



Commonwealth of the Northern Mariana Islands
Department of Labor
 Office of the Secretary
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NOTICE TO EMPLOYERS

In accordance with Employment Rules and Regulations of the Northern Mariana Islands Administrative Code (NMIAC), the CNMI Department of Labor (CNMI DOL) mandates compliance of the following for all eligible private sector employers. Failure or refusal to comply is cause for CNMI DOL to issue a Notice of Violation to the employer which may result in fines and other sanctions following a due process hearing in the Administrative Hearing Office.

1. Post Job Vacancy Announcement (JVA) on CNMI DOL website

An employer who intends to employ a foreign national worker, transitional worker, or nonimmigrant alien on a full-time basis (under any new employment arrangement, any renewal of any existing employment arrangement, or any transfer) must post a Job Vacancy Announcement (JVA) on the CNMI DOL website at www.marianaslabor.net. NMIAC § 80-20.1-225(a). No waiver is available for the job vacancy announcement requirement. NMIAC § 80-20.1-225(e).

2. Submit Total Workforce Listing

Each business employer *shall report quarterly*, as of the last day of the calendar quarter, *the number of employees, job classification, and the hourly wage* of employees for whom wages were paid during the quarter. NMIAC § 80-20.1-505(b) (emphasis added). The Department requires employers to present this information in a document called "Total Workforce Listing," via email: documents@marianaslabor.net (Excel format).

The Total Workforce Listing is due each quarter:

- 1st Quarter (January – March)due on April 30
- 2nd Quarter (April – June)due on July 31
- 3rd Quarter (July – September).....due on October 31
- 4th Quarter (October - December)due on January 31

Attention: The Total Workforce Listing for the 3rd Quarter 2020 is due on or before October 31, 2020. Online submissions may be emailed to documents@marianaslabor.net (in Excel format) or delivered to the DOL Administrative Services Office, Building #1356, Capitol Hill. Online submissions are preferable.

3. Adhere to Workforce Participation Minimum Percentage requirement

Any employer, unless exempt, who employs workers on a full-time basis must certify that 30% or more of its full-time employees are U.S. citizens, U.S. permanent residents, and/or CNMI permanent residents. 3 CMC § 4525 and NMIAC § 80-20.1-210(c)(3). Failure to maintain a minimum percentage of 30% will result in a Notice of Violation filed against the employer.

4. Submit new or updated Workforce Plan

All employers who employ nonimmigrant alien workers, unless exempt, must submit a new or updated Workforce Plan every twelve months. NMIAC § 80-20.1-510(c). A workforce plan shall identify specific positions currently occupied by a foreign national worker and timetable for accomplishing the replacement of the foreign national worker with qualified U.S. citizens, CNMI permanent residents, and U.S. permanent residents until the workforce participation objective is met. NMIAC § 80-20.1-510(b). *The Workforce Plan form is available on the CNMI DOL website under Forms & Publications at www.marianaslabor.net.*

SPECIAL INSTRUCTIONS FOR ROTA AND TINIAN EMPLOYERS

An employer with multiple job sites in any of the Mariana Islands must submit a separate report for each island. For example, if an organization employs workers for job sites in Saipan and Tinian then the employer must file two separate quarterly compliance reports (one for Saipan and another for Tinian).

- Rota employers must email census employment reports to documents@marianaslabor.net and dolrota@gmail.com OR delivered to the Rota DOL Field Office at Antonio C. Atalig Memorial Building, Tatachong Village.
- Tinian employers must email census employment reports to documents@marianaslabor.net and tinianlabordepartment@gmail.com OR delivered to the Tinian DOL Field Office at Edu's Plaza, 1st Floor, San Jose Village.

SPECIAL INSTRUCTIONS FOR ALL EMPLOYERS WHOSE OPERATIONS WERE AFFECTED BY THE COVID-19 PANDEMIC

An employee currently on furlough, working reduced hours, or laid off as a result of the COVID-19 pandemic must be listed as such on the Total Workforce Listing. See example below.

EMPLOYEE NAME	POSITION	EMPLOYMENT STATUS	COUNTRY OF CITIZENSHIP	VISA TYPE/CLASS	DATE HIRED	DATE ENDED	COMMENT
Australia, Amanda	Chief Financial Officer	FT	Australia	L1-A	11/6/2018		Furlough-COVID19
China, Chelsea	Operations Agent	FT	China	EAD	12/1/1999		Furlough-COVID19
England, Edward	Cargo Agent	FT	UK	CW-1	9/2/2017		Reduced Hours-COVID19
France, Freddy	Cargo Agent	FT	France	CW-1	7/6/2018		Reduced Hours-COVID19
Guam, Gabby	Flight Attendant	FT	US	US	3/8/2017		
Japan, Jackie	Ticket Agent	FT	Japan	LPR	5/7/2018	4/18/2020	Voluntary Separation
Korea, Ken	Aircraft Mechanic	FT	Korea	CW-1	2/7/2018		
Marianas, Marvin	Chief Executive Officer	FT	US	US	3/24/1976		
Niger, Ned	Airline Pilot	FT	Niger	H-1B	6/10/2018		
Philippines, Phil	Ramp Agent	FT	Philippines	CW-1	8/1/2018		
Qatar, Queenie	Flight Dispatcher	FT	Qatar	CW-1	4/6/2017		
Taiwan, Tommy	Aircraft Mechanic	FT	Taiwan	H-1B	10/7/2005		