

The Virgin Islands Consortium

Dept. of Labor Unveils Overhaul of Workers' Compensation Trust Fund Policies at Employer Webinar

With a focus on legislative reforms, VIDOL details changes to claims management, benefit caps, and underwriting processes to better serve stakeholders and ensure regulatory compliance

Business / **Published On December 06, 2024 07:04 AM /**

Staff Consortium **December 06, 2024**



The V.I. Department of Labor has announced significant updates to its Workers' Compensation Administration following a successful webinar held on December 4. The event, aimed at employers and stakeholders, detailed structural changes and policy updates under the Workers' Compensation Trust Fund, which transitioned from the Government Insurance Trust Fund earlier this year, according to the release.

Focus on Legislative Updates and Operational Changes

DOL Commissioner Gary Molloy opened the session by addressing the transfer of operations under Act 8859, signed into law on August 9, 2024. Assistant Commissioner and Legal Counsel Nesha Christian-Hendrickson provided insights into the legislative framework guiding the changes. Director Rainia Thomas, along with Assistant Directors Kesi Peterson and Anthony Selkridge, outlined modifications in the administration of workers' compensation claims and underwriting processes.

The Workers' Compensation Administration is now divided into two core units:

1. Claims Unit: Responsible for managing claims for work-related injuries through the VENTIV online claims system.
2. Underwriting Unit: Oversees premium filing and payments.

Key Changes in Claims Administration

The Claims Unit has implemented several updates to improve efficiency and ensure compliance:

- A five-day waiting period before disability benefits are issued.
- A four-year statute of limitations on medical care.
- Claims inactive for six months will be deemed closed.
- Temporary employees can access a maximum of 26 weeks of disability benefits after employment termination.
- Temporary Total Disability income benefits are capped at 120 weeks or upon reaching Maximum Medical Improvement (MMI), whichever occurs first.
- Employees terminated for just cause will not be eligible for disability benefits.
- Employers who fail to respond to payroll inquiries within 10 working days face fines of \$250 per infraction.

Enhanced Underwriting Processes

The Underwriting Unit has also introduced new enforcement measures and penalties:

- Delinquent employers with unpaid premiums, including interest and penalties, can now be pursued for up to 10 years, an increase from the previous four-year limit.
- Employers failing to insure or file as required face fines of up to \$5,000.
- Employers must submit actual and estimated premium filings for the current and upcoming year by September 30, 2024, with payments due by December 31, 2024. Additional calculations, including experience ratings, will be completed by June 30, 2025.

To ensure stakeholders remain informed, DOL will host another Workers' Compensation webinar on December 17, 2024, at 10:00 a.m.

Employers and stakeholders can reach out to VIDOL via the following:

- St. Croix Office: (340) 773-1994
- St. Thomas Office: (340) 776-3700
- Claims Unit Email: workerscompensation@dol.vi.gov

- Underwriting Unit Email: workerscomptrustfund@dol.vi.gov
- Website: www.vidol.gov
- Facebook: [USVIDOL](#)

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