

###### Commonwealth of the Northern Mariana Islands

###### DEPARTMENT OF LABOR

Office of the Secretary

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**NOTICE TO EMPLOYERS**

In accordance with § 80-20.1 Employment Rules and Regulations of the Northern Mariana Islands Administrative Code (NMIAC), the CNMI Department of Labor (DOL) mandates compliance of the following for all eligible business employers. Failure or refusal to comply is cause for the CNMI DOL to issue a Notice of Violation to the employer and may also 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 on the Department’s 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).*

1. **Submit Total Workforce Listing Each Quarter**

Each business employer ***shall report quarterly***, as of the last day of the calendar quarter and within the time limits for filing the business gross receipts tax return, the number and classification of employees for whom wages were paid during the quarter. *NMIAC· § 80-20.1-505(b).* The Department requires employers to present this information in a document called "Total Workforce Listing."

The Total Workforce Listing is due after the end of each quarter and on the last day of the month following the quarter:

1st Quarter (January – March) due April 30

2nd Quarter (April - June) due July 31

3rd Quarter (July – September) due October 31

4th Quarter (October - December) January 31

**ATTENTION: The Total Workforce Listing for 2nd Quarter 2019 is due on July 31, 2019. Online submissions may be emailed to** **documents@marianaslabor.net** **or dropped off at the Department of Labor’s Administrative Services Building in Capitol Hill.**

1. **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.

1. **Submit New or Updated Workforce Plan**

All employers, unless exempt, who employ nonimmigrant alien workers, must submit a new or updated Workforce Plan within twelve months. A workforce plan shall identify specific positions currently occupied by nonimmigrant aliens. The plan shall include a timetable for accomplishing the replacement of nonimmigrant aliens with qualified citizens, CNMI permanent residents, and U.S. permanent residents until the workforce participation objective is met. *NMIAC § 80-20.1-510(b-c).*

A workforce plan has as its objective an increase in the percentage of citizens, U.S. permanent residents, and CNMI permanent residents and the immediate relatives of citizens, U.S. permanent residents and CNMI permanent residents in the workforce of the employer. *NMIAC § 80-20.1-510(a).* The Workforce Plan form is available on the CNMI DOL website under Forms & Publications at www.marianaslabor.net.