



**COMMITTEE ON EDUCATION AND  
WORKFORCE DEVELOPMENT**

**DR. GARY MOLLOY  
COMMISSIONER**

**March 25, 2026**

Good Day, Honorable Senator Kurt Vialet, Chairman of the Committee on Education and Workforce Development, Honorable Members of the Committee, distinguished Senators of the 36<sup>th</sup> Legislature of the Virgin Islands and listening and viewing audiences. I am Assistant Commissioner/Legal Counsel Nesha Christian-Hendrickson on behalf of Dr. Gary Molloy, Commissioner of the Virgin Islands Department of Labor (VIDOL).

I am here today with Gwen Steele, Director of Labor Relations. Thank you for inviting us to provide testimony regarding Bill No. 36-0207: An act amending title 3 Virgin Islands Code, chapter 25, subchapter VI, by adding section 590d and title 24 Virgin Islands Code, chapter 1, by adding section 24 requiring employers to grant parents or legal guardians of a child with a diagnosed disability, two hours per month of paid leave to parents or legal guardians of a child with a diagnosed disability so they may attend medical, therapeutic, or diagnostic appointments.

This bill would require employers to give parents or legal guardians of a child with a diagnosed disability up to two hours of paid leave each month so they can attend important medical, therapy, or diagnostic appointments with their child.

At the outset, we want to be very clear: the Virgin Islands Department of Labor (VIDOL) supports the intent of this bill. This is a thoughtful and important proposal that recognizes a reality many families face every day, that balancing work and caregiving responsibilities, especially for children with disabilities, can be extremely challenging.

When working parents are able to take care of their children without risking their job or income, it benefits everyone. Employees are more focused and committed, employers retain experienced workers, and our overall workforce becomes stronger and more stable.

However, while we support the purpose of this bill, we also want to make sure that it works well in practice. Laws like this must be clear, fair, and realistic so that they can be properly followed and enforced.

As written, the bill places new responsibilities on both employers and VIDOL, including investigating complaints and enforcing penalties. That is why we are recommending a few practical adjustments, not to change the goal of the bill, but to make sure it can be successfully implemented across the Territory.

First, we recommend clearly defining what a “full-time employee” is. Right now, that is not included in the bill. Without a clear definition, different employers may interpret it differently. We suggest defining a full-time employee as someone who works 35 hours or more per week, which is consistent with standard labor practices. This will ensure fairness and consistency.

Second, we recommend a phased approach for businesses, especially smaller ones. Larger employers may be able to immediately provide the full two hours of leave each month, but smaller businesses may need a little time to adjust. So, we propose introducing a grace period or phased rollout approach of at least 180 days. This helps businesses adapt while still supporting employees.

Third, we suggest adding some flexibility to the notice requirement. The bill currently requires seven days’ notice before an appointment. While that is reasonable in many cases, medical appointments, especially for children with disabilities, can sometimes come up unexpectedly. We recommend allowing exceptions in emergency situations or when circumstances are beyond the parent’s control.

Fourth, we believe it is important to create clear rules for how this law will be carried out. The Virgin Islands Department of Labor (VIDOL) and the Division of Personnel will need to develop guidelines for documentation, recordkeeping, and handling complaints. We recommend setting a timeline of 120 days to put these rules in place so that everyone understands how the law will work.

Fifth, to ensure fairness, we recommend setting a reasonable time limit, 180 days, for filing complaints. This helps ensure that issues are addressed in a timely and manageable way.

Sixth, we recommend clarifying what kind of documentation employers can request. Employers should be able to confirm that the child has a diagnosed disability and that an appointment took place, but families should not be required to share detailed medical information. This protects privacy while still ensuring accountability.

Finally, we recommend extending the effective date of the bill from 90 days to 180 days. This will give the Department of Labor time to develop regulations, allow employers time to prepare, and give us the opportunity to educate the public about the new law.

In closing, Bill No. 36-0207 is an important step forward for working families in the Virgin Islands. It reflects a commitment to supporting parents while strengthening our workforce.

The recommendations we have provided are intended to make the bill clearer, more balanced, and easier to implement. With these adjustments, this legislation can truly make a positive and lasting impact.

The Virgin Islands Department of Labor (VIDOL) stands ready to work with the Legislature and all stakeholders to ensure that this policy is successfully implemented.

Thank you again for the opportunity to testify. Director Steele and I are prepared to answer any questions you may have.