An Act amending title 24, chapter 1, section 15 of the Virgin Islands Code by adding a requirement that businesses post required labor law posters, and establishing penalties for violations of the requirement.

---0---

Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Title 24, chapter 1, section 15 of the Virgin Islands Code is amended as follows:

(a) By striking the title of the section, "Posting law and wage orders", and inserting "Required Postings" in its place.

(b) By designating the existing language as subsection (a) and adding subsections (b) through (f) to read as follows:

(b) Every business licensed to conduct business in the Virgin Islands, including those receiving benefits conferred by the Virgin Islands Economic Development Commission under title 29, chapter 12, subchapter 1 of the Virgin Islands Code, and employs five or more persons, must post labor law posters in a conspicuous place on the inside of the business. A business that has more than one site must post labor law posters at each site. If a business is unable to post the required labor law posters inside the business, the employer may provide the information in an employee handbook that must be distributed to all employees.

(c) The labor law posters must include posters describing:

(1) employee rights under the Fair Labor Standards Act;
(2) employee rights under Virgin Islands law;
(3) the Employee Polygraph Protection Act;
(4) the Family and Medical Leave Act;
(5) the Equal Employment Opportunity Act;
(6) the Uniformed Services Employment and Reemployment Rights Act (USERRA); and
(7) job safety and health requirements pursuant to the Occupational Safety and Health Act of 1970 (OSH Act).

(d) Any business found in violation of this section shall have the right to an appeal before an administrative hearing board. The Commissioner of Labor shall prescribe the rules and regulations governing the administrative review process. Decisions of the administrative hearing board shall be final and appealable to the Superior Court of the Virgin Islands.

(e) The administrative hearing board shall consist of four members: the Commissioner of the Department of Labor, the Commissioner of the Department of Licensing and Consumer Affairs, the chairman of the Economic Development Commission, and the Director of Labor Relations.

(f) Any business found in violation of this section shall be subject to an administrative fine of not less than $25 and not more than $5,000, as determined by the administrative hearing board."

Thus passed by the Legislature of the Virgin Islands on December 19, 2019.

Witness our Hands and Seal of the Legislature of the Virgin Islands this 30th day of December, A.D., 2019.

Novelle E. Francis, Jr.
President

Alicia V. Barnes
Legislative Secretary

Bill No. 33-0091 is hereby approved.

Witness my hand and the seal of the Government of the United States Virgin Islands at Charlotte Amalie, St. Thomas, this 18th day of January, 2020 A.D.

Albert Bryan, Jr.
Governor