

**PREPARED STATEMENT
ZANDRA E. PETERSEN, EXECUTIVE DIRECTOR
PUBLIC EMPLOYEES RELATIONS BOARD (“PERB”)
BEFORE THE COMMITTEE ON GOVERNMENT SERVICES,
CONSUMER AND VETERANS AFFAIRS**

Good Morning Honorable Senator Justin Harrigan, Sr., Chairman, and other distinguished Members of the Committee on Government Services, Consumer and Veterans Affairs. My name is Zandra E. Petersen, and I serve as the Executive Director and Hearing Officer of the Public Employees Relations Board, also known as “PERB”. I would first like to recognize our incoming Chair, Mrs. Pierina J. Feldman, and seated with me in the “WELL” is Larry Raymond-Roy, Esq., Legal Counsel to the PERB.

Thank you for the opportunity to come before you today to provide testimony on the proposed legislation in **Bill No. 31-0179**, an Act amending Title 3 of the Virgin Islands Code, Chapter 25, subchapter IV, Section 531, in regards to a time frame for filing an appeal of discrimination before the PERB.

The PERB is a separated independent board of the Government of the Virgin Islands. The PERB is a neutral organization, and is a body of limited jurisdiction. The PERB, through its enabling legislation, was given the authority to hear certain cases filed by the employees of the Government of the Virgin Islands. The PERB hears cases regarding an appeal of discrimination filed pursuant to Title 3 of the Virgin Islands Code, chapter 25, section 531 - ***Discrimination on account of non-merit factors, appeal.***

These appeals are called Government Service Appeals, and it permits an employee, or applicant, who has reason to believe that he or she has been discriminated against, to file an appeal of the employer’s action to the Board.

The discriminatory act may be on account of various factors, such as race, age, sex, national origin, religion or political opinion, affiliations, or non-merit factors.

In review of your proposed legislation, the PERB notes that the law does not provide for a time limitation in which to file an appeal of discrimination. The PERB has consistently stated before this body that the 531 cases are not time sensitive, since there are no time constraints, we schedule them as much as time permits. Therefore, proposing an amendment to Title 3 of the Virgin Islands Code, Chapter 25, Section 531, by adding a subsection (c), which reads as follows: “the limitation for filing a claim under this section is 180 days from the date of the alleged discriminatory conduct”, which specifically sets forth a time limitation, is a welcomed proposal for the PERB process. Additionally, with this proposed legislation, any potential applicant or employee contemplating the filing of an appeal of discrimination would be placed on notice of the time limitation to bring forward a claim of discrimination. And, the department or agency would not be faced with defending a claim that may have occurred well beyond that proposed time frame.

We are mindful that the PERB serves as the primary recourse for Government Employees and Management, in addressing labor matters. If **Bill No. 31-0179** becomes law, PERB anticipates this Bill would have a positive impact on our operations in regards to the processing of Section 531 Government Service Appeal Cases.

In closing, the PERB, in keeping with its intended purpose, will continue to strive to provide a process wherein it encourages an orderly and constructive relationship between our public employers and their employees. Therefore, we appreciate this proposal, which allows for the PERB's process to be streamlined, and will be in accordance with its objectives.

Thank you for allowing me to speak on this matter regarding the potential effect of **Bill No. 31-0179** as it relates to the PERB. We are now prepared to respond to any questions you may have.