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Waste Management Pays Unknown Sum to Settle Lawsuit Alleging Harassment and Retaliation Perpetrated by Roger Merritt Against Employee

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Waste Management Authority Executive Director, Roger Merritt Jr. By. V.I. LEGISLATURE

The V.I. Waste Management Authority has reached a settlement agreement with Nadine Noorhasan, who had brought bombshell allegations against WMA Executive Director Roger Merritt Jr. in a lawsuit, including shocking claims of sexual harassment, intimidation and retaliation.

As part of the settlement the case was dismissed, according to [court documents](#), bringing what would have been a trial by jury with discovery, in an election year, to a halt — if temporarily.

"Comes now plaintiff Nadine Noorhasan by and through undersigned counsel, hereby files her notice of dismissal without prejudice..." reads the court order. A case dismissed without prejudice means the dismissal is temporary and the plaintiff is allowed to re-file charges, alter the claim, or bring the case to another court.

The settlement, executed on August 26, includes a sum of money to be paid by WMA to Ms. Noorhasan that was not made public. Attorney Lee Rohn, who represented Ms. Noorhasan in the suit, told the Consortium Wednesday that the agreement stipulates no comment. Even so, the Consortium has learned that Ms. Noorhasan is very satisfied with the results of the settlement.

Attempts to reach Mr. Merritt were unsuccessful. Governor Albert Bryan told the Consortium Wednesday that Mr. Merritt would remain at the Waste Management Authority.

Original Lawsuit

The original lawsuit claims that Noorhasan was harassed by Merritt, who pursued an inappropriate romantic relationship with his junior officer. That relationship allegedly ended [when he resigned from the agency in 2018](#), but after his return two years later, Noorhasan claims he tried to resume things with her. She declined, and according to the lawsuit, that's when Merritt began to exact revenge — causing disciplinary problems and ultimately demoting her in favor of someone she alleges was completely unqualified to hold the position from which she was removed.

The 25-page complaint, [filed earlier this month](#), lists both Merritt and WMA as defendants and asks for a jury trial on six counts — first, that Noorhasan was discriminated against on the basis of sex by the defendants, secondly that she suffered sexual harassment by Merritt with the knowledge of WMA, which allegedly endorsed said conduct by doing nothing to stop it. Third, that Noorhasan suffered retaliation from Merritt because she refused his advances, with Waste Management allegedly being complicit in said retaliation. Noorhasan also claims that Merritt and WMA breached their duty of dealing with her fairly and in good faith.

Broadening the complaint outward from just the treatment of herself as a professional and employee of the agency, Noorhasan alleges that the Waste Management Authority violated the territorial Whistleblowers Protection Act when it suspended her after she reported the authority's violations of prevailing regulations and the consent decree currently in place against WMA. Further, she said that personnel shuffles by the agency to remove her as Compliance Management and Enforcement director in favor of someone unqualified to hold the position has cost VI taxpayers, of which Noorhasan is one, economic damages.

The complaint lays out Noorhasan's tenure at VIWMA. She began as Compliance Manager in October 2013, earning an annual salary of \$65,000 plus benefits. Roger Merritt came onboard as executive director in 2016. By March 2017, due to the recommendation of the previous WMA head, Noorhasan was working as the Compliance Management and Enforcement director, and her compensation had been commensurately bumped up to \$85,000.

She admits to entering into a personal relationship with Merritt, her then-boss, and says he made representation to her that it was a committed romantic relationship. Noorhasan says she soon learned that her relationship with Merritt was in no way exclusive. She says she realized that she was being used by Merritt as a patsy, performing the majority of his work as executive director, as well as her own. Noorhasan says that by mid-2017, she was writing Merritt's presentations, representing him at meetings, all while trying to get him to agree to settle down into an exclusive relationship. She says he led her to believe that he would, but now realizes that was never his

intention.

At some point towards the end of 2017 into early 2018, Noorhasan says Merritt's amorous behavior with his employees got him hauled before the Waste Management Authority board. On March 1, 2018, the board voted to ask for Merritt's resignation, which he tendered. Contemporaneous reporting from the Consortium reveals that when WMA announced Merritt's departure at the time, they did not disclose the circumstances under which he had resigned.

Noorhasan says her relationship with her boss ended along with his tenure at the agency, and they remained out of contact for some time, until she felt safe enough to resume communicating with him.

In May of 2019, she was appointed Compliance Management director, a lateral transfer from her post as Compliance Management and Environmental Enforcement director. Her new duties involved the issuance of permits for landfill use. In January 2020, Noorhasan says she relented and reestablished communications with Merritt, under the belief that they could be friendly toward each other, even though she no longer wanted anything more than that.

When the Interim Executive Director of WMA left the post in May 2020, Noorhasan applied and was scheduled for an interview towards the end of the month. She claims that Merritt had been making surreptitious advances to the board at the same time in hopes of returning to his position, and also alleges that he met with Governor Albert Bryan Jr. at Government House on May 21, 2020.

Noorhasan's complaint alleges that Bryan was coordinating with Merritt behind the back of the majority of the board, and somehow managed to get Merritt re-appointed as WMA executive director, despite Noorhasan herself allegedly receiving the majority of the support from the board for her appointment to the post. She names Norbert Rosado as someone who resigned from the board over the matter, and says that Rosado reduced his reasoning to writing as well. Although Consortium journalists have thus far been unable to unearth a copy of the letter to verify its contents or make contact with Rosado himself, Noorhasan's complaint represents the missive as making reference to the governor's interference with the selection process for the executive director position.

