

Amid charges of unsafe conditions, Puerto Rico's governor issues back-to-work orders

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On May 1, Puerto Rico's Governor Wanda Vázquez Garced issued an executive order allowing for the phased resumption of non-essential commercial and manufacturing activities by May 11. Under the executive order, insurance, real estate and legal services were allowed to resume operations, along with hardware stores, auto repair and sales shops, other appliance repair and installation businesses on May 4. Retail banking operations and medical offices, including dentists and optometrists, were also given a green light to reopen.

The order also allowed for gas stations and pharmacies, which previously had been allowed to operate on a restricted schedule, to resume normal operating hours. Construction and manufacturing at non-essential plants were also allowed to resume on May 11. The government is also planning for a reopening of non-essential retail outlets, restaurants, bars, barber shops and beauty salons before the end of the month.

In order to reopen or continue operations, businesses are being required to complete a "self-certification" form attesting to the development of a control plan or risk-management plan. There is to be no official review of said plans. Rather, there is a self-certification form, which consists of 21 questions that require check marks in "yes" or "no" boxes, that is to be submitted to the Department of Labor and Human Resources once completed. In other words, businesses have been left to supervise themselves in all matters related to worker safety as the government's regulatory agencies essentially wash their hands of the matter.

Not surprisingly, within businesses that have remained open since the outbreak of the pandemic there has been a rash of workers' denunciations of unsafe conditions. The Puerto Rican Occupational Safety and Health Administration (PROSHA) has registered a sharp increase in complaints since March of this year. According to an investigation conducted by the *Centro de Periodismo Investigativo* (CPI), a collective of investigative journalists that advocates for transparency, the period between March 14 and April 29 saw 680 coronavirus-related workplace complaints filed with the PROSHA.

Of the registered coronavirus-related complaints, nearly 60 were submitted by hospital or health care workers. Significantly, several of the complaints to PROSHA have been leveled against Walmart stores and Banco Popular branches.

Walmart and Banco Popular, Puerto Rico's biggest bank, are two of the largest private employers in the territory.

In comments recently made to CPI reporters, a retail worker at a Walmart located in Bayamón, a densely populated town located just southwest of San Juan, described the situation for workers at the store. "There is no control of the public entrance and people are entering as if it were normal sales. .. For an employee to get a mask they make us sign a liability release and if we do not sign, we are sent home. The company doesn't just supply masks. This is why several associates have opted to bring their own masks. But as I said, if you don't fill out a release, they send you home." Other workers have denounced these companies for withholding information about positive cases at work sites.

Additionally, several manufacturing outfits that have remained open in Puerto Rico throughout the pandemic have also been exposed for their reckless and criminal endangerment of workers. Employees at an Eaton-Cutler Hammer plant, located in the northern town of Arecibo, have repeatedly denounced the electrical supplies and power management company, which boasts operations in 175 countries and posted \$21 billion in revenues during 2019, for not providing PPE or orientation on workplace safety protocols to workers.

Other manufacturing companies with operations in Puerto Rico denounced by workers for unsafe conditions related to COVID-19 include: ABB, Thermo King, Abbott, Pfizer, Johnson & Johnson, Medtronic, Zimmer Bionet and SNL Technical.

In all of these cases, the response of PROSHA, which is itself an agency within the Puerto Rican Department of Labor and Human Resources, has been to require that the cited companies investigate themselves.

PROSHA has been notoriously negligent in intervening on behalf of workers. The last year of comprehensive reports on PROSHA inspections that currently appears on its website is 2014, during which, by the agency's own account, it conducted only 33 inspections out of the 101 cases that remained pending from previous years.

Beyond the criminally complicit role being played by regulatory agencies, capitalist policies during the pandemic are being channeled through quasi governmental agencies such as

the Puerto Rico Business Emergency Operation Center (BEOC), which was recently reorganized as the governor's "economic task force" for response to the coronavirus.

