

Report from Texas Marathon refinery worker on death of 25-year old contractor

A Marathon refinery worker
27 March 2023

On February 28, 25-year-old Alfredo Reyes was killed while constructing a scaffold at the Marathon Galveston Bay Refinery in Texas City, Texas. The worker, who was employed by Excel Modular Scaffold, was reportedly electrocuted when he came in contact with an electrical conduit. A Marathon spokesman claimed Reyes “passed away after being transported to a medical facility.”

According to a gofundme.com page, Alfredo was born in Mexico on July 13, 1997 and was a longtime resident of Alvin, Texas. He was “a very hard worker from a young age” and the “main caregiver and head of household for our disabled single dad since 2015,” his sister Claudia Reyes wrote. She added, “The entire family is heartbroken by this sudden loss.” As of this writing, family, friends and workers have donated \$77,831 for Reyes’ funeral expenses and to support his disabled father.

Like the other oil companies, Marathon hires low-wage contractors for scheduled closures for maintenance and repairs, called “turnarounds,” and other construction-related work. Reyes is not the first Excel Modular Scaffold worker killed at the Marathon refinery. In 2016, Louis A. Gonzales-Bock, 22, a contract worker employed about a year at the refinery, drowned after the scaffolding he was constructing collapsed and fell into Galveston Bay, dragging him under water. The Occupational Health and Safety Administration (OSHA) fined Excel \$12,675 for failing to have a life-saving skiff nearby.

A veteran worker at the Galveston Bay Refinery sent the following report to the World Socialist Web Site about the death of Reyes and the conditions of contractors and full-time operators at the Marathon GBR facility. He sent this after reading the WSWs article about OSHA’s decision to fine BP \$156,250 for the September 2022 deaths of two refinery operators—Ben and Max Morrissey—at its BP Husky facility in Oregon, Ohio, just outside of Toledo.

The story of the Morrissey brothers is very sad. There was a fatality at my plant on February 28. OSHA has been onsite investigating.

I don’t know enough about the worker who was killed, Alfredo Reyes, to comment on his previous work or life experience, but given his age and the fact that he lived nearby, there’s a good chance he was hired for the turnaround, and this temporary work would’ve represented a significant financial windfall for his family.

He was a scaffold builder, working at one of the units shut down for maintenance. While working on scaffolding, he apparently lost his balance and reflexively grabbed whatever he could to try to prevent himself from falling. If he was working at any height above some very low threshold, he would’ve been wearing fall protection that would prevent him from falling to the ground. However, this sort of protection is pretty much what it sounds like, essentially just a cord that’s attached to you and the supports of the scaffolding that’s shorter than the distance to the ground. It will prevent you from falling all the way to the ground, but you can still fall and if you start to fall, human instincts kick in and you try to save yourself.

Unfortunately, whatever he grabbed a hold of was energized (or

possibly became energized after he grabbed it and broke something loose) with 480V and he was killed pretty much instantly. Investigation seems to show that some lighting in the area was possibly improperly maintained and some supports were corroded or missing, allowing conduit which should not have been energized to become energized. Whether or not the supports for the lighting were maintained correctly, they weren’t meant to support someone’s weight. The conduit, which was now not grounded, broke and cut the wires and became energized.

According to the press releases, he died at the hospital. This is always the case. A member of the Emergency Response Team said they worked him for 45 minutes and didn’t get vitals. ... I’ve heard it sort of morbidly said that unless there isn’t enough of you left to take off site, no one dies in the plant. I’m sure there’s some legal technicalities like the declaration of death needing to be signed by a physician or something, but the way it’s interpreted by workers is that the company would have to pay more money (whether in fines or settlements) if someone dies at the plant in an accident, rather than dying later as a result of injuries that occurred in an accident at the plant. I think this is a concept that most refinery workers will be familiar with.

The United Steelworkers National Oil Bargaining Program (NOBP) “fought” to get us a half-million dollar payout to our families, should we be killed in an accident at work. Whether it’s actually the case or not, the way many workers seem to perceive that is that, if they can claim you died outside the plant later, then they won’t pay that additional amount. Regardless, this poor man’s family won’t get that anyway, since he was a contractor. I hope his family wins a ton in a wrongful death lawsuit.

