

OSHA issues citations to those responsible for New Orleans Hard Rock Hotel collapse

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The United States Occupational Safety and Health Administration (OSHA) issued citations last Thursday to the engineers and construction firms responsible for the incomplete Hard Rock Hotel in New Orleans which collapsed in October 2019 resulting in the deaths of three construction workers and the hospitalization of more than two dozen.

According to the report, which had been in preparation since November, eleven companies have been issued citations resulting in hundreds of thousands of dollars in fines, mere slaps on the wrists. There have been no arrests so far, while city building inspectors who were found negligent have been allowed to retire. No criminal charges have been brought and the fines are being appealed.

The building, which was 18 stories tall, was found to have dangerously unsafe floor beams on the 16th floor which were, according to the report, “under-designed in load capacity” as well as having “structural steel connections (that) were inadequately designed, reviewed, or approved.”

Both of these are among many of the other “serious” and “willful” violations found to have been committed by one of the major companies mentioned in the report, Healsip Engineering, which received the largest fines of the nearly one dozen other companies cited.

Healsip, based in the neighboring town of Metairie, is facing \$154,214 in fines as a result of the violations they committed in the design and construction of the Hard Rock Hotel building. The company is already challenging the findings of the report and lawyers for the company will be appealing the already meager fines.

In the last month, at least three city building inspectors have been suspended with another allowed to resign after it was found they signed off on

inspections, the Hard Rock Hotel project and many others, without having visited the sites in person.

Zachary Smith, the inspector in charge of the Department of Safety and Permits during this period, was demoted within the department but allowed to stay because he is reportedly the only city employee certified to pass inspections.

Meanwhile the families of those two men whose bodies are still trapped inside the collapsed structure have been given no closure for their grief as the city has still not settled on a definitive timetable for demolition five months after the collapse.

As of this month several different plans are being considered by the city but developers and property owners have yet to settle on a plan as many of the parties involved are unable to acquire proper insurance to cover any damage that may result in a controlled implosion.

The developers and owners are now turning to a different demolition company with a plan to take the building apart slowly piece by piece, a method which brings with it its own dangers and precautionary needs. The city, for its part, is not willing to cover the insurance needs for such a project and is demanding the property owners, 1031 Canal, cover the entirety of the demolition and insurance costs.

As outlined in the OSHA report, the collapse was caused when the upper floors of the building pancaked on top of each other, potentially the result of weak floor beams as well as vertical support beams that were spaced too far apart and thus unable to support the weight of the 17th and 18th floors.

According to OSHA guidelines, a “serious” violation is that which “could cause an accident or illness that would most likely result in death or serious physical harm.”

Healsip and the other companies involved were also cited for “willful” violations which are those that “the employer either knowingly failed to comply with a legal requirement (purposeful disregard) or acted with plain indifference to employee safety.”

The government’s report makes clear that the collapse is the clear result of criminal disregard for building safety and protection of construction crews.

Suncoast Projects, a steel contracting company, was also cited in the report for structural violations related to steel beams used in the construction. According to the citation, “Employees performed steel erection activities where steel beams on the sixteenth floor were not connected to columns on the fifteenth floor per the contract documents and did not meet specific load requirements, exposing employees and other workers at the jobsite to struck-by and crushing hazards.”

Among the other violations levied against the other contractors include poor training requirements and a lack of protective equipment. Many workers were forced to provide their own hard hats and reflective vests.

According to another citation in the report, Citadel Builders, a partner in ownership of the property, failed to provide adequate exits or stairwells for evacuation and did not provide the site with building plans for the workers to reference.

Workers were also forced to work around dangerous chemicals and equipment without proper training or protective gear. Many of these concerns were already voiced by workers in the weeks leading up to the collapse. A cellphone video taken by a worker who has since been deported by Immigration and Customs Enforcement (ICE), showed the safety violations and poor construction regulations of the project, including support beams that appeared to be bowing under too much weight.

When asked about the report, University of New Orleans engineering professor Norma Jean Mattel stressed that there will likely be more to come as a definitive answer to what caused the collapse has not yet been given. “These citations are preliminary and all the entities cited will have the opportunity to meet with OSHA and review issues and they may bring more information to the table then,” she told WWLTV, “Stay tuned until the final report comes out.”

Meanwhile the wreckage of the partially collapsed

building remains a grim daily reminder to the residents of New Orleans of the avoidable tragedy. Due to months of delays and the shifting of blame and responsibility of costs from developers to owners to the city government, the families of the dead workers live in utter uncertainty each day as to when they will be able to bury their loved ones.

Outraged citizens took to social media over the weekend to express their concerns over the OSHA citations. One Facebook user commented, “Wonder how much 1031 Canal paid to escape blame,” a reference to the fact that the company which owns the property was not mentioned in the report. “Those fines are a joke. Criminal charges should be filed.”



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