

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
SAIPAN MARIANA ISLANDS

VOLUME 19 NUMBER 09



SEPTEMBER 15, 1997

COMMONWEALTH

REGISTER

COMMONWEALTH REGISTER
VOLUME 19 NUMBER 09
SEPTEMBER 15, 1997

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COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

FROILAN C. TENORIO
Governor

JESUS C. BORJA
Lt. Governor

Caller Box 10007
Saipan, MP 96950
Telephone: (670) 322-5091-5
Fax: (670) 322-5102

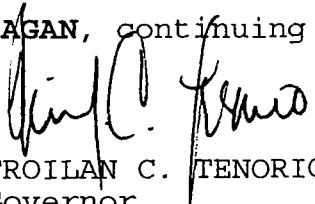
TYPHOON WINNIE (14W)

EMERGENCY DECLARATION NO. 03-97 DATE: 8/12/97

SUBJECT: Execution of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands declared readiness **TYPHOON CONDITION II** for the islands of **SAIPAN** and **TINIAN** and **TYPHOON CONDITION I** for the islands of **ANATAHAN, ALAMAGAN** and **PAGAN** effective 9:30 A.M., AUGUST 12, 1997; and WHEREAS, in accordance with provisions of the Commonwealth of the Northern Mariana Islands' Emergency Operations Plan, the declaration automatically puts into execution the operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it is directed that the operational portions of the CNMI Emergency Operation Plan be executed, effective 9:30 A.M., AUGUST 12, 1997, on the islands of **SAIPAN, TINIAN, ANATAHAN, ALAMAGAN** and **PAGAN**, continuing so long as required by the emergency situation.


FROILAN C. TENORIO
Governor
Commonwealth of the Northern
Mariana Islands



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

FROILAN C. TENORIO
Governor

JESUS C. BORJA
Lt. Governor

SUPER TYPHOON WINNIE (14W)

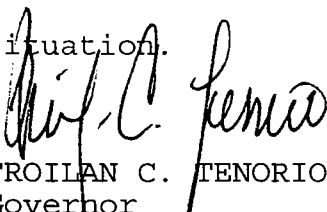
Caller Box 10007
Saipan, MP 96950
Telephone: (670) 322-5091-5
Fax: (670) 322-5102

EMERGENCY DECLARATION NO. 04-97 DATE: 8/12/97

SUBJECT: Execution of the Commonwealth of the Northern Mariana Islands' Emergency Operation Plan

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands declared has **UPGRADED TYPHOON CONDITION II** to **TYPHOON CONDITION I** for the islands of **SAIPAN** and **TINIAN** and **TYPHOON CONDITION III** to **TYPHOON CONDITION I** for the island of **AGRIHAN** effective **3:00 P.M., AUGUST 12, 1997**; and WHEREAS, in accordance with provisions of the Commonwealth of the Northern Mariana Islands' Emergency Operations Plan, the declaration automatically puts into execution the operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it is directed that the operational portions of the CNMI Emergency Operation Plan be maintained in execution, effective **3:00 P.M., AUGUST 12, 1997**, on the islands of **SAIPAN, TINIAN, and AGRIHAN**, continuing so long as required by the emergency situation.


FROILAN C. TENORIO
Governor
Commonwealth of the Northern Mariana Islands



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

FROILAN C. TENORIO
Governor

JESUS C. BORJA
Lt. Governor

Caller Box 10007
Saipan, MP 96950
Telephone: (670) 322-5091-5
Fax: (670) 322-5102

SUPER TYPHOON WINNIE (14W)

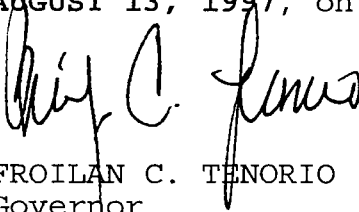
EMERGENCY DECLARATION NO. 05-97 DATE: 8/13/97

SUBJECT: Termination of the Commonwealth of the Northern Mariana Islands' Operational Portions of the EOP

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands has **DECLARED** an "**ALL CLEAR CONDITION**" for the islands of **SAIPAN** and **TINIAN** effective **1:30 A.M., AUGUST 13, 1997**; and

WHEREAS, in accordance with provisions of the Commonwealth of the Northern Mariana Islands' Emergency Operations Plan (EOP), the declaration automatically terminates the operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it is directed that the operational portions of the CNMI Emergency Operation Plan be terminated, effective **1:30 A.M., AUGUST 13, 1997**, on the islands of **SAIPAN** and **TINIAN**.


