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Bryan Vetoes Fair Chance Bill, Saying it Allows Job Applicants to Sue Employers Without Cap to Damages Sought

Alongside the veto, Governor Bryan signs multiple bills, including maritime scholarships and automatic expungement of certain arrest records

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Senator Donna Frett-Gregory is author of the Fair Chance for Employment Act, and she has vowed to override the governor's veto with the support of her colleagues. By. V.I. LEGISLATURE

On Wednesday, a press release from Government House announced the approval of several pieces of legislation that had been passed by the Senate in recent weeks, and the veto of a bill lawmakers

had called “the epitome of a second chance” for ex-offenders.

Along with a slew of approved honor bills, zoning measures and leases, signed into law was an act [establishing scholarships](#) for those interested in pursuing careers in the territory’s maritime industry, as well as legislation allowing for the [automatic expungement](#) of arrest records if probable cause to uphold the charges is not found. A bill to enhance the legal prohibitions against “[revenge porn](#)” was also approved by the governor, as was legislation to reduce the number of weeks [unemployment benefits](#) will be able to be collected.

Governor Bryan further signed bills that raised the [minimum default amount](#) of child support, established parameters for the restart of GERS [personal loans](#), and adopted nationally recognized [building codes and standards](#).

The designation of March as Girl Scouts Month was also approved by the governor, as was a bill to redirect unused line of credit funds to help the Virgin Islands Police Department pay for the hosting of the 2024 National Alliance of State Drug Enforcement Agencies Symposium in June.

However, Bill 35-0115, dubbed “The Fair Chance for Employment Act” by sponsor Senator Donna Frett-Gregory, was vetoed by the Governor. The legislation sought to, among other measures, require the Division of Personnel to develop fair chance hiring policies, and delay the conduct of background checks by prospective employers until a conditional offer of employment has been extended to applicants.

The intention of the bill, according to Frett-Gregory, was to “end the stigma” surrounding the reintegration of formerly incarcerated individuals into the world of work. However, Governor Bryan, while commending lawmakers for “passing such a forward-thinking measure,” said that the legislation had some fatal flaws. In the announcement of the veto, he expressed concerns about “overreaching components in the bill, particularly the severe criminal penalty for employers and the absence of a cap on damages for job applicants.”

On Wednesday evening, Senator Frett-Gregory issued a press statement of her own, rebutting the governor’s stated concerns and vowing to work with her fellow lawmakers to override his veto. That override seems likely, as the measure passed unanimously when it was [voted upon last month](#). Frett-Gregory argued that what Governor Bryan says he finds objectionable about the measure is already the law of the land. “It’s been on the books for almost 6 years,” the lawmaker noted.

Nevertheless, she signaled her willingness to rework the language to address employer concerns, but stated emphatically that any revisions should come as a separate measure, and that Bill 35-0115 should not be delayed as a result of any amendment process. “April is Second Chance Month, and we need to give our neighbors, family, and friends a fighting chance to get their foot in the door to show that they have learned from their mistake,” she said.