

BILL NO. 36-0086

Thirty-Sixth Legislature of the Virgin Islands

May 8, 2025

An act amending title 3 Virgin Islands Code, chapter 25, section 590b, the Caregivers Leave Act

PROPOSED BY: Senator Novelle E. Francis, Jr.

Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Title 3 Virgin Islands Code, chapter 25, section 590b is amended as follows:

(a) by striking subsection (b) and inserting the following new subsection (b):

“(b) All fulltime employees of the Government of the Virgin Islands, including employees of independent boards, commissions, agencies, autonomous and semi-autonomous agencies, and instrumentalities of the Government of the Virgin Islands who are the primary caregiver of a seriously ill spouse, child, parent, or any individual who is the legal dependent of that employee are entitled to four hours administrative leave per month, each calendar year to perform caregiving duties. Full-time employees of beneficiaries under the Industrial Development Program, and employees of employers who receive benefits under Act No. 4740 who are the primary caregiver of a seriously ill

spouse, child, parent, or any individual who is the legal dependent of that employee are entitled to two hours leave per month, each calendar year, to perform caregiving duties.”

(b) by redesignating subsection (c) as subsection (e) and by adding a new subsection (c) and a subsection (d) as follows:

“(c) To be eligible for caregiver’s leave, not more than 48 hours after the absence, the caregiver shall submit proof to the caregiver’s employer that the time off was taken in accordance with the criteria set forth in subsection (b). Failure to submit the proof is sufficient cause for the employer to not pay the caregiver for the time not worked.

(d) For the purposes of this section:

(1) Caregiver also includes an employee who has been entrusted with or has assumed responsibility for the care of an elder person as defined in 34 V.I.C. § 452(k) or a dependent adult as defined in 34 V.I.C. § 452(j).

(2) Serious illness means a health condition that carries a high risk of mortality and either negatively impacts a person’s daily functioning or quality of life or excessively strains his or her caregivers.”

BILL SUMMARY

This bill specifically identifies the caregivers’ duties and expands caregivers leave to include the employees of beneficiaries under the Industrial Development Program and beneficiary under Act No. 4740.

BR25-0472/April 3, 2025/SLR