FROILAN C. TENORIO
Governor
Commonwealth of the Northern Mariana Islands



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

FROILAN C. TENORIO
Governor

JESUS C. BORJA
Lt. Governor

SUPER TYPHOON WINNIE (14W)

Caller Box 10007
Saipan, MP 96950
Telephone: (670) 322-5091-5
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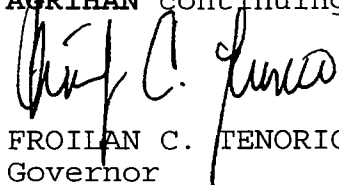
EMERGENCY DECLARATION NO. 06-97 DATE: 8/13/97

SUBJECT: Execution of the Commonwealth of the Northern
Mariana Islands' Emergency Operation Plan

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands has **DOWNGRADED TYPHOON CONDITION I** to **TYPHOON CONDITION II** for the islands of **ALAMAGAN, PAGAN** and **AGRIHAN** effective **7:00 A.M., AUGUST 13, 1997**; and

WHEREAS, in accordance with provisions of the Commonwealth of the Northern Mariana Islands' Emergency Operations Plan, the declaration automatically puts into execution the operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it is directed that the operational portions of the CNMI Emergency Operation Plan be maintained in execution, effective **7:00 A.M., AUGUST 13, 1997**, on the islands of **ALAMAGAN, PAGAN** and **AGRIHAN** continuing so long as required by the emergency situation.


FROILAN C. TENORIO
Governor

Commonwealth of the Northern
Mariana Islands



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

FROILAN C. TENORIO
Governor

JESUS C. BORJA
Lt. Governor

Caller Box 10007
Saipan, MP 96950
Telephone: (670) 322-5091-5
Fax: (670) 322-5102

SUPER TYPHOON WINNIE (14W)

EMERGENCY DECLARATION NO. 07-97 DATE: 8/13/97

SUBJECT: Termination of the Commonwealth of the Northern Mariana Islands' Operational Portions of the EOP

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands has **DECLARED** an "**ALL CLEAR CONDITION**" for the island of **ANATAHAN** effective **7:00 A.M., AUGUST 13, 1997**; and

WHEREAS, in accordance with provisions of the Commonwealth of the Northern Mariana Islands' Emergency Operations Plan (EOP), the declaration automatically terminates the operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it is directed that the operational portions of the CNMI Emergency Operation Plan be terminated, effective **7:00 A.M., AUGUST 13, 1997**, on the island of **ANATAHAN**.

A handwritten signature in black ink, appearing to read "Froilan C. Tenorio".

FROILAN C. TENORIO
Governor
Commonwealth of the Northern
Mariana Islands



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

FROILAN C. TENORIO
Governor

JESUS C. BORJA
Lt. Governor

SUPER TYPHOON WINNIE (14W)

Caller Box 10007
Saipan, MP 96950
Telephone: (670) 322-5091-5
Fax: (670) 322-5102

EMERGENCY DECLARATION NO. 08-97 DATE: 8/13/97

SUBJECT: Execution of the Commonwealth of the Northern
Mariana Islands' Emergency Operation Plan

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands has **DOWNGRADED TYPHOON CONDITION II** to **TYPHOON CONDITION III** for the islands of **ALAMAGAN, PAGAN** and **AGRIHAN** effective **10:00 A.M., AUGUST 13, 1997**; and

WHEREAS, in accordance with provisions of the Commonwealth of the Northern Mariana Islands' Emergency Operations Plan, the declaration automatically puts into execution the operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it is directed that the operational portions of the CNMI Emergency Operation Plan be maintained in execution, effective **10:00 A.M., AUGUST 13, 1997**, on the islands of **ALAMAGAN, PAGAN** and **AGRIHAN** continuing so long as required by the emergency situation.

A handwritten signature in black ink, appearing to read "Froilan C. Tenorio".

