

The Virgin Islands Consortium

Judge Orders EMTs Back To Work After Day 2 Of Sick Out Protest Action, Health Commissioner Says

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VI Superior Court Judge Harold Willocks has ordered emergency medical technicians employed at the Department of Health back to work, D.O.H. Commissioner Justa Encarnacion confirmed to the Consortium late Wednesday. Judge Willocks granted the Department of Health a temporary retraining order against the EMTs through their respective unions, according to the order which was reviewed by the Consortium.

The move comes as EMTs had for a second day stayed home by calling in sick to protest what two EMTs told the Consortium was promised salary increases, which have already been negotiated, but have yet to be realized.

On Wednesday, Ms. Encarnacion told this publication that the department has so far been able to provide services territory-wide. "We were able to cover. We never went one moment without coverage with ambulance services on all three islands, so I think that the EMT staff that remained have to be commended for that," she said.

Even so, the protest action has left Health officials scrambling to ascertain that critical first responder services continue without pause. And while the department has so far been able to maintain services, the barebones staff could easily be overwhelmed by a major emergency.

On Tuesday morning, two EMTs — both of whom requested anonymity — told this publication that the sick out, which saw roughly 15 EMTs in St. Croix and about 16 in St. Thomas deciding not to show up to work, was a coordinated effort to get the Department of Health and other stakeholders to make good on their promise of effectuating long-promised wage increases.

"It's about broken promises. For the last two months we have been hearing every payday that we're getting our money, and the merge was supposed to be effective October 1 and we were told that we were going to get our money before October 1," said one of the two EMTs. "Payday came, today is Tuesday, and up to now nobody has come and addressed the problem. They got a letter from the union on Friday; it was cc'd to all 15 senators. It was sent to Human Resources and it was also sent to [Commissioner Justa Encarnacion's] office, and up to now nobody has addressed the problem."

In response to a Consortium query Tuesday, Ms. Encarnacion confirmed the sick out and said she believed it was tied to negotiated salary increases. "You are correct. The EMTs in both districts have called out sick. Besides a "sick" call there have been no specific reason for the action. However, we have deduced the cause to be wage-increase related as a result of discussions had between EMTs, HR and D.O.H. leadership. We have been successful in covering the shifts thus far with the dedication of the EMT supervisors, few staff and the assistance of [VI Fire Service] Director Daryl George and his EMTs. We will continue this effort to secure the health and safety of our community members," Ms. Encarnacion said.

The commissioner said D.O.H. was working to resolve the matter as soon as possible. "Since the action may gravely impact the health and well-being of each of us, we are working with the Office of Collective Bargaining. We are also continuing to process the appropriate documents to ensure their increase is seen as soon as possible. Our HR division is currently working on NOPAs for wage-increases for EMS and other D.O.H. employees. We are hoping that the increase is seen in one to three pay periods since each NOPA is completed individually," she said.

The other EMT confirmed the first EMT's comment relative to why the sick out action was taken. "One of the reasons is the pay increase," said the EMT. This EMT also said the merger has caused some confusion as to who has control over the EMTs.

In July, [Government House said](#) the Office of the Governor, the Department of Health and the Virgin Islands Fire Service were moving forward with plans to integrate D.O.H.'s Emergency Medical Service (EMS) with the Virgin Islands Fire Service on Oct. 1 to form what is now called the Virgin Islands Fire and Emergency Medical Service (V.I.F.E.M.S.).

The latest protest action is the second in under a month. On Sept. 16, corrections officers at the Bureau of Corrections on St. Croix [called in sick](#), an action that was taken, according to the corrections officers, in protest of the government's failure to reach a new collective bargaining agreement.

Yet while the protest actions taken were identical in nature, the situations with the B.O.C. employees and the D.O.H. E.M.T.s are different, according to Office of Collective Bargaining Chief Negotiator Joss Springette.

"The EMTs' contract is effective until 2023; that's different from the corrections officers whose contract was partially negotiated and needs to be completed," Ms. Springette said. She said the actions were similar "in the fact that they called out sick, but the [EMTs'] contract is current."

The judge's order means the Dept. of Health employees, even if the wage increases haven't taken effect, will have to return to work.