

## Vialet, Others Offer Clarification on Bill Increasing Retirement Age: It's Voluntary, Not Mandatory

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Senator Kurt Vialet believes that some people are deliberately spreading misinformation about legislation which [increases the retirement age](#) of law enforcement officers to 65 because they have not acquainted themselves with the measure.

“A number of individuals have mistakenly interpreted what the bill seeks to do...This bill does nothing to tier-one nor tier two employees, nothing whatsoever. It does not change the benefits, it does not change the time period when they can retire,” he said while contributing to the debate on the bill which was discussed during the November 15 hearing of the Committee on Rules and Judiciary.

Mr. Violet said that Title 25 of the current law mandates for law enforcement officers to retire at 55, but the bill, titled No. 34-0099 allows for the retirement age of police officers, firefighters, and correction officers to continue working up to age 65 once they are willing and capable.

“To continue to work in law enforcement these persons must have a health and mental evaluation done,” he said while informing the Senate that the bill itself was a recommendation from the employees who want to continue working as well as the management of the affected agencies who believe that some of these senior employees will strengthen the workforce.

“It is for those who want to continue working... We are not forcing them,” he said while arguing that any other interpretation is totally misleading.

Sponsored by Senators Dwayne M. DeGraff and Novelle E. Francis Jr., Bill No. 34-0099 is an Act seeking to amend Title 3 Virgin Islands Code by changing the mandatory retirement age of police officers, firefighters and correction officers from 55 to 65.

Mr. Francis in presenting the bill also expressed his concern about the inaccurate information that is in circulation about the legislation. “Let me say from the onset that there has been some misinformation circulating in the public in respect to this measure,” he said in his opening statement.

Previously there was sunset legislation that allows for an extension to go up until the age of 63 and that sunset legislation has expired.

Mr. Francis said that those up to the age of 60 under traditional regulation would have to separate themselves, however the amendment gives them the opportunity to continue working once it is their wish to remain on the job.

“As it stands right now there are at least 15 or more police officers, firefighters, or correctional officers that could have had to separate from government at that age,” Mr. Francis said. “This bill seeks to allow them to work up until the age of 65. This is a matter of choice after providing the certification that allows for the department or agency heads to allow that personnel to continue to work,” he told the committee.

“They will be able to maintain some sort of seniority within the various disciplines to continue to work,” he added.

Mr. Francis said that “at any time an individual can decide that they are ready to retire. They could apply to G.E.R.S. [Gov't Employees' Retirement System] and retire.”

Reminding the committee that individuals are living longer, and some people may be able to work longer, he said the amendment will allow for them to continue paying into the pension system which help in extending the life of G.E.R.S.

Sen. Carla Joseph described the bill as a volunteer mechanism. “It does not mean that you as a police officer will work until the age of 65. But if you feel you still have more to offer for public service you should definitely look at doing this.”

Sen. Franklin Johnson in his support for the bill said, “It is very important that we understand the breakdown in law enforcement when it comes to having sufficient staff...It is not mandatory that they have to work till 65; they can still go home at the appropriate time which is 20 years. But some folks work 30 and some folks work 40.”

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