FROILAN C. TENORIO
Governor
Commonwealth of the Northern
Mariana Islands



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

FROILAN C. TENORIO
Governor

JESUS C. BORJA
Lt. Governor

Caller Box 10007
Saipan, MP 96950
Telephone: (670) 322-5091-5
Fax: (670) 322-5102

SUPER TYPHOON WINNIE (14W)

EMERGENCY DECLARATION NO. 09-97 DATE: 8/13/97

SUBJECT: Termination of the Commonwealth of the Northern Mariana Islands' Operational Portions of the EOP

WHEREAS, the Governor of the Commonwealth of the Northern Mariana Islands has **DECLARED** an "**ALL CLEAR CONDITION**" for the islands of **ALAMAGAN, PAGAN** and **AGRIHAN** effective **2:30 P.M., AUGUST 13, 1997**; and

WHEREAS, in accordance with provisions of the Commonwealth of the Northern Mariana Islands' Emergency Operations Plan (EOP), the declaration automatically terminates the operational portions of the Plan;

NOW, THEREFORE, pursuant to the executive powers vested in the Governor, it is directed that the operational portions of the CNMI Emergency Operation Plan be terminated, effective **2:30 P.M., AUGUST 13, 1997**, on the islands of **ALAMAGAN, PAGAN** and **AGRIHAN**.

A handwritten signature in black ink, appearing to read "Froilan C. Tenorio".

FROILAN C. TENORIO
Governor
Commonwealth of the Northern
Mariana Islands

**COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
CIVIL SERVICE COMMISSION**

**NOTICE OF PROPOSED
REGULATIONS ESTABLISHING A SICK LEAVE BANK,
AMENDMENTS TO THE EXCEPTED SERVICE PERSONNEL REGULATIONS,
AND AMENDMENTS TO THE
PERSONNEL SERVICE SYSTEM RULES AND REGULATIONS**

Under the authority of 1 CMC §§8117 and 8274, the Civil Service Commission hereby notifies the general public that it proposes to adopt regulations relating to a Sick Leave Bank, amend its Excepted Service System Regulations, amend its Personnel Service System Rules and Regulations. A copy of the proposed new and amended regulations follows this notice.

SUBJECT: The proposed new regulations establish a Sick Leave Bank for all government employees. The amendment to the Excepted Service Personnel Regulations repeals Part III, now containing the Sick Leave Bank regulations. Finally, the amendment to the Personnel Service System Rules and Regulations repeals the authority to grant administrative leave for recuperation from a work-related injury or illness for which the employee can seek Workers' Compensation benefits.

PUBLIC COMMENTS: The public is encouraged to comment on the proposed new regulations and amendments. Comments must be submitted in writing and sent, delivered or faxed by September 15, 1997, to the Chairman, Civil Service Commission:

P.O. Box 5150
House #1211, Capitol Hill
Saipan, MP 96950
Fax: (670) 322-3327

Date: 09/05/97



EUGENE A. SANTOS
Chairman, Civil Service Commission

Date: 9/15/97

Received by Herman T. Guerrero
Herman T. Guerrero
Office of the Governor

Date: 9/15/97

Filed by Soledad B. Sasamoto

Soledad B. Sasamoto
Registrar of Corporations

Pursuant to 1 CMC 2153 as amended by PL 10-50 the rules and regulations attached hereto have been reviewed and approved as to form and legal sufficiency, by the CNMI Attorney General's Office.

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
KUMISION SETBISIUN SIBIT

NUTISIA PUT I PRINIPONEN
REGULASION NI PARA U ESTABLESI ESTE I SICK LEAVE BANK
AMENDASION SIHA PARA I REGULASION EXCEPTED SERVICE PERSONNEL YAN
AMENDASION SIHA GI REGULASION YAN AREKLAMENTON SISTEMAN
SETBISIUN PETSONAT

Sigun gi aturidat ginen 1 CMC §§8117 yan 8274, I Kumision Setbisiun Sibit ginen este ha nutitisia I pupbliku henerat na ha propoponi para u adapta I regulasion put Sick Leave Bank, ya u amenda I Regulasion Excepted Service System, amendasion gi Regulasion Sistemman Setbisiun Petsonat. Kopian I mapropoponi yan nuevo siha na amendasion u tattiyi este na nutisia.

