

**VIRGIN ISLANDS DEPARTMENT OF LABOR POLICY DOCUMENT**  
*Fines for Noncompliance of Job Vacancy Posting Mandate*

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**TO:** United States Virgin Islands

**SUBJECT:** **Fines for Failure to Post Job Vacancies**

**DATE:** February 10, 2021 (Revised) September 2, 2021

Purpose: To provide guidance to all Virgin Islands Employers as regards to the required posting of job vacancies with the Virgin Islands Department of Labor.

References: In accordance with Title 27 V.I.C. Section 303b **Registration with Employment Security Agency**

*(a) Any entity licensed pursuant to this chapter shall notify the Employment Security Agency, Virgin Islands Department of Labor, of its intent to fill an existing position, now vacant or soon to become vacant, or a new previously unfilled position. Notices of vacancies shall include the title of the position, if any, the proposed salary, any required qualifications, and the general duties of the position, and the name, address, or telephone number of the person to be contacted by applicants for the position.*

*(b) For the purposes of this section 'position' means employment at an hourly, monthly, or yearly salary, intended to last at least 30 hours per week and for one month or more, but does not include temporary, or day workers.*

*(c) This section shall not be applicable to positions which are being filled by upgrading.*

In accordance with Title 27 V.I.C. Section 307 **Penalties**

*(e) In lieu of the penalties under subsection (a) of this section, any entity who willfully fails or refuses to comply with section 303b of this chapter shall be guilty of a misdemeanor and shall be fined not less than \$500 for the first offense, and \$1,000 for each offense thereafter.*

Policy: Department of Labor Compliance Division will investigate compliance with this regulation. Any entity found to be in violation will be referred to the Commissioner of Licensing and Consumer Affairs. Non-compliant entities will be subject to a fine of five hundred dollars (\$500.00) for the first offense and one thousand (\$1,000) for each subsequent offense. Payment is to be made by check or money order and made payable to: Department of Licensing and Consumer Affairs.

Appeal: An entity found to be non-compliant will have thirty (30) days from the date of the Notice of Violation in which to file an appeal. The hearing will be held by the Hearing and Appeals Division of the Department of Labor.