When Merritt returned to the VI Waste Management Authority, Noorhasan claims that she began to be subjected to a campaign of harassment and retaliation. First though, she says Merritt attempted unsuccessfully to rekindle their inappropriate office romance. When she rejected his advances, that's when Noorhasan says her work-related ordeal began.

She says that she was informed in October 2020 that she had to resume the Compliance Management aspect of her work again, and that Merritt and the chief administrative officer both agreed to a pay bump to compensate her for the additional duties. That agreement was reportedly rescinded in January of 2021, which is when Noorhasan says she was informed that no pay increase would be forthcoming, but that she was still expected to perform the additional duties as assigned. Additionally, she says she was informed that the return to Compliance Management and Environmental Enforcement director would also include a probationary period, notwithstanding her having previously held this exact position. Noorhasan says her attempt to negotiate better terms and conditions was ignored by Merritt.

In 2021, Noorhasan says Merritt was still trying to get her to agree to resume the personal relationship they shared previously. She recounts one instance in which he came to where she was

sitting and put his hand on her leg, causing her to recoil and roll her office chair back out of his reach. After this rejection, Noorhasan says the campaign of retaliation began in earnest.

That campaign, the complaint alleges, involved Merritt lying about how the agency was handling electronic waste, baselessly criticizing Noorhasan's work, and reprimanding her for failings that were outside her job duties.

Then, in July of 2021, an advertisement from WMA for the position of Environmental Enforcement Manager was circulated. Eventually Vince Hendrickson was hired not as enforcement manager but as Compliance Management and Environmental Enforcement director, the position Noorhasan previously held. However, unlike Noorhasan, who holds a PhD in analytical chemistry and has accumulated several years of experience in the role, Hendrickson allegedly has neither the qualifications nor the experience required to perform competently in such a technical position. He is reported to have worked immediately prior to being employed at WMA as security in the Office of the Governor. Nevertheless, Hendrickson was allegedly offered a salary of \$100,000, \$15,000 over Noorhasan's compensation when she occupied the position. Hendrickson also allegedly enjoyed the use of a new vehicle as well.

Meanwhile, Noorhasan says Merritt's campaign of harassment and retaliation against her continued, with him demanding oversight of the permitting process and then allegedly delaying her work for weeks, leaving her with only one or two days within which to review and approve the permits. In November 2021, she says she was demoted — from Compliance Management Director to Compliance Manager — and was forced to swallow an \$8,000 pay cut. Her job description was altered, she says, to include as part of her duties "having to do everything she is told."

That was a bridge too far for Noorhasan, who filed a grievance with the Human Resource Department at WMA on November 22 2021, challenging the recent developments — demotion, pay cut, and altered job description. She says the response from HR was that Merritt, as executive director, could do "whatever he wanted." Noorhasan was preparing to go on vacation, and thus she says she indicated that she would be able to provide a response upon her return. For its part, HR reportedly said that it would hold off on the demotion and corresponding pay cut pending further investigation. That communication was made on November 29th, but Noorhasan says that on her second day of vacation, December 3rd, the demotion and pay cut were pushed through and became effective on the 16th. Noorhasan says she asked her lawyer to send a letter to WMA regarding these developments, which the attorney did on December 23, 2021. She is still awaiting a response from either the authority or from Merritt himself.

Noorhasan claims that in January 2022, she put her foot down, informing the executive director in writing that she would no longer perform functions associated with the jobs of Wastewater administrative assistance, compliance administrative assistant or legal counsel, additional duties for which she had never been compensated, especially in light of her recent demotion.

Around that same time, she says that she was informed that someone else would be taking her old job — not Hendrickson but another of Governor Bryan's former security officials, Anderson Poleon. Poleon too allegedly has no qualifications or experience that would recommend him for environmental enforcement or compliance work, having previously served as Bryan's security chief. Noorhasan says the job requirements for the Compliance Management and Environmental Enforcement director, which Merritt signed off on, include that the successful candidate have a science background and qualifications to review analytical data, requirements that Poleon did not meet.

Noorhassan's newly appointed, and ostensibly unqualified boss, is alleged to have almost immediately joined Merritt's campaign of harassment and retaliation, writing her up for refusing to obey orders while providing no factual basis for those claims. Noorhasan says she was forced to undertake an Employee Assistance Program to be completed by March 2022 or face termination. Despite her insistence that her work performance did not merit being placed on an EAP, Noorhasan says that to protect her job she duly did as she was told, but upon contacting the agency which administers said program, was informed that WMA had not processed the referral on her behalf. Noorhasan claims that her referral was deliberately not completed so that the agency could find a reason to terminate her.

After Poleon joined WMA, Noorhasan says his inability to effectively perform the duties of the job, combined with Merritt's desire to bend WMA rules and regulations from external agencies, caused WMA to improperly issue landfill disposal permits, which resulted in contaminated soil being accepted for disposal at the Bovoni landfill. This sequence of events, which Consortium journalists will detail in subsequent reporting, caused Noorhasan to file whistleblower complaints with the V.I. Department of Planning and Natural Resources and the U.S. Environmental Protection Agency regarding possible violations of local and federal regulations.

This action, Noorhasan claims, resulted in the culmination of Merritt's harassment campaign against her — at some point on June 27, 2022 or shortly thereafter, she was suspended with pay, due to what Merritt allegedly claims was her lack of job effort and her restriction of agency operations. Although Noorhasan says she immediately appealed the suspension and provided documentation to the board to support her side of the story, she is yet to receive a response.

Unwilling to wait for a response that, like with her letter written in December 2021, may never arrive, Noorhasan decided to appeal to the courts for relief.