THE UNITED STATES VIRGIN ISLANDS

OFFICE OF THE GOVERNOR
GOVERNMENT HOUSE

Charlotte Amalie, V.I. 00802
340-774-0001

EXECUTIVE ORDER NO. 480-2017

GOVERNOR OF THE VIRGIN ISLANDS OF THE UNITED STATES

WHEREAS, the Government of the Virgin Islands recognizes the importance of maintaining sound, practical, consistent, and comprehensive financial management;

WHEREAS, comprehensive fiscal management standards of operations are of profound importance to the People of the Virgin Islands;

WHEREAS, the Government of the Virgin Islands has a responsibility to use timely, reliable and comprehensive financial information when making decisions which have an impact on citizens' lives and livelihoods;

WHEREAS, the underlying structure of financial management, operations and reporting across the Government of the Virgin Islands is misaligned and has caused long-standing financial management concerns;

WHEREAS, the key to resolving the long-standing financial problems lay in a strong centralized leadership structure that provides for long-range planning, timely audited financial statements, and strengthened accountability and reporting;

WHEREAS, the Government of the Virgin Islands must strive to achieve every possible efficiency in its operations and in its delivery of services to the People of the Virgin Islands;

WHEREAS, one mechanism for achieving greater accountability, efficiency and cost-effectiveness is by further coordinating and centralizing financial management responsibilities across the Government of the Virgin Islands to achieve every possible efficiency in its operations and in its delivery of services to the People of the Virgin Islands;

WHEREAS, the Virgin Islands Department of Finance is the executive agency that has the rights, powers, duties, and responsibilities of exercising wide-ranging control over the enforcement of the laws relating to finance for the Government of the Virgin Islands, pursuant to Title 3, Virgin Islands Code, Section 171 *et seq.*;

WHEREAS, the Virgin Islands Department of Finance has established and promulgated "Statement of Policies and Procedures" as well as other rules and regulations to serve as best practices and to provide step by step guidance on how tasks are to be processed from inception to completion, along with the internal controls to be implemented and performed; and

WHEREAS, substantial benefits can be achieved by implementing these standard operating procedures government-wide to achieve operational efficiency and effectiveness, eliminate redundancies in functions and costs, increase transparency and accountability, simplify transactional activities, increase leverage of knowledge and expertise, promote effective sharing and implementation of best practices, and realize significant economies of scale;

NOW, THEREFORE, pursuant to the authority vested in me by Section 11 of the Revised Organic Act of 1954, as amended, it is hereby **ORDERED**

Section 1. Authority and Responsibility of the Commissioner of Finance Pursuant to this Executive Order

a. The Commissioner of Finance shall have direct and indirect oversight of all financial management related functions of the Executive Branch of Government.

b. The Commissioner of Finance is directed to establish rules and regulations for a centralized financial management organizational structure, within the Department of Finance, to be known as the "Office of Fiscal Management and Reporting" ("OFMR").

c. Under the supervision of the Commissioner of Finance, the OFMR will provide direction to the existing financial management related subordinate units across departments and agencies within the Executive Branch of the Government of the Virgin Islands (or "Executive Branch").

d. Under the supervision of the Commissioner of Finance, the OFMR shall direct and coordinate the Central Government's activities related to financial plans, financial management, financial reporting, financial analysis, and compliance with the budget and financial plan of the Government of the Virgin Islands.

e. The Commissioner of Finance, in compliance with any territorial or federal human resources rule, regulation, policy, agreement, or ordinance, including but not limited to Collective Bargaining Rules, shall have the authority to do the following in consultation with the Director of the Division of Personnel, and the Chief Negotiator of the Office of Collective Bargaining:

1. Determine the placement of all finance, budget and non-exclusive federal grants related positions, including the selection and removal of incumbents, within the OFMR and

make recommendations to both the Governor and the respective Commissioners and Agency Directors as to the other Central Government departments, divisions and agencies;

2. Create or modify job titles, roles, responsibilities and positions within the OFMR;

3. Make recommendations to the Governor, as well as the other various Commissioners and executive Agency Directors, as to the creation, modification of job titles, roles, responsibilities and positions relating to finance throughout the Central Government; and

4. Make recruitment, hiring, retention, promotion, demotion, reassignment and any other related personnel recommendations to the Governor, as well as to each of the other Central Government's various departments, divisions, and agency directors, concerning the Central Government's finance and budgeting personnel.

f. The Commissioner of Finance—through the enumerated CFOs—shall receive within sixty (60) days of the date of this Executive Order a personnel assessment for every finance and grants-management employee currently working within the Central Government. Each assessment shall include a detailed resume outlining the employee's financial, business, or economic education as well as their current job title and functions. The findings of the Commissioner's evaluation review—which shall report as to the capacity, education, and background of the individual as well as to whether the employee possesses the requisite skills and knowledge for the position held—shall be forwarded to the Governor and to each of the various Commissioners and Agency Directors for appropriate action.

g. In compliance with any territorial or federal human resources rule, regulation, policy, agreement, or ordinance, including, but not limited to Collective Bargaining Rules, the Commissioner of Finance—in conjunction with the Director of the Division of Personnel and the Chief Negotiator in the Office of Collective Bargaining—shall create a new classification and compensation system for the newly-created positions within the OFMR established within the Department of Finance. The Commissioner of Finance, together with the Director of the Division of Personnel and the Chief Negotiator in the Office of Collective Bargaining, shall have the authority to create compensation and salary schedules and to change said schedules based on future needs and compensation surveys to ensure competitive salaries for positions within the OFMR. In all events, the Commissioner of Finance shall comply with the terms of applicable Collective Bargaining Agreements and with the assistance of the Office of Collective Bargaining, provide required notices to impacted employees and labor unions, if applicable.

