

**Testimony of Cindy L. Richardson  
Director, Division of Personnel  
Special Session – Bill 36-00124  
August 1, 2025**

Good day Senate President, members of the 36th Legislature, staff, colleagues, and the viewing and listening audience. I am Cindy Richardson Director of the Division of Personnel; with me today is Julio Rhymer, Director of OMB and Kevin McCurdy, Commissioner of Department of Finance.

Thank you for the opportunity to offer testimony in support of Bill 36-0124, an act repealing title 18, Virgin Islands Code, chapter 1, section 2 enacting provisions to allow government employees seeking office to maintain their employment. This bill represents a meaningful and necessary step toward ensuring equitable access to public service for all Government of the Virgin Islands (GVI) employees, while maintaining essential safeguards to protect the integrity of government operations.

As the Division of Personnel previously testified on Bill No. 35-0032, which proposed allowing government employees to run for political office while actively employed, unless specifically prohibited by federal or other laws, we supported the core intent behind that measure of ensuring that government employees are not unduly burdened or discouraged from seeking elected office due to financial hardship or procedural barriers. The existing requirement, which mandates a leave of absence merely upon filing for candidacy, has created an uneven playing field, disproportionately affecting employees without the benefit of accrued leave or the ability to absorb unpaid time off.

The measure as put forth, builds on the foundation of the prior proposed measure, and several of the key issues raised previously:

- It eliminates the requirement for an automatic leave of absence, replacing it with a fair and enforceable standard that prohibits campaigning during working hours and the use of public resources for political purposes;
- It includes clear accountability provisions—disciplinary action, financial penalties, and repayment requirements—for employees who violate the restrictions;
- It maintains necessary restrictions on employees of the Board of Elections, Supervisor of Elections, and Board of Education to avoid conflicts of interest or interference in the electoral process;
- It removes the financial and professional penalty of being forced onto leave at the outset of a campaign, while still respecting the operational needs of the government and maintaining ethical standards;

These mechanisms serve to reinforce the core principle that public resources and public time must be protected from misuse—without denying government employees their democratic rights.

As with our prior testimony, we reiterate mindfulness as it relates to the practical implications for employees who may ultimately need to take leave—particularly in the event of a run-off or special election. It would be prudent to add language that outlines the options available to employees in these circumstances, especially with regard to use of leave, eligibility for Leave Without Pay (LWOP), and associated consequences for retirement service credit and health insurance premium payments. While the current version simplifies the process and minimizes disruptions, some operational clarity in cases of leaves of absence and/or extended campaigns should be reemphasized for both employees and agency awareness.

In closing, this bill protects the integrity of the public service while enhancing access to the democratic process. The Division of Personnel is in full support of this measure as proposed, with the recommendation that clarifying language be added to address leave and benefit

considerations in the event of extended elections, such as run-offs or special elections. We believe this enhancement will further ensure smooth implementation and transparency for both employees and agencies.

Thank you for the opportunity to testify. We stand ready to support the adoption and rollout of this measure.