

Worker crushed to death at New Jersey foundry previously awarded OSHA's highest safety recognition

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Henry Antonio Marmol Martinez, a 52-year-old maintenance mechanic, was killed on Friday, October 9, while working on industrial machinery at the McWane Ductile iron foundry in Phillipsburg, New Jersey. He was performing repairs during an overnight shift when he became trapped in the machinery and suffered fatal crushing injuries.

According to Phillipsburg Police Chief James McDonald, officers responded to the plant at about 4:40 a.m. after a report of an injured worker. Emergency medical personnel found Marmol unresponsive. He was transported to St. Luke's Warren Campus, where he was pronounced dead at 6:31 a.m.

Marmol, a resident of Easton, Pennsylvania, had worked at the plant for six years. Originally from the Dominican Republic, he had been married to Iris Marine for 34 years. He was the father of six and the grandfather of 10.

His family is demanding an independent investigation into the circumstances of his death.

Gabby Olivo, engaged to one of Marmol's sons, told 69 News that Marmol was adjusting machinery when something went terribly wrong. According to the family's account of the incident, his arm became caught in the equipment, which then crushed his body. A United Steelworkers representative told the family that his ribs and lungs had been crushed.

"There's a lot of missing pieces [to the story], and we're still trying to puzzle everything together," Olivo said. "We do have a lot of questions, and we just don't want another family to go through the suffering that we're currently going through."

McWane Ductile issued a boilerplate statement expressing sympathy for the family and announcing an internal investigation.

The Occupational Safety and Health Administration (OSHA) has also opened an investigation, which the agency says could take up to six months.

The death occurred at a facility that OSHA has repeatedly recognized as having supposedly exemplary workplace safety practices.

McWane Ductile's Phillipsburg plant received Merit recognition under OSHA's Voluntary Protection Programs (VPP) in 2018 and held Star status, the program's highest designation, by 2020. OSHA recertified the facility's Star status in June 2024 following a four-day evaluation that included a plant inspection, reviews of safety procedures and interviews with more than 20 employees.

In February 2024, McWane Vice President and General Manager Keith Mallett said that OSHA's auditors had been highly complimentary of the company's safety efforts and called the successful review a collective achievement.

Under the VPP, OSHA establishes cooperative relationships with employers and workers at facilities it recognizes for maintaining exemplary safety and health management systems. Participating employers are generally exempt from routine, programmed OSHA inspections, but they remain subject to investigations following fatalities, complaints and other incidents.

The program requires employee participation and, at unionized facilities, the concurrence of the facilities' authorized bargaining representatives. Workers at the Phillipsburg plant are covered by the United Steelworkers.

The fatality exposes OSHA's highest safety designation as a fraud, and the system of cooperation among management, regulatory agencies and the union bureaucracy as a mechanism for imposing the conditions that kill workers.

Even during its Star recognition period, the Phillipsburg facility was cited for violating federal workplace-safety requirements.

An OSHA inspection opened in June 2023 resulted in an initially classified serious violation and a proposed penalty of \$15,625. OSHA later reclassified the violation as other-than-serious and reduced the penalty to \$11,000. The case was closed on February 15, 2024, just eight days after McWane publicly announced its successful VPP evaluation.

The company's history in Phillipsburg includes far more serious offenses.

In April 2009, Atlantic States Cast Iron Pipe Company, McWane's division operating the Phillipsburg foundry at the

time, was sentenced to an \$8 million criminal fine after convictions for environmental offenses, workplace safety violations and obstruction of federal investigations.

Four former managers received prison terms ranging from six to 70 months.

The convictions followed a seven-month federal trial that exposed an eight-year conspiracy involving the illegal discharge of pollutants, concealment of serious workplace injuries and deliberate interference with OSHA and environmental investigations.

Federal prosecutors established that company officials had altered accident scenes, concealed injuries from inspectors, and maintained dangerous conditions that led to severe burns, broken bones, amputations and the death of 47-year-old Alfred Coxe, who was run over by a forklift with faulty brakes in March 2000. Prosecutors said managers repaired the forklift before OSHA inspectors arrived and misled investigators about its condition.

By 2009, several divisions of the corporation had faced federal convictions involving environmental and workplace safety offenses.

Phillipsburg residents have also opposed pollution from the foundry, which began making pipe in 1856 and was acquired by McWane in 1975.

The company recently paid \$42,000 to settle violations related to excessive emissions of nickel and manganese. At the same time, it sought approval from the New Jersey Department of Environmental Protection to increase the plant's permitted emissions.

Residents have complained about smoke, odors and concerns about the effects of industrial pollution on their health.

"You wake up in the morning, you think your house is on fire sometimes if the wind is blowing in my direction," resident James Flynn told 69 News.

Opposing a proposed increase in emissions limits, Flynn declared, "For them to up what I'm already inhaling? No, I can't go for that."

Meanwhile, McWane has sought to cultivate an image as a benefactor of Phillipsburg. In 2023, the corporation announced a \$1 million donation to support the construction of a recreational field at Walters Park, covering nearly half the project's estimated \$2.4 million cost.

But while McWane promotes its contributions to community life, workers face the dangers of industrial production, and nearby residents protest pollution from the plant.

OSHA's investigation may identify specific violations and result in additional penalties. Any serious investigation must establish whether the machinery had been shut down and isolated from hazardous energy, whether lockout/tagout procedures were followed, and who was responsible for enforcing them. These questions are central to determining the circumstances of Marmol's death. Management controls machinery, maintenance schedules and working conditions,

while workers bear the consequences when safety fails.

The United Steelworkers' participation in the plant's labor-management relations provides no protection to workers confronting dangerous equipment. The union's concurrence with the VPP designation made it a direct participant in certifying the plant as safe.

These labor-management arrangements extend across the steel industry. Contracts covering tens of thousands of workers at US Steel and Cleveland-Cliffs expired on September 1, but USW officials kept workers on the job under extensions while negotiating new agreements. In a September 30 bargaining update, the USW protested US Steel's proposal to remove "partnership" language encouraging "communication, cooperation, and better labor-management relations." At Cleveland-Cliffs, the union announced tentative agreements on safety and training, while negotiations over wages and health care continued.

Steelworkers have continued to die under these arrangements. On September 27, Jeffrey Smith, 53, was crushed between two door machines at Cleveland-Cliffs' Monessen coke plant in Pennsylvania. The company said it was investigating his death jointly with USW representatives and that there were "no disruptions to the Monessen operation." In July, electrician Mitcheal Nelson, 62, was electrocuted at US Steel's Granite City Works in Illinois. In August 2025, an explosion at US Steel's Clairton Coke Works killed Steven Menefee and Timothy Quinn.

Workers' interests in preserving their lives cannot be reconciled with corporations' drive to maintain production and profitability through official declarations of cooperation.

The Phillipsburg plant's receipt of OSHA's highest safety recognition, despite its history of criminal convictions and more recent regulatory violations, lays bare the gulf between official assurances and the conditions industrial workers face.

Defending workers' lives requires the working class to organize independently, including rank-and-file safety committees controlled by workers themselves, with the authority to halt dangerous operations and enforce safe working conditions, independent of management and the union apparatus.



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