There’s still a lot being discussed with this incident and I don’t think they’ve fully decided how they’ll frame it as being his fault. Either way, I am pretty certain that he had no idea what killed him was even a possibility. I doubt he should have been working that close to anything energized with 480V, and his training likely didn’t cover how to safely work around those hazards.

For context, electricians here at the site are required to wear arc flash suits to work with 480V, and anyone other than a pretty short list of people on site can immediately lose their jobs for attempting to work on anything with voltage that high, due to the extreme risks. Everyone at this site, including people who’ve been working here for many decades, couldn’t believe that the electrocution was caused by lighting. We work around a lot of hazards, and you don’t really expect something seemingly benign like that to be the cause of such a tragic incident.

The union has been somewhat quiet about the whole thing, other than sharing information about a gofundme that was started for the man’s family and funeral costs.

The Marathon Galveston Bay Refinery is a 600,000bbl (barrels of oil per day) facility, making it one of the biggest in the world and the 2nd largest in the US now. We’re in the middle of a huge turnaround, so it’s turned into a small city with all the contract workers. We probably have around 2k full-time workers here normally, but right now it must be closer

to 10k. All the area motels and hotels are full of the traveling workers, and the traffic is awful.

“Exploitation of inexperienced workers is a major part of the business model”

The local companies that were able to secure contracts, usually by being the lowest bidder, all have job fairs a couple months before the turnaround starts to get as many people as they can as cheaply as possible. Being so close to Houston, a significant proportion of these temporary workers are of Latin American origin, enough so that many signs in the areas where work is being done will be in Spanish as well as English.

The contract companies charge the refiner a set amount for each man-hour. These companies will have a small number of workers with decades of experience who travel all over the world to these worksites and get paid very well. The majority of the temporary contract workers who are here working the turnaround have little to no experience, receive minimal training, and are here as “warm bodies” for the contract company to get paid as much as possible.

These are the workers who show up to job fairs or had a friend/family member who was a reference to help them get the job. These jobs will pay maybe \$20 to \$25 per hour, and the workers will typically be on either a 6-on/1-off or a 13-on/1-off schedule. These workers, with little previous relevant experience, are often making more money in the few months the turnaround lasts than they otherwise would in an entire year.

Once the turnaround ends, most of these workers are laid off. The skills they gained in that short period of time are usually only directly transferable to the same sort of work, which is seasonal. Most plants schedule major turnarounds on a 5-year schedule, so depending on the area they live in, these workers may have very limited opportunities when the turnaround ends unless a nearby plant has similar maintenance scheduled around that time.

These temporary workers are given the absolute minimum legally required safety training. (Often, they actually must pay out of pocket to obtain “safety council cards” or some similar certification to be allowed to enter the plant.) They’ll sit through classes, which might be anywhere from a day to a week depending on the types of hazards that worker is expected to encounter, which will be some combination of videos and instruction typically led by a veteran worker lucky enough to get out of the field and have a cushy job being the “safety man.” They must then pass a test (multiple choice, usually) over the material and get a high enough score to be able to obtain their certification. For the workers that are hired expressly to work the turnarounds and then be laid off, I can’t imagine the training they get once they’re on the job is much better.

I certainly don’t want to come across as disparaging towards any of these workers, and there are certainly very competent, experienced workers who work for all of those companies as well. It’s just that the exploitation of inexperienced workers is a major part of their business model. Billing (from the contractor to the refiner) is based on man-hours, and some dollar amount is attached to that. The workers behind those “man-hours” may be people who have received very little training, don’t realize the seriousness of everything going on around them, and were just hired “off the street” for what they see as an amazing opportunity. They might be making several times the minimum wage and working 70-90 hours a week for a few months. For a worker who’s been struggling to get by, this can seem great.

Some of the first jobs that they’ll get people with no experience to work are “fire-watch,” “hole-watch” and “bottle-watch.” These are people, again with no experience or real training, whose job it is to sit there and

watch for a fire near where someone is doing welding, a sign that people should leave a confined space, or that bottles of breathing air are getting low, respectively. These jobs will pay as little as \$15/hr and require no previous experience.

