

COMMITTEE ON EDUCATION AND WORKFORCE
DEVELOPMENT

04/23/2026-AMENDED AND REPORTED OUT TO THE FLOOR
03/25/2025-REPORTED OUT TO THE COMMITTEE ON RULES AND JUDICIARY

BILL NO. 36-0207

Thirty-Sixth Legislature of the Virgin Islands

November 17, 2025

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, four hours per month of paid leave to attend the child’s medical appointments

PROPOSED BY: Senators Avery L. Lewis
Sponsors: Angel L. Bolques, Jr., Clifford A. Joseph, Sr.,
Kenneth L. Gittens and Marise C. James

1 *Be it enacted by the Legislature of the Virgin Islands:*

2 **SECTION 1.** Title 3 Virgin Islands Code, chapter 25, subchapter VI is amended by
3 adding section 590d:

4 **“§ 590d. Leave for children with a disability**

5 (a) As used in this section:

6 (1) “Child with a diagnosed developmental disability” means a child who is
7 under the age of 22 years and has undergone evaluation and received a professional
8 diagnosis of a developmental disability.

9 (2) “Developmental disability” means a group of chronic conditions including
10 autism, cerebral palsy, and intellectual disabilities that persist throughout a person’s
11 lifetime and impair physical, learning, language, or behavioral functions and which result

1 in significant limitations in daily activities and create a need for specialized long-term
2 support.

3 (3) “Government of the Virgin Islands” or “GVI” means the Government of the
4 Virgin Islands including its semi-autonomous agencies and independent
5 instrumentalities.

6 (b) Parents or legal guardians of a child with a diagnosed developmental disability who
7 are full-time employees of the Government of the Virgin Islands, are entitled to four hours per
8 month of paid leave to attend the child’s medical, therapeutic, or diagnostic appointments.

9 (c) The GVI may request the following documentation from the employee:

10 (1) confirmation that the child has been diagnosed with a developmental
11 disability; however, no specific medical details may be required; and

12 (2) written proof of an appointment or other confirmation of attendance at the
13 medical appointment.

14 (d) Leave granted under this section shall not diminish, replace, or otherwise impact
15 any other leave to which an employee is entitled to under federal or local law and the GVI may
16 not deduct from an employee’s salary, wages, or accrued leave for leave taken under this
17 section. Leave under this section may be supplemented with accrued sick leave if additional
18 time is needed to attend the appointment.

19 (e) (1) Except in cases of an emergency, employees must provide at least seven
20 business days’ notice of the appointment date and time to their employer.

21 (2) In the case of an emergency, the emergency must be substantiated by formal
22 documentation within three days of the emergency.

23 (3) The term “emergency” as used in paragraph (2) means a situation involving
24 a child with a diagnosed developmental disability that requires immediate attention to

1 protect the child's health, safety, or developmental progress including the following
2 circumstances:

3 (A) A specialist or medical professional arriving in the territory on short
4 notice for urgent care;

5 (B) A child requiring advanced therapeutic care to maintain functional
6 abilities;

7 (C) A sudden regression in the child's condition where immediate
8 intervention is necessary to prevent further developmental loss; or

9 (D) An unexpected behavioral or medical episode requiring urgent
10 evaluation or adjustment of treatment.

11 (f) The Virgin Islands Division of Personnel (“VIDOP”) shall enforce the provisions
12 of this section and may promulgate regulations as are necessary to implement this section.

13 (g) VIDOP shall investigate and resolve complaints concerning violations of this
14 section, including requiring payment of back pay, if applicable.

15 **SECTION 2.** Title 24 Virgin Islands Code, chapter 1, is amended by adding section 24:

16 **“§ 24. Leave for children with a disability**

17 (a) As used in this section:

18 (1) “Child with a diagnosed developmental disability” means a child who is
19 under the age of 22 years and has undergone evaluation and received a professional
20 diagnosis of a developmental disability.

21 (2) “Developmental disability” means a group of chronic conditions including
22 autism, cerebral palsy, and intellectual disabilities that persist throughout a person’s
23 lifetime and impair physical, learning, language, or behavioral functions and which result
24 in significant limitations in daily activities and create a need for specialized long-term
25 support.

1 (3) “EDC beneficiary” means any person or entity granted economic
2 development benefits under title 29, chapter 12, Virgin Islands Code.

3 (4) “Private employer” means a sole proprietor, corporation, partnership, limited
4 liability company or other entity which employs ten or more persons.

5 (b) Parents or legal guardians of a child with a diagnosed developmental disability,
6 who are full-time employees of a private employer or an EDC beneficiary, are entitled to four
7 hours per month of paid leave to attend the child’s medical, therapeutic, or diagnostic
8 appointments.

9 (c) Employers may request the following documentation from the employee:

10 (1) confirmation that the child has been diagnosed with a developmental
11 disability; however, no specific medical details may be required; and

12 (2) written proof of an appointment or other confirmation of attendance at the
13 medical appointment.

14 (d) “Leave granted under this section shall not diminish, replace, or otherwise
15 impact any other leave to which an employee is entitled to under federal or local law.”

16 (e) (1) Except in cases of an emergency, employees must provide at least seven
17 business days’ notice of the appointment date and time to their employer.

18 (2) In the case of an emergency, the emergency must be substantiated by
19 formal documentation within three days of the emergency.

20 (3) The term “emergency” as used in paragraph (2) means a situation involving
21 a child with a diagnosed developmental disability that requires immediate attention to
22 protect the child's health, safety, or developmental progress including the following
23 circumstances:

24 (A) A specialist or medical professional arriving in the territory on short
25 notice for urgent care;

1 (B) A child requiring advanced therapeutic care to maintain functional
2 abilities;

3 (C) A sudden regression in the child's condition, where immediate
4 intervention is necessary to prevent further developmental loss; or

5 (D) An unexpected behavioral or medical episode requiring urgent
6 evaluation or adjustment of treatment.

7 (f) The Virgin Islands Department of Labor (“VIDOL”) shall enforce the provisions
8 of this section and may promulgate regulations as are necessary to implement this section.

9 (g) VIDOL shall have the power to:

10 (1) investigate and resolve complaints concerning violations of this section
11 including requiring payment of back pay, if applicable; and

12 (2) impose civil penalties not to exceed \$1,000 per violation.”

13 **SECTION 3.** This act takes effect 90 days after enactment.

14 **BILL SUMMARY**

15 This bill amends title 3 Virgin Islands Code, chapter 25, subchapter VI, by adding section
16 590d and title 24 Virgin Islands Code, chapter 1, by adding section 24 requiring the
17 Government of the Virgin Islands, private employers with at least 10 employees, and EDC
18 beneficiaries, to grant parents or legal guardians of a child with a diagnosed disability, who are
19 full-time employees, four hours per month of paid leave to attend the child’s medical
20 appointments.

21 **BR25-0778/October 24, 2025/GC**

22 **[S:\AMENDS\36th Legislature\LEWIS, AVERY L\Amendment 36-778\Amendment No. 36-](#)**
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