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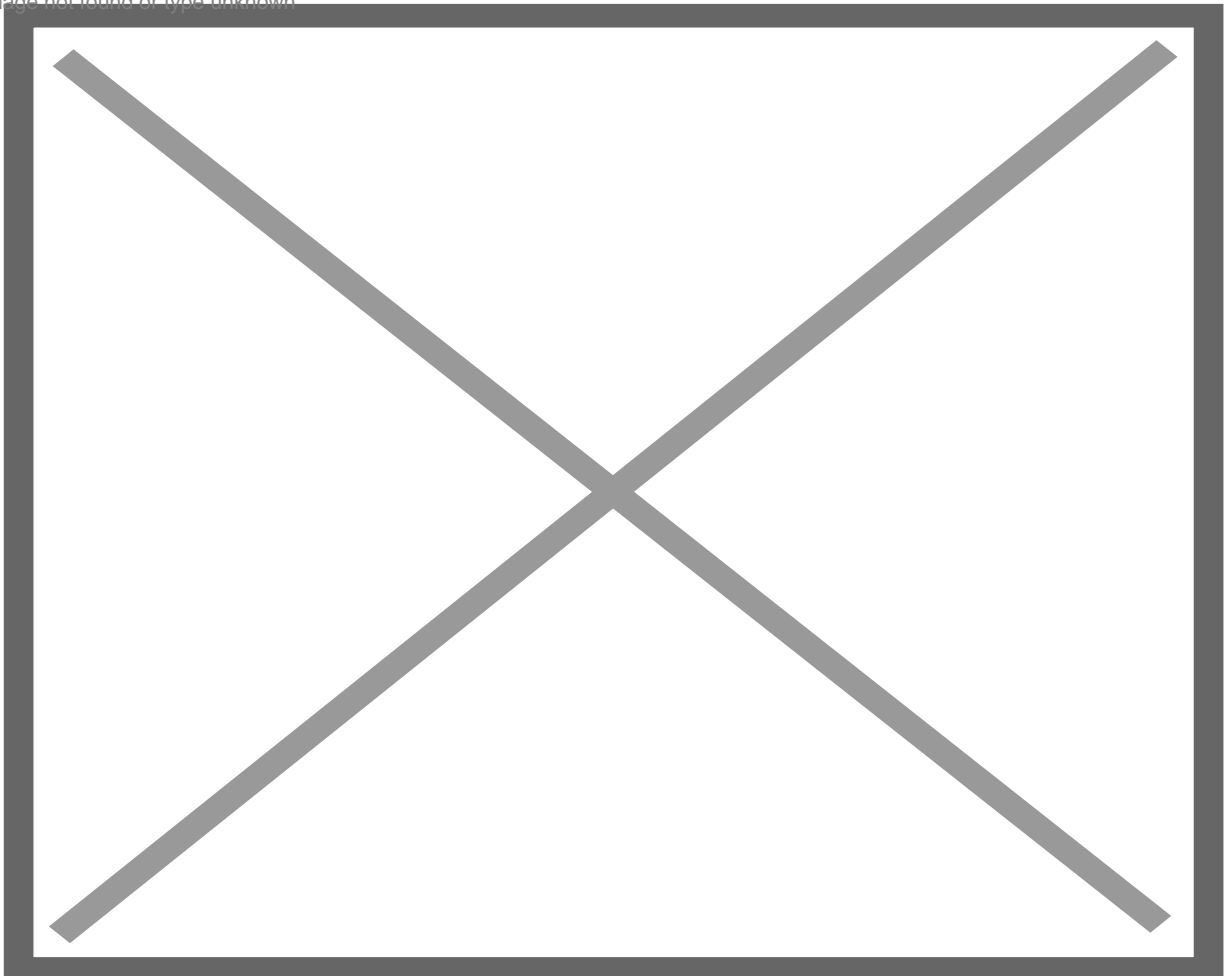
Bryan Responds After Former VI Treasury Director Files Whistleblower Lawsuit Alleging Retaliation Over Demotion

Former Treasury Dir. Lucy Nuñez alleges she was demoted in retaliation for complaints against Finance Commissioner Kevin McCurdy. Her lawsuit cites discrimination and whistleblower violations. Gov't House rejects the claims as unfounded and without merit.

