

## **SENATORS UPDATED ON THE STATUS OF THE V.I. WASTE MANAGEMENT AUTHORITY**

**Date :** November 7, 2019

ST. THOMAS- Members of the Committee on Housing, Transportation, Infrastructure, and Telecommunications, chaired by Sen. Marvin A. Blyden, held a meeting at the Capitol Building on Thursday, to receive testimony from officials of the Virgin Islands Waste Management Authority (VIWMA) regarding the status of its operations, WMA hazardous duty retirement, and the employees. Lawmakers also voted favorably for Bill 33-0152 relating to construction liens and other matters. All items approved will be forwarded to the Committee on Rules and Judiciary for further consideration.

Sen. Blyden said, "This meeting is a continuation of the October 2nd hearing held at the Legislation regarding the status VIWMA. The meeting was interrupted due to safety hazard issues with neighboring offices. Since then there have been emerging challenges with VIWMA. I am disappointed with the failure of VIWMA leadership absence to this meeting."

VIWMA Chief Operating Officer Ann Hanley noted that because hazardous work assignments can result in severe injuries or death, wastewater employees are qualified for the Safety Hazardous Retirement. However, in a meeting held in December 2006 with VIWMA and representatives from the Government Employee Retirement System (GERS), Hanley indicated that it was determined that VIWMA Tier I and Tier II Wastewater and Solid Waste employees are ineligible for the Safety Hazardous Retirement. GERS Tier II are members hired on or after October 1, 2005.

GERS General Counsel Cathy Smith mentioned that to qualify for benefits, VIWMA Chief Executive Officer must disseminate a list to GERS that comprises of certified eligible employees. However, no such documentation was submitted. "To date, no Chief Executive Officer of VIWMA has never certified an employee as having worked continuously for at least five years with chlorine,

sewage or a carcinogen as defined by the Second Annual Report on Carcinogens and therefore eligible for early retirement,” said Smith. Based on the discussion, Hanley stated that the WMA will write immediately to the GERS to officially designate wastewater and other hazardous duty employees for appropriate retirement benefits. All parties acknowledged that additional contributions must be made to GERS to avoid increasing its unfunded liability. Ultimately, Blyden and the other senators present vowed to work collaboratively with the Waste Management Authority, the unions, and the GERS to craft a solution that fairly addresses all stakeholders.

Separately, senators voted and approved: Bill No. 33-0152 - An Act amending Title 28, chapter 12, sections 251 and 254 of the Virgin Islands Code relating to construction liens by exempting government-owned property and property of homeowners under government-administered home repair and construction programs from construction liens, and providing protection to certain homesteaders, and for other related purposes. Sponsor of the bill, Sen. Blyden said, “This bill protects homeowners from receiving a lien on their homes from unlicensed contractors. It will prevent Virgin Islanders from experiencing this type of unlawful abuse.” Daryl Griffith, Executive Director of the Virgin Islands Housing Finance Authority noted that Post Hurricanes Irma and Maria, subcontractors placed a total of ten liens on homes that received assistance from the STEP Program and the Emergency Home Repairs VI. Program for unpaid work. However, homeowners receiving emergency government services did not have a contract with subcontractors. The original contract was between prime contractors AECOM, Inc. and APTIM Environmental and Infrastructure, Inc. and subcontractors. [Office of the Lieutenant Governor](#) Legal Counsel Dolace McLean mentioned that ultimately the Office of the Lieutenant Governor removed all the liens from the homes. ###