

**TITLE 3: HUMAN RESOURCES**  
**DIVISION 4: EMPLOYMENT AND REGISTRATION**

**§ 4922. Approved Employment Contract.**

(a) Each foreign national worker in the Commonwealth shall be a party to a currently effective approved employment contract.

(b) An employer may apply to the Department for an approved employment contract pursuant to which a specifically identified foreign national worker will be employed for a one year or a two year term, at the employer's option, provided however that the Secretary may, by regulation, provide for approved employment contracts of shorter terms for specialty jobs and provide for part-time casual and other employment.

(c) The application for an approved employment contract shall be accompanied by a non-refundable application fee to be established by the Department and supported by the following documentation:

(1) A proposed employment contract signed by the foreign national worker in full compliance with all applicable Commonwealth laws;

(2) A copy of the Notice to Foreign National Workers, required by [3 CMC § 4938\(a\)](#), that has been delivered to the foreign national worker in his or her native language;

(3) Such other documentation as required by the Secretary; and

(4) All applicable fees.

(d) The Department shall, in writing, either approve the application or deny the application and state the reasons for denial; provided however, the Director may defer action on any application if the employer is a party to any pending case either in the Department or in any court arising from an alleged violation of Commonwealth labor or wage laws.

(e) The Department shall approve only one employment contract for any foreign national worker; provided however, that a foreign national worker in addition to one full time contract employment, or an eligible member of the immediate family of a foreign national worker, may be employed by the Central Statistics Division of the Department of Commerce on a temporary or part-time basis as an enumerator or translator to assist with the census and surveys to be conducted by the Central Statistics Division.

**Source:** PL 15-108, § 4(4922); PL 17-1 § 5(Q) and § 5(Q)(2)(c) (Mar. 22, 2010),\* modified; subsection (c) amended by PL 17-92 § 3(a) (Feb. 19, 2013), modified.

**Commission Comment:** The Commission deleted figures that repeated written words in the above section pursuant to [1 CMC § 3806\(e\)](#). \*PL 17-1 (enacted on Mar. 22, 2010) contained the following effective date provision:

Section 12. Effective date. This Act shall take effect upon its approval by the Governor or becoming law without such approval and shall be retroactive to November 28, 2009 except as otherwise specifically provided herein.

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For more information regarding Public Law 17-1, see comment to [3 CMC § 4511](#).

The Commission substituted the correct citation for [3 CMC § 4938](#) pursuant to [1 CMC § 3806\(d\)](#). PL 17-92 (Feb. 19, 2013) contained, in addition to savings and severability clauses, the following Findings section:

Section 1. Findings. The Commonwealth finds that with the minimum wage increased to \$5.05 an hour, certain benefits provided to nonresident workers should no longer be mandated. Previously, benefits, including medical insurance coverage, free housing, food, and transportation, etc., were provided to nonresident workers to ensure that medical billings were paid and that additional support was given to nonresident workers because of the low minimum wage. The Commonwealth Legislature finds however that such assistance is no longer necessary.

United states P.L. 110-28, enacted on May 25, 2007, made the federal minimum wage applicable to the Commonwealth starting at \$3.55 an hour on the 60th day after its enactment. This amount shall be increased by \$0.50 an hour beginning one year after the date of its enactment and each year thereafter until the minimum wage applicable to the Commonwealth of the Northern Mariana Islands is equal to \$7.25 an hour. The Commonwealth Legislature finds that the current minimum wage of \$5.05 an hour, which is almost a sixty-six percent increase over a period of approximately three years, is sufficient for nonresident workers to provide for themselves and pay for their medical coverage as well. Additionally, the removal of such mandated benefits will create fairness for all employees within the Commonwealth, non-resident and resident workers alike. It is therefore the purpose of this Act to remove such required benefits.

Due to a transmission error, PL 17-92 was not codified until September of 2014.