SUHETU: I mapropoponi yan nuevo na regulasion para u establesi Sick Leave Bank para todú emplao gobietno. I amendasion siha gi Regulasion Excepted Service Personnel para u diroga yan tulaika I Patte III, ni gi presente gaige I regulasion I Sick Leave Bank. Potlos uttimu I amendasion para I Regulasion yan Areklamenton Sistemman Setbisiun Petsonat u diroga osino tulaika I aturidat para hayi sina man na'e petmiso para administrative leave yanngen I taotao dumiskakansa despues di iridao gi duranten cho'cho' pat minalango' ni sina I empleao ha aligao benefisiun ginen I Worker's Compensation.

KOMENTUN PUPBLIKU: I pupbliku manma sosoyu para u fana'halom komentu put I mapropoponi yan nuevo na regulasion yan amendasion. I komenti suha debi di u fanma tuge' ya u ma satmiti pat fax guatu antes di Septiembre 15, 1997, guatu gi Chairman, Civil Service Commission.

P.O. Box 5150
House #1211, Capitol Hill
Saipan, MP 96950
Fax: (670) 322-3327

Fecha: 09/05/97

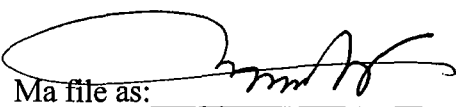


EUGENE A. SANTOS
Chairman, Civil Service Commission

Fecha: 9/15/97

Rinisibi as: Herman T. Guerrero
Herman T. Guerrero
Ofisninan Gubetno

Fecha: 9/15/97


Ma file as: _____
Soledad B. Sasamoto
Rehistradoran Kotporasion

**COMMONWEALTH METAWAL WOOL FALUW KKA MARIANAS
CIVIL SERVICE COMMISSION**

**ARONGORONG REEL POMWOL ALLEGHUL FFEERETAAL MILLE SICK LEAVE BANK,
LLIIWELIL AUTOL ALLEGHUL EXCEPTED SERVICE PERSONNEL, ME LLIWEL REEL
AUTOL ALLEGHUL PERSONNEL SERVICE SYSTEM**

Sangi autol bwángil 1 CMC §§8117, Civil Service Commission bwelle reel milleel ekke arongaar aramas toulap ekke pomwoli ebwe adopt-taay allégh kkaal ikka e maas ghil ngali mille Sick Leave Bank, lliiweli yaal aAllégh mille Excepted Service System, lliiweli yal Allégh Personnel Service System. Kopiyaal fféerétáál allégh ikka e ffé me igha a lliiwel nge ebwe toppaghewow me arong yeel.

SUBJECT: reel pomwol allegh kka e ffé nge e fféerútutá mille Sick Leave Bank ngaliir alongeer schóól angaangal llól government. Reel lliiwelil alléghul mille Excepted Service Personnel nge ebwal lliiweli autol peigh III, iye ighila nge a isiisilong bwe alléghúl mille Sick Leave Bank. Reel scheescheel igha e lliiwel alléghúl Personnel Service System nge e lliiweli bwángil igha ebwe isiisiwow mille administrative leave reel mille recuperation bwelle reel ghilas me semwaay igha emmewel bwe schóól angaang rebwe ghutta Abwóssuur Ngáre reghal filiwós (Workers Compensation Benefits).

AIYEGH SANGIIR TOULAP: Rekke arongaar aramas rebwe ischilong yaar mánagemáng, tiip ngare aiyegh reel bwelle allégh kkaal me yaal lliiwel. Alongal aiyegh ngare mánagemang nge ebwe ischilong me akkafang ngare fax ngali Chairman-nil Civil Service Commission wóól Maan (September) 15, 1997, Iyeel yaal address

P.O. Box 5150
House #1211, Capitol Hill
Saipan, MP 96950
Fax: (670) 322-3327

Ral: 09/05/97


EUGENE A. SANTOS
Chairman, Civil Service Commission

Ral: 9/15/97

Bwughiyal: Herman T. Guerrero
Herman T. Guerrero
Bwulasiyool Gobeenno

Ral: 9/15/97

Isaliyal: Soledad B. Sasamoto
Soledad B. Sasamoto
registrar of Corporations

Pursuant to 1 CMC 2153 as amended by PL 10-56 the rules and regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General's Office.

