

# Q & A

## FAQ

### HOW CAN I GET THE TOTAL WORKFORCE LISTING & WORKFORCE PLAN TEMPLATE?

It is available at [www.marianaslabor.net](http://www.marianaslabor.net) under Resources and Publications, Forms and Publications or you can call the Division of Employment Services (670) 322-0996 and 664-3190.

### AM I REQUIRED TO PROVIDE DOL A NOTICE OF REDUCTION IN FORCE?

Pursuant to 3CMC §4937. An employer who employs foreign national workers may reduce the number of current employees based on economic necessity. The employer shall provide notice to the Department at least sixty (60) days prior to the reduction in force.

### WHO IS RESPONSIBLE FOR REPATRIATION COST OF A FOREIGN NATIONAL WORKER?

Pursuant to 3CMC §4954(a). The last employer of record of a foreign national worker shall be responsible for the costs of repatriating that worker.

**LABOR  
ENFORCEMENT  
& COMPLIANCE  
SECTION**

# Get in touch with us!

JEFFREY T. CAMACHO

Acting Director, Labor Enforcement & Compliance  
[jtc@dol.gov.mp](mailto:jtc@dol.gov.mp)

LENICE DARIA DLR KAPILEO

Admin Specialist II  
[kapileolenice@gmail.com](mailto:kapileolenice@gmail.com)

JULIE S. TEBUTEB

LLE SPEC II  
[jtebuteb@gmail.com](mailto:jtebuteb@gmail.com)

MAGIC B. CABRERA

LLE SPEC II  
[mcabreradol@gmail.com](mailto:mcabreradol@gmail.com)

ARLENE V. RAFANAN

LLES III  
[arafanandol@gmail.com](mailto:arafanandol@gmail.com)

NORMAN S. RASIANG

LLES III  
[nrasiang.dol@gmail.com](mailto:nrasiang.dol@gmail.com)

670-322-4365

670-322-9942

670-323-9940

EUGENE A. TEBUTEB

Director, Division of Employment Services  
[e.tebuteb@dol.gov.mp](mailto:e.tebuteb@dol.gov.mp)

JAMES M. ULLOA

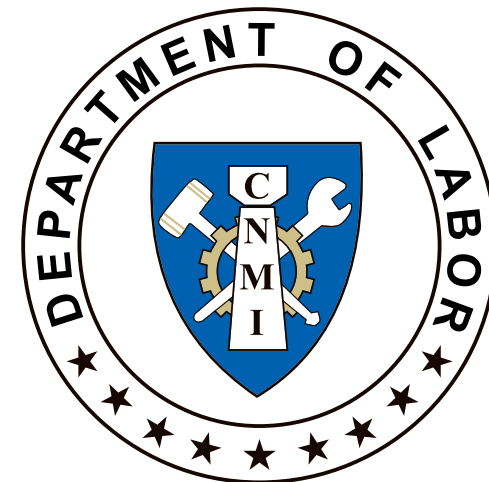
Labor Certification Supervisor  
[julloa@dol.gov.mp](mailto:julloa@dol.gov.mp)

670-322-0996

670-664-3190

PO Box 1007 Bldg 1335 Med Ave Capitol Hill 96950

[www.marianaslabor.net](http://www.marianaslabor.net)



# INFORMATION GUIDE

**FOR EMPLOYERS  
IN THE CNMI**

**LABOR  
ENFORCEMENT  
& COMPLIANCE  
SECTION**

# INTRODUCTION

As an employer in the CNMI, you are required to comply with the laws, rules and regulations promulgated by the CNMI government. This booklet is provided to inform you of some of the Department of Labor's Employment Rules and Regulations. A more detailed information can be viewed at the Department of Labor's website, [www.marianaslabor.net](http://www.marianaslabor.net)

# AUTHORITY

(NMIAC § 80-20.1-001)

The Department of Labor (the "Department"), pursuant to its powers, duties, and authority under the Immigration Conformity Act of 2010, PL 17-1 ; the Commonwealth Employment Act of 2007, PL 15-108; the Minimum Wage and Hour Act, as amended; and Public Laws No, 11-6, 12-11, and 12-58 as amended, does hereby promulgate and issue these regulations that shall govern the employment of citizens, permanent residents, foreign national workers, and other nonimmigrant aliens in the Commonwealth.

EMPLOYMENT RULES  
& REGULATIONS

[BIT.LY/3N5417V](http://BIT.LY/3N5417V)



# INVESTIGATION

(NMIAC §80-20.1-445)

The Department may conduct investigations as necessary and appropriate to enforce the provisions of the Commonwealth Employment Act of 2007, as amended, and this subchapter to ensure lawful employment arrangements, payment of wages and overtime, working condition, employer-supplied benefits, and health and safety for employees. Pursuant to appropriate inter-agency arrangements, the Department may investigate related business license, tax, insurance, and other matters that intersect with its responsibilities for labor enforcement. In conducting these investigations, the Department's investigator shall have all of the powers delegated and described with respect to inspections and investigations pursuant to Part 400 of these regulations and the powers to inspect any records that an employer is required to keep, to make copies of records, and to interview employees.

# VIOLATIONS

(NMIAC § 80-20.1-435)

If upon inspection a violation is found of any provision of the Commonwealth Employment Act of 2007, as amended, the Minimum Wage and Hour Act, as amended, or the Department regulations promulgated pursuant to Commonwealth law, the investigator may, within thirty days:

- (a) Warning.  
Issue a warning to the responsible party to correct the violation. If the responsible party does not comply within ten days and correct the violation, the Chief of the Enforcement Section may issue a notice of violation.
- (b) Notice of violation.  
Issue a notice of violation to the responsible party. Upon issuance of a notice of violation, an action is opened at the Administrative Hearing Office with the Chief of the Enforcement Section as the complainant.

# POTENTIAL VIOLATIONS

POTENTIAL VIOLATIONS UNDER  
THE NMI ADMINISTRATIVE CODE:

## Failure to meet CNMI Workforce Objective (30%)

NMIAC §80-20.1-210

## Failure to register

NMIAC §80-20.1-230

## Failure to post JVA

NMIAC §80-20.1-225(A)

## Failure to meet good faith requirement

NMIAC §80-20.1-235(F)

## Failure to file employer declarations

NMIAC §80-20.1-235(G)

## Improper Reductions in Force

NMIAC §80-20.1-240

## Failure to keep required records

NMIAC §80-20.1-425; NMIAC §80-20.1-501

## Violations of the Safe Workplace Conditions

NMIAC §80-20.1-40

## Failure to submit Quarterly Compliance Documents

NMIAC §80-20.1-225(A)

## Violation of the Resident Worker Fair Compensation Act

NMIAC §80-20.1-245