Where I grew up, this was a job that many people I knew would go do over the “turnaround season” and make more than enough money to pay for the next year of school, or as is sometimes the case, to just not work until the next season. Every hour these workers “just sit there” is a man-hour, and if they’re only getting paid a small fraction of what the contractor is able to charge the refiner, then things are going well for the company.

It’s definitely worth noting that, a couple generations ago, all of these jobs would have been done by full-time union workers, who only worked at this facility. Through a long, corrupt and frustrating history with the USW and other unions, those jobs all became contracted out to the lowest bidder, leaving us in this mess. The union does what they can to frame these contractors as “taking our jobs,” but most people can see through that by now. Many of the contract workers who are working the turnaround, and either know they’re temporary or are tired of traveling constantly, will do their best to interact with the operations or maintenance personnel to ask about what we do, what we get paid and, of course, inquire about how they can get a full-time job working *for* the plant, rather than *at* the plant.

It’s a really strange class system that’s developed over time. In addition to having inadequate training (which I can say is also true for those of us who work here full-time), these contract workers, in an at-will state, lack the protection that we unionized workers have when it comes to job security. They know, whether it’s explicit or implied, that if they cause problems (maybe by speaking up about unsafe conditions) that they could very easily not have a job the next day.

When a full-time operator is hired, it’s (usually) at the bottom starting rate. At some plants, like this one, it may be only 50 or 60 percent of the top-out pay given to fully trained, experienced operators. The operator will then get a raise at regular intervals, usually every 6 months or maybe a year, until usually either 3 or 5 years, at which point, that operator is considered fully trained on all their duties. This is in addition to our negotiated NOBP raise. At this plant, however, an operator gets that raise, which could be a few dollars an hour, either on that set anniversary date, OR they can get those raises early, by getting a raise each time they “test out,” signing the paperwork confirming that they are fully trained on a given set of job duties and accepting full responsibility for the job, enabling them to work it with no assistance or additional supervision. I think the problem with such a system is pretty obvious.

How little the lives of these workers are valued is illustrated clearly by the paltry fine that BP has been ordered to pay for the deaths of two young brothers—Ben and Max Morrissey—due to the company’s disregard for their safety. The \$156,250 fine amounts to less than 0.0006% of the record-breaking \$28 billion profit the company made in 2022. An equally insulting penalty should be expected to be assessed against Marathon for the contract worker killed recently in their facility. The union-represented workers speak out frequently about the inadequate training they receive and the increased workload due to constant headcount reductions. The contract workers, who receive even less training, know that coming forward with such concerns could result in them losing their jobs, since they lack the protection of a collective bargaining agreement.

In a never-ending effort to cut costs, the companies continue to reduce the number of union jobs through attrition and replace those workers with contractors, who have little benefits, no job security, minimal training and get paid a fraction of what the union workers make. The unions are complicit in this replacement and simply raise the amount of dues paid by each member to keep their coffers full.

The enormous strike fund that the USW has accumulated over the years

could have easily supported workers through a strike to help ensure safer working conditions and better training, but the union used underhanded tactics to force workers into a sellout contract that guaranteed real wage reductions and maintenance of the status quo. To serve as an example of what could happen to oil workers who dared to vote down the NOBP contract, USW allowed the Exxon workers in Beaumont to struggle for months—on strike wages that were so low many were forced to rely on the charity of the community—only to end up accepting a contract that was worse than the one they initially rejected.

The companies and the unions have conspired to create a class system, with the contractors on the bottom, to turn the workers against each other in an effort to keep costs down through decreased compensation and more hazardous working conditions. The union workers recognize that the contract workers are allies and live under exploitation from the same groups, but the union apparatus does its best to frame these workers as the reason our jobs keep disappearing and paychecks seem to be shrinking. If the workers wish to work jobs under conditions that ensure they will make it home to their families and receive sufficient remuneration to provide comfortable lives for them, we will have to work together. United, the workers could bring these greedy companies to their knees and shake loose the yoke of subservience they've thrust upon us with the aid of their lackey union leaders.

Are you an oil worker or contractor? Fill out the form below to report on working conditions at your facility. We will protect the identity of all workers who give information on safety violations and other conditions.



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Socialist Equality Party visit:

wsws.org/contact