Dated this 15th day of Sept, 1997 :

Robert B. Durrup II
Attorney General (Acting)

**COMMONWEALTH METAWAL WOOL FALUW KKA MARIANAS
CIVIL SERVICE COMMISSION**

**ARONGORONG REEL POMWOL ALLEGHUL FFEERETAAL MILLE SICK LEAVE BANK,
LLIIWELIL AUTOL ALLEGHUL EXCEPTED SERVICE PERSONNEL, ME LLIWEL REEL
AUTOL ALLEGHUL PERSONNEL SERVICE SYSTEM**

Sangi autol bwangil 1 CMC §§8117, Civil Service Commission bwelle reel milleel ekke arongaar aramas toulap ekke pomwoli ebwe adopt-taay allegh kkaal ikka e maas ghil ngali mille Sick Leave Bank, lliiweli yaal aAllegh mille Excepted Service System, lliiweli yal Allegh Personnel Service System. Kopiyaal ffeeretaal allegh ikka e ffe me igha a lliiwel nge ebwe toppaghewow me arong yeel.

SUBJECT: reel pomwol allegh kka e ffe nge e feeruuta mille Sick Leave Bank ngaliir alongeer school angaangal llo government. Reel lliiwelil alleghul mille Excepted Service Personnel nge ebwal lliiweli autol peigh III, iye ighila nge a isiisilong bwe alleghul mille Sick Leave Bank. Reel scheescheel igha e lliiwel alleghul Personnel Service System nge e lliiweli bwangil igha ebwe isiisiwow mille administrative leave reel mille recuperation bwelle reel ghilas me semwaay igha emmewel bwe school angaang rebwe ghutta Abwossuur Ngare reghal filiwos (Workers Compensation Benefits).

AIYEGH SANGIIR TOULAP: Rekke arongaar aramas rebwe ischilong yaar mangemang, tiip ngare aiyege reel bwelle allegh kkaal me yaal lliiwel. Alongal aiyege ngare mangemang nge ebwe ischilong me akkafang ngare fax ngali Chairman-nil Civil Service Commission wool Maan (Sarobwel) 15, 1997, Iyeel yaal address

P.O. Box 5150
House #1211, Capitol Hill
Saipan, MP 96950
Fax: (670) 322-3327

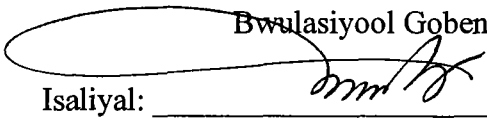
Ral: 09/05/97


EUGENE A. SANTOS
Chairman, Civil Service Commission

Ral: 9/15/97

Bwughiyal: Herman T. Guerrero
Herman T. Guerrero
Bwulasiyool Gobeenno

Ral: 9/15/97


Isaliyal: _____
Soledad B. Sasamoto
Registrar of Corporations

Pursuant to 1 CMC 2153 as amended by PL 10-56 the rules and regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General's Office.

Dated this 15th day of Sept, 1997

Robert E. Dunlap II
Attorney General
By: [Signature]
Assistant Attorney General

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
KUMISION SETBISIUN SIBIT

NUTISIA PUT I PRINIPONEN
REGULASION NI PARA U ESTABLESI ESTE I SICK LEAVE BANK
AMENDASION SIHA PARA I REGULASION EXCEPTED SERVICE PERSONNEL YAN
AMENDASION SIHA GI REGULASION YAN AREKLAMENTON SISTEMAN
SETBISIUN PETSONAT

Sigun gi aturidat ginen 1 CMC §§8117 yan 8274, I Kumision Setbisiun Sibit ginen este ha nutitisia I pupbliku henerat na ha propoponi para u adapta I regulasion put Sick Leave Bank, ya u amenda I Regulasion Excepted Service System, amendasion gi Regulasion Sistemman Setbisiun Petsonat. Kopian I mapropoponi yan nuevo siha na amendasion u tattiyi este na nutisia.

SUHETU: I mapropoponi yan nuevo na regulasion para u establesi Sick Leave Bank para todú emplao gobietno. I amendasion siha gi Regulasion Excepted Service Personnel para u diroga yan tulaika I Patte III, ni gi presente gaige I regulasion I Sick Leave Bank. Potlos uttиму I amendasion para I Regulasion yan Areklamenton Sistemman Setbisiun Petsonat u diroga osino tulaika I aturidat para hayi sina man na'e petmiso para administrative leave yanngen I taotao dumiskakansa despues di iridao gi duranten cho'cho' pat minalango' ni sina I empleao ha aligao benefisiun ginen I Worker's Compensation.

