

The Virgin Islands Consortium

Hugo Hodge Responds To Workers' Complaints At Propane Site

Government / **Published On January 29, 2015 07:04 PM /**

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After weeks of remaining silent, this week, V.I. Water and Power Authority Executive Director Hugo Hodge responded to *VI Consortium's* inquiries regarding a rash of allegations made by local workers against subcontractors hired to build WAPA's propane conversion facility on St. Croix.

Hodge distanced WAPA from local workers' complaints of unfair hiring practices in favor of imported workers, unsafe and unsanitary working conditions, and other grievances voiced against AT Construction and other subcontractors hired by the project's lead contractor, Vitol Virgin Islands Corp. (Vitol).

"For contractual and liability reasons, Vitol and all subcontractor's (sic) engaged by Vitol in performing the work necessary to complete the LPG project are independent contractors who are neither WAPA's agents or employees," Hodge wrote in an email to *VI Consortium*.

"With that said," he continued, "both Vitol and its subcontractors are contractually obligated to comply with all applicable laws while performing work on the LPG projects."



WAPA's process when deciding on contractors for its projects.

WAPA's Executive Director, Hugo Hodge

"As with every project undertaken where local labor can be utilized, the Authority provides notice to its contractor that they must abide by all applicable laws. As a member of the local corporate community, the Authority appreciates the benefits that the community as a whole derives through the use of local contractors," he said.

Local workers told *VI Consortium* of an ongoing influx of imported workers from Puerto Rico, while St. Croix residents seeking employment at the site, many of whom were skilled workers at the now-defunct HOVENSA refinery, have not been hired and, yet, others have been fired.

Hodge, however, stood behind the hiring practices of WAPA's lead contractor.

"Vitol is committed to employing skilled labor from the Virgin Islands community and has made a strong effort to ensure that such local labor is utilized," he said, adding, "While there appears to be no Virgin Islands law requiring the hiring of local workers for this project, it must be noted that as of December 2014, more than 200,768 hours were expended territory-wide on the LPG project by local contractors or non-local contractors who have also employed local employees."

Hodge went on to provide a breakdown of total hours worked by local workers on both St. Croix and St. Thomas. However, *VI Consortium* requested, but Hodge did not provide the exact number of local workers and imported workers employed at the St. Croix site.

"Of the 200,768 hours, approximately 130,000 hours were provided by a local USVI labor force employed by the numerous local contractors on the LPG Project," he added.

VI Consortium visited the St. Croix construction site twice in January, but was turned away by what appeared to be Vitol company officials. However, some plant workers spoke with reporters about the safety hazards at the site, unsanitary conditions, lack of proper equipment, and workers' use of homemade tools.

One worker said toilet paper and soap were not provided at the site, which had been in operation since June 2014, until Dec. 31. The worker said multiple requests had been made. The worker also said the drinking water filtration system on the site was not maintained, despite workers being told differently.

"First and foremost, WAPA takes such statements seriously and has always cooperated with the appropriate regulatory body, the Occupational Safety and Health Administration (OSHA), regarding any complaint concerning personnel safety," Hodge said. "To date, WAPA has no information regarding any notice, citation or concerns from OSHA regarding any safety or sanitary matters on these project sites."

As part of its investigation, *VI Consortium* spoke with Jose Carpena, OSHA area director in Puerto Rico, who confirmed that prior to the conversation with reporters he had not been made aware of issues at the site.

However, Carpena said he would consider *VI Consortium's* inquiry as a formal complaint.

"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.

"[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," Carpena said.

Hodge also said OSHA's most recent inspection of the site by a compliance officer did not reveal any violations. However, he did not say when the unannounced inspection took place in the seven months the project has been underway.

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.

Furthermore, of workers' complaints, Hodge said, "WAPA has not found or received any factual information supporting the assertions recently made in the public forum." He did not confirm the nature of the investigation, if any, WAPA officials conducted to support its findings.

The site is being constructed as WAPA makes the switch from gasoline to propane, a cleaner fuel source expected to give WAPA customers 30 percent savings in electricity costs. The propane project is scheduled to go on line at the end of March.

In his first State of the Territory Address on Monday night, however, Governor Kenneth Mapp said it is likely the project would be stalled, as WAPA had not yet received permits from the U.S. Army Corps of Engineers required to turn on the conversion.

Local subcontractors employed at WAPA's propane conversion project on both St. Croix and St. Thomas include: Grade All Heavy Equipment, Inc. (St. Thomas, USVI), Environmental Concepts (St. Croix, USVI), Pro-Mar Services (St. Thomas, USVI), O'Reilly Plumbing and Construction Company (St. Croix, USVI), APEX Construction Company, Inc. (St. Thomas, USVI), Brian Mosely Surveying, Inc. and St. Croix Marine.

AT Construction is a Puerto Rico-based company with offices at UVI's RT Park on St. Croix.