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L2R: Kevin McCurdy, Lucy Nuñez, and Governor Albert Bryan Jr. By. V.I. LEGISLATURE, GOVERNMENT HOUSE

The Office of the Governor has responded to a whistleblower lawsuit from the Department of Finance's former Treasury Director, alleging that she had been demoted in retaliation for complaints against Finance Commissioner Kevin McCurdy.

Lucy Nuñez, the former Treasury Director, claims to have been unilaterally removed from her position in December and assigned as Financial Manager at the Bureau of Information Technology – a demotion. The job change, she says, came a few months after she met with Kevin Williams Sr., Governor Albert Bryan Jr.'s chief of staff, to discuss her concerns about Mr. McCurdy's suitability for his position.

In early October, Ms. Nuñez wrote to Governor Bryan asking to meet. In the letter, she says that her request to reconcile financial records in an efficient way was ignored by Department of Finance leadership in favor of a method that was slower and required more work. She described a lack of support from Commissioner McCurdy in keeping staff on task. "Instead, the responsibility has fallen solely on me despite my efforts to find alternative measures to meet the accounting criteria mentioned above." Ms. Nuñez also complained about being shut out of recruitment efforts, and having her leadership ability undermined, as she asked to meet with Governor Bryan to discuss her concerns.

Instead of the governor, Ms. Nuñez reportedly met with his Chief of Staff Mr. Williams on October 24. Afterwards, "Plaintiff noticed that Kevin McCurdy began tasking lower-ranking employees within the Department of Finance with duties that were typically reserved to Plaintiff as the Treasury Director," according to the lawsuit. Additionally, he allegedly began making "repeated derogatory comments about Plaintiff's fitness to serve as Treasury Director which increased in frequency after the meeting."

Mr. McCurdy, the complaint alleges, also began making bigoted remarks about his subordinate's background, reportedly pointing out that she had been born in Puerto Rico and not the U.S. Virgin Islands. This, according to the lawsuit, required her to "prove her worthiness for her role as Treasury Director" in his eyes. "Plaintiff found Kevin McCurdy's comments disturbing and demeaning considering she moved to St. Croix when she was a young child and has resided in St. Croix throughout her adult life."

The souring of the relationship between Ms. Nuñez and Mr. McCurdy continued until she received an email on December 5 informing her that she would no longer serve as Treasury Director, according to the lawsuit. Moving forward, said a letter from Governor Bryan, Ms. Nuñez would now be the Financial Manager at the Bureau of Information Technology. The email was dated November 26, however Ms. Nuñez said she did not become aware of the job change until over a week later.

All things considered – the meeting, Mr. McCurdy's alleged change in behavior, the fact that Ms. Nuñez never applied for or expressed interest in her new position, the manner in which the job change was communicated – "it supports the inference that Plaintiff's demotion was a direct result of Plaintiff's protected activity," according to the lawsuit, which was originally reported on by WTJX.

Given Ms. Nuñez's key role as Treasury Director, she had "a fiduciary obligation to inform Governor Bryan of actions within the Department of Finance that undermined the objectives of his administration." The conduct of Mr. McCurdy in his role as commissioner meets the criteria, she argued. "Plaintiff...has direct knowledge that Kevin McCurdy often allowed the Department of Finance to submit inaccurate, incomplete, and untimely financial reports to the detriment of

stakeholders, including financial auditors, the Legislature of the Virgin Islands, and Governor Bryan,” the lawsuit claims.

Her demotion, Ms. Nuñez concludes, is a violation of the territory's Whistleblower Protection Act. She is requesting the court to reinstate her as Treasury Director, award back wages, restore her fringe benefits and seniority rights, and grant any additional damages or relief deemed appropriate.

A brief statement from Government House issued on Wednesday afternoon “categorically rejects these claims as unfounded and without merit.” A legal response to the civil complaint has not yet been filed.

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