KOMENTUN PUPBLIKU: I pupbliku manma sosoyu para u fana'halom komentu put I mapropoponi yan nuevo na regulasion yan amendasion. I komenti suha debi di u fanma tuge' ya u ma satmiti pat fax guatu antes di Oktubre 15, 1997, guatu gi Chairman, Civil Service Commission.

P.O. Box 5150
House #1211, Capitol Hill
Saipan, MP 96950
Fax: (670) 322-3327

Fecha: 09/05/97

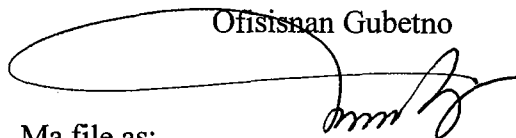


EUGENE A. SANTOS
Chairman, Civil Service Commission

Fecha: 9/15/97

Rinisibi as: Herman T. Guerrero
Herman T. Guerrero
Ofisistaan Gubetno

Fecha: 9/15/97



Ma file as: _____
Soledad B. Sasamoto
Rehistradoran Kotporasion

10-2

**COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
CIVIL SERVICE COMMISSION**

**-- PROPOSED --
SICK LEAVE BANK REGULATIONS,
AMENDMENT TO EXCEPTED SERVICE REGULATIONS, and
AMENDMENT TO PERSONNEL SERVICE SYSTEM RULES AND REGULATIONS**

PROPOSED SICK LEAVE BANK REGULATIONS

INTRODUCTION

01. **AUTHORITY.** These regulations, promulgated by the Civil Service Commission under the authority of 1 CMC §8274, implement the Sick Leave Bank created by Public Law No. 8-25 and codified at 1 CMC §§8271, *et seq.*
02. **PURPOSE.** These regulations are intended to provide additional job and financial protection for employees experiencing prolonged absence from the workplace due to catastrophic illness or major injury.
03. **APPLICABILITY.** Except as otherwise provided, these regulations apply to all employees of the government of the Northern Mariana Islands, whether or not they are members of the Civil Service System.

DIVISION 1 - CONTRIBUTIONS TO THE SICK LEAVE BANK

10. **ELIGIBILITY.** Any person employed by the Commonwealth government as a member of the Civil Service, or under an excepted service contract, may contribute sick leave hours to the Sick Leave Bank, provided that, after such contribution, he or she retains at least eighty (80) hours of accrued sick leave. Employees separating from service with the Commonwealth government for whatever reason, at the time of separation, may contribute any or all of their accrued sick leave hours to the Sick Leave Bank.
11. **PROCEDURE.** All contributions shall be made on forms prescribed by the Director of Personnel Management. The contributor may elect to contribute sick leave hours to either or both:
 - (a) the General Account, available to any eligible employee, or
 - (b) a designated account, available only to the eligible employee designated by the contributor. If the designated employee does not use the hours contributed to his or her designated account within four pay periods of the

contribution, the remaining hours will be deposited into the General Account.

12. **EMPLOYEES RETURNING TO SERVICE.** Former employees who return to government service within three (3) years of separation, may request that the Director of Personnel Management restore to their personal sick leave account up to one hundred sixty (160) hours of the leave they contributed at the time of separation. Such request may be denied only if the Sick Leave Bank does not contain enough hours to accommodate the request. In which case, the hours will be restored to the employee's account as more hours become available through subsequent contributions to the Sick Leave Bank.