Tellingly, the governor's economic task force is comprised entirely of representatives of the most powerful sectors of international capital with operations in the colony, including companies that workers have denounced for COVID-related workplace hazards. For example, Iván Báez, a Walmart executive, and Ignacio Álvarez, president and executive director of Banco Popular, are both members of the governor's task force.

Other members of the economic task force include: Jaime Fonalledas, the patriarch of a commercial real estate and dairy dynasty with close ties to US retail interests and the Republican party; Emilio Colón Závala, an engineering and construction firm executive; Wendy Perry, an executive with the pharmaceutical giant Merck; Zoimé Álvarez, vice president of the Puerto Rican Bankers Association; and Eduardo Pagán, an executive of Tote Maritime, the largest shipping monopoly in Puerto Rico.

Significantly, none of the familiar stooges from the union bureaucracies, historically enthusiastic about carrying out their functions in the service of the capitalists, were offered a seat on the task force, even as a measure to preserve appearances.

The rush to restart commercial and manufacturing activities in Puerto Rico takes place within the broader context of a prolonged economic recession dating since 2006, a dramatic surge in so-called public debt, and savage austerity measures imposed by successive administrations which have resulted in the dismantling of education and health care systems and the deterioration of physical infrastructure. Puerto Rico also has a notoriously low labor participation rate that has led to an exodus of over 500,000 residents over the past decade, with 45 percent of its remaining population, including 58 percent of children, living below the poverty line.

The 2016 *Promesa Law*, enacted under the Obama administration, created a legal framework for debt restructuring under federal bankruptcy courts while imposing a nine-person, Fiscal Control Board (FCB), known locally as *la junta*, with dictatorial powers that have enabled it to impose even more draconian cuts to social programs and pensions in the island colony. Earlier this year, the FCB expanded on the playbook used during the Detroit bankruptcy proceedings to impose an 8.5 percent cut to the pensions of public sector retirees.

Indeed, an application of this kind of bankruptcy model to restructure the growing debt of states across the US is already being foreshadowed by the political representatives of the ruling class, as evidenced by recent comments by Senator Mitch McConnell of Kentucky.

The coronavirus pandemic has only worsened the increasingly dire social conditions imposed upon workers in Puerto Rico. In September of 2017, Puerto Rico suffered a devastating hurricane under a criminally negligent and corrupt

administration which cost the lives of nearly 5,000 people.

A year and a half later, social tensions reached a critical point when a leaked chat between government officials brought to the fore rampant and brazen corruption as well as a mafia-style political culture at the highest levels of the administration. Days of massive protests eventually led to the forced ouster of then governor, Ricardo Rosselló. Earlier this year, a wave of earthquakes struck several towns along the southern coast of the main island leaving hundreds of families in tent encampments and raising further questions about the mishandling of emergency management and corruption.

Since the outbreak of the current pandemic, Puerto Rico has registered 2,427 positive coronavirus cases and 117 deaths as of May 14. It continues to have one of the lowest rates of testing on the planet, despite previous official statements to the effect that the government would base its strategy for dealing with the health crisis primarily on testing and isolation measures.

In fact, the Puerto Rican Health Department recently stopped updating data on testing in a feeble attempt to cover up the government's reckless abandonment of the health and lives of the workers who it has committed to forcing back to work.

A recent scandal that has led to public hearings in the colonial legislature was provoked when a construction company with ties to the PNP administration, Apex General Contractors, was awarded a \$38 million contract via a fast-track process to procure thousands of testing kits from a nebulous company based in Australia, Premedical, whose business activity prior to the pandemic consisted of selling fat-freezing gadgets, ultrasound vaginal rejuvenation and erectile function machines. The testing kit contract was ultimately cancelled.

Just as in other parts of the United States and Latin America, the working class in Puerto Rico is assimilating bitter lessons. Like workers across the globe, they are being forced to sacrifice their health and lives to guarantee capitalist profits. The independent, political organization of the working class, guided by a socialist and internationalist program, has never been more urgent than the present.



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