

NINTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

PUBLIC LAW NO. 9-71

H. B. NO. 9-360

THIRD REGULAR SESSION, 1995

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AN ACT

To establish equal wage and benefit conditions for resident workers; and for other purposes.

**BE IT ENACTED BY THE NINTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:**

Section 1. Title. This Act shall be known as the "Resident Workers Fair Compensation Act of 1995".

Section 2. Findings. It is the finding of the Legislature that the current mandated benefits for alien laborers provided to them in addition to earned wages unfairly discriminates against local workers because these benefits are not available to local workers.

Section 3. Definitions. Where they appear in this Act the following terms have the following meanings:

(a) "non-resident workers" is used in accordance with the meaning established in 3 CMC §4412.

(b) "resident workers" is used in accordance with the meaning established in 3 CMC §4412.

Section 4. Compensatory Payment. All benefits mandated by law given to non-resident workers, including, but not limited to food, housing, transportation, health insurance, and medical expenses, must also be provided to resident workers or in a cash equivalent in jobs where the standard hourly wage is less than \$4.25, or the prevailing United States Federal minimum wage standard, whichever is higher. Such cash compensation benefit is to be added to resident worker's base wages or salary, the standard rate of which shall be determined by the Secretary of Labor and Immigration.

Section 5. Regulation. The Secretary of Labor and Immigration shall promulgate regulations to implement the provisions of this Act within thirty days of the effective date of this Act.

Section 6. Severability. If any provision of this Act or the application of any such provision to any person or circumstance should be held invalid by a court of competent jurisdiction, the remainder of this Act or the application of its provisions to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

Section 7. Savings Clause. This Act and any repealer contained herein shall not be construed

as affecting any existing right acquired under contract or acquired under statutes repealed or under any rule, regulation or order adopted under the statutes. Repealers contained in this Act shall not affect any proceeding instituted under or pursuant to prior law. The enactment of this Act shall not have the effect of terminating, or in any way modifying, any liability, civil or criminal, which shall already be in existence at the date this Act becomes effective.

Section 8. Effective Date. This Act shall take effect upon its approval by the Governor or upon its becoming law without such approval.

**CERTIFIED BY:**

**ATTESTED BY:**

/s/ Diego T. Benavente  
DIEGO T. BENAVENTE  
Speaker  
House of Representatives

/s/ Evelyn C. Fleming  
EVELYN C. FLEMING  
House Clerk

Approved this 16th day of November, 1995

/s/ Jesus C. Borja  
~~FROILAN C. TENORIO~~ JESUS C. BORJA  
Acting Governor  
Commonwealth of the Northern Mariana Islands