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FOR IMMEDIATE RELEASE

May 14, 2020

USCIS creates new requirements for CNMI employers to protect US workers

On May 14, 2020, the U.S. Citizenship and Immigration Services published interim final rule (IFR) implementing the Northern Mariana Islands U.S. Workforce Act of 2018. The purpose of these rules is to protect U.S. Workers in the Commonwealth of the Northern Islands and ensure that U.S. Workers will not be displaced or be a competitive disadvantage for employment.

Key provisions of the newly published IFR include:

- Requiring CW-1 employers to enroll and remain in good standing with the E-Verify program
- Requiring a CW-1 petition to be filed with an approved temporary labor certification from the U.S. Department of Labor;
- Establishing minimum wages requirements for a CW employer;
- Establishing procedures for revoking an employer's CW-1 petition; and
- Incorporating the definition of a legitimate business, as set forth in the Workforce Act.

“This guidance is important for our businesses and employers, while also ensuring we protect our US workers here in the Marianas. We continue to work with our federal partners for an efficient implementation of this public law to protect businesses and their employees moving forward,” said Governor Ralph DLG. Torres.

“While the CNMI Department of Labor works with our federal counterparts as it relates to the CNMI work force, the Department has no jurisdiction to create federal rules, enforce federal requirements, or adjudicate violations of federal law. However, as always, our Department is available to assist, where possible. We encourage the community to review the IFR and submit comments, as identified on the first and second page of the IFR,” said Secretary of Labor Vicky Benavente.

The IFR is available online and can be downloaded from the www.federalregister.gov website. The public may submit comments and related materials to USCIS on or before July 13, 2020.

The IFR will go into effect on June 18, 2020.

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