Section 2. Establishment of the Office of Fiscal Management and Reporting ("OFMR")

a. There is hereby created by this Executive Order a financial management and reporting organizational structure, within the Department of Finance, known as the "Office of Fiscal Management and Reporting" ("OFMR").

b. Under the supervision of the Commissioner of Finance, the OFMR shall have oversight responsibility for the functions of all Fiscal Officers within the executive branch for the purpose of ensuring the efficient fiscal operation of the Government of the Virgin Islands, as well as ensure system-wide compliance with established policies, guidance, and best practices as promulgated by the Commissioner of Finance.

c. The OFMR, in consultation with the Commissioner of Finance, may consolidate, transfer and/or reorganize all payroll and payroll administration positions within the Department of Finance as appropriate and with the advice and approval from the Director of Personnel;

d. The OFMR, under the supervision and direction of the Commissioner of Finance, and with the support of the Director of Personnel, shall have the authority to modify the organization components or titles/job descriptions set forth in this Executive Order for the OFMR;

Section 3. Establishment of Chief Financial Officers within the Office of Financial Management and Reporting

a. The Commissioner of Finance shall establish at least nine (9) Chief Financial Officers (CFO) within the OFMR, who shall be deemed employees of the Department of Finance, and have all the functions, associated powers, duties, rights and responsibilities as assigned by the Commissioner of Finance.

b. The CFOs within the OFMR shall be assigned to respective department(s) and/or agency to direct and oversee the financial affairs of the assigned department and/or agency in order to properly carry out its business and financial affairs.

c. Each of the CFOs shall be accountable to the various Department/Agency Directors for the accountability, business, and financial operations oversight and reporting responsibility within the following organizational component structure as follows:

1. Public Safety (Police, Fire, Justice, Corrections)

2. Public Health (Health, Human Services)

3. Education (Education)

4. Culture (Tourism, Agriculture, Sports & Recreation)

5. Budget and Finance (Office of the Governor, Lieutenant Governor's Office, Office of Management & Budget, Internal Revenue Bureau)

6. Central Services (Property & Procurement, Division of Personnel)

7. Infrastructure & Environment (Public Works, Planning and Natural Resources, VITEMA)

8. Governmental Services (Bureau of Motor Vehicles, Labor, Licensing & Consumer, Veteran Affairs)

9. Boards and Commissions (Board of Education, Public Services Commission, Taxi Commission)

d. Each of the CFOs shall direct departments and agencies fiscal officers within their respective organizational component to adhere to government-wide standardized fiscal and accounting policies and procedures for the performance of accounting functions consistent, and in compliance, with the OFMR.

e. Under the supervision, and in consultation with of the Commissioner of Finance, the OFMR, as necessary, shall have the authority to modify existing organizational subordinate components within the OFMR and across each organizational component of the OFMR.

Section 4. Fiscal Officers of the Executive Branch: Duties and Responsibilities

a. For purposes of this Executive Order, "Fiscal Officer" shall mean any executive agency branch employee that has a direct and exclusive position relating to government expenditures, revenues, and debt, except for employees of the Office of Management and Budget and those employees whose sole responsibility and funding source is primarily related to the accounting, management, and reporting of federal grants.

b. All fiscal officers in each of the Central Government's departments, divisions and agencies shall report to the respective CFO within their respective organizational component.

c. Effective immediately, all Fiscal Officers, as defined in Section 4(a), shall process transactions as mandated or promulgated by the OFMR.

Section 5. Compliance with this Executive Order

a. All Departments and Agencies within the Central Government shall fully cooperate with the Commissioner of Finance in the implementation of the realignment outlined in this Executive Order.

b. In all events, in complying with this Executive Order, the Governor, Commissioner of Finance, as well as all other executive agency directors, shall comply with the terms of applicable Collective Bargaining Agreements and provide required notices to impacted employees and labor unions, if applicable.

c. Each Department, Division and Agency, in order to comply with the mandates of this Executive Order, shall include in their annual budgets the full funding of all finance, budget, and grant management-related positions performing financial and/or budget management functions.

Section 6. Effective Date

The mandates of this Executive Order shall be effective immediately.

Executed this 8th day of FEBRUARY, 2017.

Kenneth E. Mapp
Governor

ATTEST:

Osbert E. Potter
Lieutenant Governor