

EMPLOYER INTENT FORM

NAME: _____
DATE: _____
NUMBER (TIN or SSN) _____
E-MAIL _____ PHONE _____
ADDRESS _____

I am the employer named above or an authorized officer or manager of the employer named above, and I declare that the employer named above intends to hire a foreign national worker and has the present ability and need to do so in a manner consistent with the Commonwealth laws and regulations governing employment of foreign national workers.

The foreign national worker that the employer named above intends to hire is:

NAME: _____
DATE: _____
LIIDS NUMBER: _____
E-MAIL _____
HOME ADDRESS _____
PHONE _____ TEXT MESSAGE _____

The job for which the employer named above intends to hire the foreign national worker is:

JOB CLASSIFICATION _____
(Name of job)
JOB DUTIES _____
(Short summary) _____
WAGE RATE _____

I understand that the foreign national worker named above has registered with Employment Services at the Department of Labor for an administrative transfer and will submit this Employer Intent Form to Employment Services. The information on this form will be used to decide whether permission for an administrative transfer will be granted.

JOB VACANCY ANNOUNCEMENT IS REQUIRED: I understand that the employer must post a job vacancy announcement on the Department of Labor website, www.marianaslabor.net, immediately

upon signing this form unless the position is exempt for purposes of JVs under CNMI law. The administrative transfer process cannot go forward until the job vacancy announcement is posted. I understand that if I need help with filing the job vacancy announcement on the website, I can ask Employment Services for assistance. I understand that qualified U.S. citizens and permanent residents have a preference for any job in the Commonwealth.

I understand that the administrative transfer process cannot go forward until this Employer Intent Form is filed. Once the Employer Intent Form is filed in a satisfactory manner (all the necessary information has been filled in), Employment Services will forward the request to a hearing officer. The hearing officer will either grant permission to transfer or notify both the employer and foreign national worker identified above that an objection has been filed. This notice will include information as to the nature of the objection and the person at the Department of Labor to see to clear the objection. Clearing objections is the responsibility of the foreign national worker, but an employer may assist in this process. Once the objection has been cleared, permission to transfer will be granted and the foreign national worker will be notified of the date to pick up the order. If an objection remains, both the employer and the foreign national worker will be notified of a hearing at which the objection will be determined. The Department of Labor official who has objected has the burden of proof. If an objection is sustained by the hearing officer and permission to transfer is denied, either the employer or the foreign national worker (or both) may appeal by filing a written notice of appeal with the Administrative Hearing Office within 15 days.

I understand that if an order is issued by a hearing officer granting permission for an administrative transfer, the employer named above will have 10 days in which to file with Labor Processing at the Department of Labor a completed application for transfer. This application will include a conditional grant of transfer so that the foreign national worker may begin work immediately, and will be processed in the usual way so that the employer and foreign national worker will both receive notices as to any deficiency or denial of the application and have full rights of appeal.

I understand that under P.L. 15-108, a qualified U.S. citizen or permanent resident, who is turned down by an employer who subsequently hires a foreign national worker for the same job, may file a complaint with the Department of Labor and the potential sanction is up to six months' wages for the position.

COMMITMENT TO HIRE IS REQUIRED: I understand that if I fail to fill the job described on this form with the employee described on this form, unless good cause is shown such as the hiring of a U.S. citizen or permanent resident for the position, the job vacancy will be closed and I will not be permitted to hire foreign national workers for one year in any job category.

Dated: _____

Signature

(Print name)