



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 regulations for all eligible private sector employers. Failure or refusal to comply is cause for the CNMI DOL to issue a Notice of Warning 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 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."

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 1st Quarter 2020 is due on or before April 30, 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% may 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 under the Forms & Publications tab on the CNMI DOL website, www.marianaslabor.net.