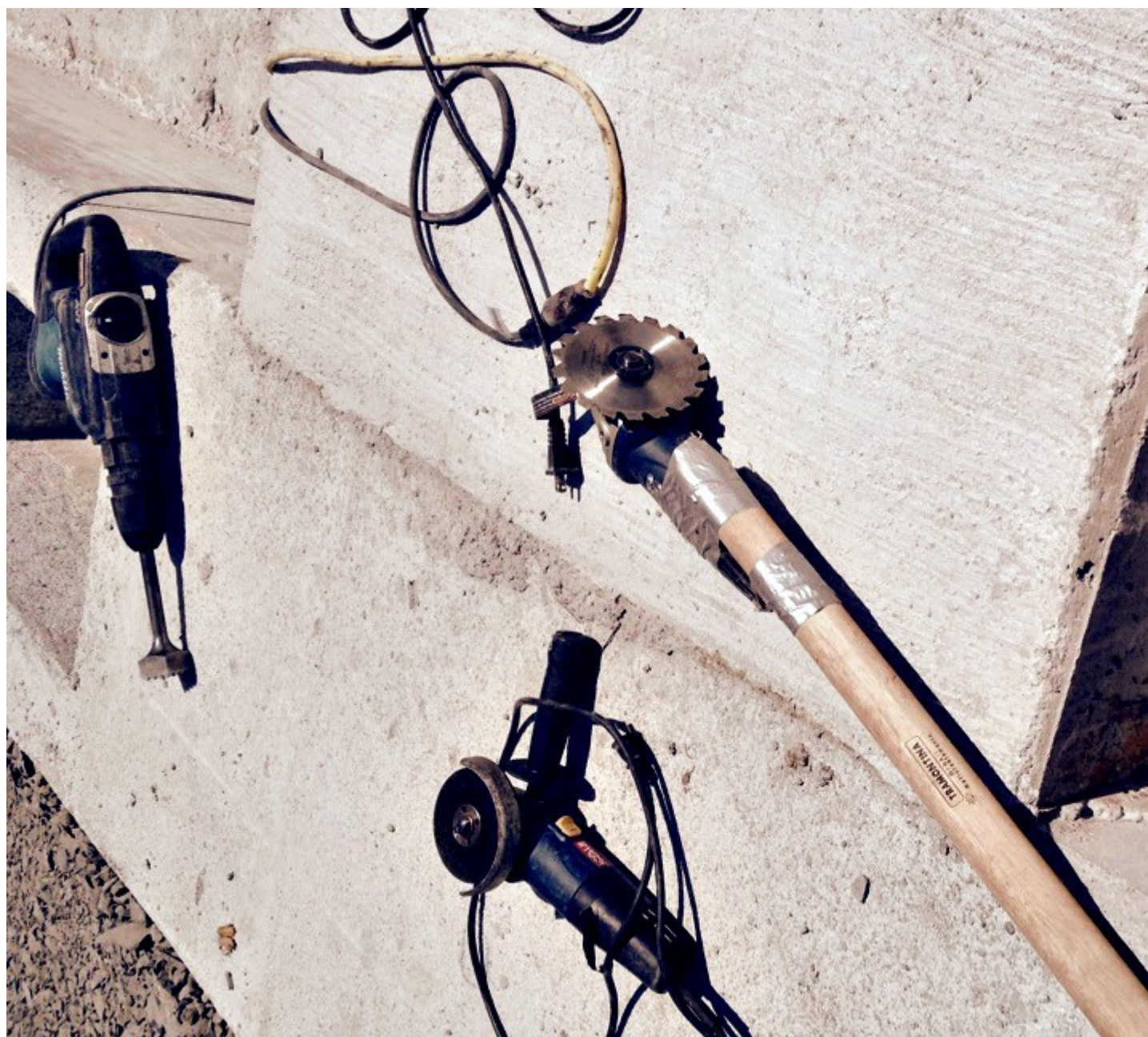
He continued, "[The employees'] recourse would be to either send us a complaint or, as you just said, if this is occurring, we can take this as a referral from a news article or yourself, and we can take action."

OSHA is a part of the U.S. Department of Labor and ensures safe and healthy working conditions for private-sector workers by enforcing standards and providing workplace-safety training. It requires [employers to keep tools in good condition](#) with regular maintenance. OSHA also says tools should be examined for damage before use, adding that if damage was found, the tool should not be used.

Images of one of many makeshift tools, a pencil grinder, workers use at the WAPA site was sent to *VI Consortium* and can be seen in the image gallery below.









Many of the workers *VI Consortium* spoke with said the V.I. Dept. of Labor has been less than helpful in assisting them with the concerns at the site after multiple contact. When this was made known to Hendry, she said she had no prior knowledge of the workers' complaints, adding that the department cannot take action unless an employee has been working for a set amount of time.

"Based on the law, you also have to be working for the company for at least six months, and if it's an issue of discrimination, there has to be a basis for that," she said.

Some of the workers said they have been employed since last June.

When asked if the department sends out any of its workers tour work sites, Hendry said, "I hope and I think positive that we can get to that point, again, the government does not not have the challenges of understaffing or unlimited resources, but we try to maximize the resources that we do have."

Feature Image: Homemade pencil grinder with duct tape (center) at work site. Workers say the blade was taken from a skilsaw. The correct blade for the pencil grinder can be seen on the tool in the upper left corner of the image. Images may also be seen in the gallery above.