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# NOTICE TO EMPLOYERS

**PLEASE TAKE NOTICE:** The CNMI Department of Labor ("DOL") announces that Employers must comply with the following Employment Rules and Regulations ("Regulations"). Failure to comply with these Regulations may cause an employer to be charged with a Notice of Violation by the Department of Labor (DOL). This failure may result in fines and other sanctions after a due process hearing in the Administrative Hearing Office. Failure to comply with these Regulations could also cause an employer to be denied a Certificate of Good Standing.

**1. Post Job Vacancy Announcements on DOL's Website.**

DOL Regulations require employers who are hiring or renewing CW-1 status workers on a full-time basis to post job vacancy announcements on the Department's Website ([www.marianaslabor.net](http://www.marianaslabor.net)). See DOL Regulations at the Northern Mariana Islands Administrative Code ("NMIAC") § 80-20.1-225(a).

No waiver is available with respect to this job vacancy announcement requirement. Regs. at NMIAC § 80-20.1-225(e).

**2. File Quarterly Total Workforce Listings.**

DOL Regulations require employers to submit information *on a quarterly basis* regarding "the number and classification of employees for whom wages were paid during the quarter." [Regs. at NMIAC· § 80-20.1-505 et seq.] The Department requires employers to submit this information in a document entitled "Total Workforce Listing."

Employers are required to file Total Workforce Listings on a quarterly basis, due on the last day of the month following the 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 4th Quarter of 2017 is due on January 31, 2018.**

**3. File Annual Workforce Plan or Updated Existing Plan.**

DOL Regulations require all employers who employ nonimmigrant aliens (e.g., CW-1 status employees) to file an updated Workforce Plan every 12 months. Regs. at NMIAC § 80-20.1-510.

The Workforce Plan form is available on the DOL website ([www.marianaslabor.net/forms](http://www.marianaslabor.net/forms)).

The objective of the Workforce Plan is to increase the percentage of U.S. citizens, U.S. permanent residents and/or CNMI permanent residents in the workforce of the employer. The plan shall include a timetable for accomplishing the replacement of nonimmigrant aliens with qualified citizens, U.S. permanent residents and/or CNMI permanent residents. Regs. At NMIAC § 80-20.1-510(a-b). For a description of exemptions and loss of exemptions to workforce plan; refer to Regs. At NMIAC § 80-20.1-510(d) 1-3".

**4. Workforce Participation – Minimum Percentage.**

DOL Regulations and statutes [3 CMC § 4525(a)] require all employers to maintain a full-time workforce in which a minimum of thirty percent (30%) of the full-time employees are U.S. citizens, CNMI permanent residents and/or U.S. permanent residents. 3 CMC § 4525(a) and Regs. at NMIAC § 80-20.1-210(c)(3).

Failure to maintain a minimum percentage of 30% may result in a Notice of Violation filed against the employer.