



Testimony | Bill No. 36-0086

Good morning, Honorable Ray Fonseca, Chairman of the Committee on Health, Hospital & Human Services, committee members, non-committee members, the listening and viewing audience. My name is Cindy L. Richardson, Director of the Division of Personnel. Accompanying me here today virtually is Mrs. Florine Audain- Hassel, Assistant Director.

Thank you for the opportunity to appear before you and to offer testimony on **Bill No. 36-0086**, proposed by Senator Novelle Francis, **an act amending Title 3, Virgin Islands Code, Chapter 25, Section 590b, known as the “Caregivers Leave Act.”**

The Division of Personnel fully supports the intent of this proposal. We recognize the importance of providing caregiver leave as a means of supporting employees who must care for their loved ones. Establishing this form of leave acknowledges the evolving needs of the modern workforce and helps promote workforce retention, morale, and family wellbeing.

The Division has already begun drafting rules and regulations and preparing to disseminate informational guidance to Government of the Virgin Islands (GVI) employees regarding their entitlement to caregiver leave under the existing statute, 3 V.I.C. § 590b. In addition to the statutory authority under 3 V.I.C. § 590b, it is important to highlight that the Government of the Virgin Islands also recognizes caregiver responsibilities as a valid basis for leave through the Donated Leave Program established under 3 V.I.C. § 583b. Within the requirements of the law, this program allows eligible government employees who are the primary caregiver of a seriously ill spouse, child, parent or anyone who is their legal dependent, to receive donated leave from fellow employees. These efforts reflect our commitment to ensuring that employees understand and can properly exercise this benefit. In this regard, the proposed amendment is timely and welcomed. It helps to clarify the legislative intent and address areas that require additional specificity to support consistent application across agencies.

The proposed amendment, as refined through discussion with the bill sponsor, improves the statute in two keyways:

1. **Clarifying Scope and Administrative Authority** – The revised version confines coverage to employees of the Government of the Virgin Islands, including autonomous and semi-autonomous agencies, which is consistent with the Director of Personnel’s statutory authority under Title 3, Chapter 25. This clarification ensures that the provision can be effectively administered under existing structures and prevents jurisdictional conflicts.
2. **Expanding the Definition of Caregiver** – The amendment appropriately integrates language to extend caregiver coverage to employees caring for elderly or dependent adults, by incorporating this category directly into the main definition within subsection (b). This change aligns the law with the realities of caregiving in our community and promotes inclusiveness.

The Division of Personnel commends Senator Francis for engaging in constructive dialogue to ensure the final amendment aligns with statutory intent, administrative authority, and best practices in workforce policy. The proposed structure now provides clear eligibility standards, recognizes modern caregiving needs, and ensures enforceability under the purview of the Division of Personnel.

Conclusion

We appreciate the Legislature's continued commitment to supporting the well-being of the Virgin Islands workforce. The clarified amendment to 3 V.I.C. § 590b will ensure that caregiver leave is applied consistently, administered effectively, and reflective of the Government's duty of care to its employees.

The Division of Personnel stands ready to provide any technical assistance needed to support the implementation and rollout of this important initiative.