

# Worker injured in New Orleans hotel collapse deported by ICE

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Delmer Joel Ramirez Palma, one of the workers injured in the October 12 Hard Rock Hotel collapse in New Orleans, Louisiana, was deported to Honduras by Immigration and Customs Enforcement (ICE) at the end of November.

Ramirez Palma, a metalworker, had been called a “crucial witness” to the mismanagement that caused the collapse which killed three workers and injured at least 18 others at the construction site in downtown New Orleans. He gave an account to a Spanish language news outlet immediately after the collapse in which he detailed numerous violations and shortcuts at the construction project.

Soon after, Ramirez Palma was brought on as a plaintiff in a suit filed against the developers and the firms responsible for the project. Prior to the fatal collapse, he had voiced concerns to his supervisors about the dangerous conditions and lapses in safety.

According to his lawyers, Ramirez Palma had also been brought on as a crucial witness in the federal investigation of the accident, having been interviewed by the whistleblower department of the US Occupational Safety and Health Administration (OSHA). His lawyers and immigrant advocates raised suspicions about the timing of his detention and deportation as it presents a major setback in the investigation of potential wrongdoing and criminality in the collapse.

Prior to Ramirez Palma’s deportation, Secretary Ava Dejoie of the Louisiana Workforce Commission had sent a letter to New Orleans ICE director advocating for Ramirez Palma’s release.

“In the aftermath of a disaster of this scale, the public needs all available information to understand what happened at the worksite, including information from Mr. Ramirez Palma and workers like him who

witnessed safety violations before the collapse,” Dejoice wrote. “If he is deported, the public may never know what key information is being deported with him. The investigations will undoubtedly suffer.”

The letter was ignored and ICE officials have denied that Ramirez Palma’s deportation was connected to this role as a witness.

A lawyer for the New Orleans Workers’ Center for Racial Justice, Mary Yanik, who had been working on Palma’s deportation case, released a statement warning of the deadly consequences.

“Delmer Joel Ramirez Palma’s deportation leaves every one of us less safe,” Yanik noted. “The next time a building collapses, we will wonder if it could have been prevented if our federal agencies had prioritized answers and accountability for the survivors of the Hard Rock, we will wonder if the same bad actors are to blame, and we will wonder if potential whistle-blowers kept silent because they saw what happened to Joel.”

A lawyer for Wright, Pichon & Gray, the law firm representing the injured workers, also spoke out against Palma’s deportation. “Mr. Ramirez Palma is a material witness to a potentially criminal investigation,” attorney Daryl Gray explained, “And he is being deported by the same government duty bound to uncover what caused this construction project to fail and kill and injure multiple human beings.”

Palma’s deportation raises serious legal issues, as it is technically illegal in the United States for workers to face retaliation for claiming their federal worker rights even if they are not citizens. There is also a 2011 agreement between the Department of Homeland Security and the US Department of Labor that ICE should not arrest and deport immigrants who are involved in Department of Labor investigations.

Michael D. Felsen, a retired lawyer for the Labor Department's solicitor office, told reporters, "It's certainly not appropriate to have an individual who is at the center of the beginning of a whistleblower investigation whisked away to another country and be potentially very difficult to get in touch with," he added, "It takes a lot of work to get to the truth. And often the truth will not come out until the two opposing stories go to trial and a judge will have to decide."

According to Ramirez Palma's wife, there are now other undocumented workers who are afraid to speak up about the incident following her husband's detention and deportation.

Ramirez Palma, the father of a 10-year-old son, moved to the United States from Honduras in 1999 and had been working in the New Orleans construction industry for nearly 20 years. He made multiple appeals contesting his deportation after a ruling in 2015, arguing that his deportation would cause undue harm to his son, a natural born US citizen. His most recent appeal, just a few weeks before the collapse, was denied.



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