

## CLAIM OF EXEMPTION MORATORIUM

### EMPLOYERS NOT REQUIRED TO FILE:

**AS OF JANUARY 1, 2008: VISITOR INDUSTRY** (aircraft services, airlines, hotels, tour guide companies, tour packagers, tourist transportation companies, tourist sports, charters, and recreation services).

**AS OF JANUARY 1, 2009: SERVICES INDUSTRY** (accounting firms, bakeries, banks and financial firms, education services, freight and shipping services, law firms, maintenance and repair services, medical and health services, real estate appraisal and surveying services, rental services, restaurants and catering services, retail and wholesale sales)

### POSITIONS FOR WHICH EMPLOYERS ARE NOT REQUIRED TO FILE:

Renewals, transfers, jobs held by persons with temporary work authorizations (TWA), workers returning from periodic exit

1. This Claim of Exemption is for the Employment Contract to be entered into by and between these parties:

EMPLOYER NAME: \_\_\_\_\_ EMPLOYER No. \_\_\_\_\_

E-MAIL \_\_\_\_\_ OFFICE/CELL PHONE \_\_\_\_\_

OFFICE ADDRESS \_\_\_\_\_

EMPLOYEE NAME: \_\_\_\_\_

LIIDS NUMBER: \_\_\_\_\_

E-MAIL \_\_\_\_\_ CELL PHONE \_\_\_\_\_

HOME COUNTRY ADDRESS \_\_\_\_\_

CNMI ADDRESS \_\_\_\_\_

2. The job for which the employer named above hires the employee named above and the employee named above agrees to perform is:

O-NET CLASSIFICATION \_\_\_\_\_ JOB TITLE \_\_\_\_\_

JOB DUTIES \_\_\_\_\_  
(Short summary)

WAGE RATE \_\_\_\_\_ per \_\_\_\_\_ and 1.5 times that rate for overtime unless exempt.

3. CLAIM OF EXEMPTION FROM MORATORIUM FOR THE POSITION OR EMPLOYEE (no fee)

This employee will fill a position not subject to the moratorium (accountant, construction worker, critical services position, domestic helper, educator, engineer, farmer, health care professional, scientist, utility technician).

This employee is a replacement for:

Name of employee being replaced: \_\_\_\_\_

LIIDS No: \_\_\_\_\_

The employer certifies that the employee being replaced has been repatriated and that the job in which this employee is being placed is the same job as that performed by the employee being replaced.

This person qualifies as a religious leader.

4. CLAIM OF EXEMPTION FROM MORATORIUM FOR THE EMPLOYER (fee required)

This employer is eligible for an exemption for incentive hiring because more than 35% of the workforce in the statutorily specified positions within this company, partnership, or sole proprietorship (boat captain, cashier, front desk receptionist, human resources, professionals, managers, office or administrative assistants, retail clerks, secretaries, sports and recreation positions, and tour guides) are held by U.S. citizens or permanent residents.

This employer is in the visitor supporting services classification and *either* the 20% workforce participation requirement with respect U.S. citizens and permanent residents has been met *or* the 20% workforce participation requirement will be met within one year and a viable plan exists to maintain the required participation indefinitely. (Please attach the plan.)

This employer is involved in a major new development and the employment is a new position or positions and will be on the premises of a new development in which the employer has invested at least \$1 million in the Third Senatorial District or \$250,000 in the First or Second Senatorial Districts.

This employer has not previously hired foreign national workers and has met the workforce participation requirements for citizens and permanent residents.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employer

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Director of Labor