



Commonwealth of the Northern Mariana Islands
 DEPARTMENT OF LABOR
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NOTICE TO EMPLOYERS

The CNMI Department of Labor ("DOL") announces that Employers must comply with the following Employment Rules and Regulations Subchapter 80-20 of Northern Mariana Islands Administrative Code ("NMIAC").

Any violation of these Regulations may result in payment of fines, denial of Certificate of Good Standing, and other sanctions by the Department of Labor.

1. Post Job Vacancy Announcements (JVA) 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 website (www.marianaslabor.net). See DOL Regulations at the Northern Mariana Islands Administrative Code ("NMIAC") § 80-20.1-225(a).

U.S. Citizenship and Immigration Services (USCIS) requires Employers to submit evidence that the job vacancy announcement (JVA) was posted on the DOL (JVA) website.

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

2. File Quarterly Compliance Documents.

- a) Copy of Business License.
- b) Copy of Annual Corporate Report
- c) Copy of latest Quarterly Business Gross Revenue Tax (BGRT)
- d) Copy of latest Quarterly Employer's Withholding Tax Return (EWTR).
- e) Total Workforce Listing

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 a Total Workforce Listing 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 1st Quarter of 2018 is due on April 30, 2018.

f) Workforce 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).

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".

g) 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.