DIVISION 3 - WITHDRAWALS FROM THE SICK LEAVE BANK

30. **LIMITATION ON NUMBER OF HOURS.** Withdrawal of Sick Leave Bank hours for extended sick leave is a privilege, not a right. No employee may withdraw any hours from the Sick Leave Bank, whether from the General Account or from his or her designated account, if he or she has already withdrawn one hundred sixty (160) hours. However, if the employee has returned to the Bank some or all of those hours, as provided in Division 4, he or she may withdraw additional hours up to the amount returned. Examples:
- (a) An employee has withdrawn 70 hours and has not returned any hours. That employee can withdraw up to an additional 90 hours.
 - (b) An employee has withdrawn 160 hours and has not returned any hours. That employee cannot withdraw additional hours.
 - (c) An employee has withdrawn 160 hours and has returned 160 hours. That employee can withdraw up to an additional 160 hours.
 - (d) An employee has withdrawn 160 hours and has returned 50 hours. That employee can withdraw up to an additional 50 hours.
31. **ELIGIBILITY.** Any person employed by the Commonwealth government, its agencies or instrumentalities, may apply for withdrawal of hours first from an account designated for his or her use, then from the General Account of the Sick Leave Bank provided that:
- (a) the employee's need to be absent from work is due to the injury or illness of the employee, or the quarantine of the employee, the employee's family, or the employee's residence;
 - (b) the employee is not qualified for Workers' Compensation because the injury or illness is not work related;

- (c) the employee is expected to have exhausted all personal sick leave, annual leave, and allowable advance sick leave prior to recovery from the illness or injury for which the additional sick leave hours are requested;
- (d) the additional hours requested by the employee will not cause the employee to exceed the withdrawal limit established in Rule 30;
- (e) the employee is expected to return to government service
 - (1) in the same position, or
 - (2) if the injury or illness prevents the employee from performing the essential job functions of the same position even with reasonable accommodation, to some other position with the Commonwealth government;
- (e) the request for sick leave does not extend beyond the term of the employee's employment;
- (f) the Sick Leave Bank has sufficient hours to accommodate the employee's request; and
- (g) the employee's appointing authority, as defined in the Personnel Service System Rules and Regulations Part III.D2(A), approves the employee's withdrawal request. An appointing authority can withhold approval only if:
 - (1) the employee's additional absence will significantly interfere with the agency's ability to perform its responsibilities; or
 - (2) the employee is seeking the additional sick leave for recuperation from a work related injury or illness that is otherwise compensable under the Workers' Compensation Act.

32. **PROCEDURE.** an employee shall request a withdrawal of hours from the Sick Leave Bank, whether from a designated account or the General Account, as needed, in increments of up to eighty (80) hours, on a form prescribed by the Director of Personnel Management.

- (a) The request must be received at the Office of Personnel Management at least five (5) working days before the proposed effective date, with all required approvals and supporting documents.
- (b) The request must be supported by a statement of an attending physician which includes:

- (1) an estimate of the time the employee must be absent from work;
 - (2) a confirmation of the employee's injury or illness, or the quarantine of the employee, the employee's family or the employee's residence; and
 - (3) a confirmation that the illness or injury will not constitute a permanent disability that, even with reasonable accommodation that can be made without undue hardship to the government employer, will prevent the employee from performing the essential job functions of his or her position.
- (c) No properly supported request from a qualified employee shall be denied unless:
- (1) there are insufficient hours in the Sick Leave Bank to grant the request; or
 - (2) the employee's appointing authority, with adequate justification, has not approved the request; or
 - (3) the employee is expected to be compensated for any lost work time through Workers' Compensation; or
 - (4) based on the employee's physician's statement, the Director of the Office of Personnel Management determines that the employee will not be able to return to work in the same position or any other government position due to a lingering disability; or
 - (5) the Director of the Office of Personnel Management finds that there is sufficient evidence to believe the employee is malingering.

DIVISION 4 - RETURNING HOURS USED FROM THE SICK LEAVE BANK

40. **GENERAL ACCOUNT.** Withdrawal of sick leave hours from the Sick Leave Bank's General account will be treated as a debt owed by the employee to the Sick Leave Bank.
- (a) After recuperation and return to active service, an employee is required to return the hours he or she used from the Sick Leave Bank's General Account by depositing into the General Account one (1) sick leave hour per pay period from the employee's regularly accruing of sick leave, until all of the hours the employee used from the General Account have been returned.
 - (b) If an employee leaves government service while he or she still owes hours

to the General Account, the government shall

- (1) assume any accrued unused sick leave or annual leave; or
- (2) deduct the value of the hours from the employee's final pay check; or
- (3) reduce credited service time; or
- (4) seek other redress from the courts, except the government shall not seek recovery of the hours against a decedent's estate.

41. **DESIGNATED ACCOUNT.** Use of hours from a designated account will be counted in determining how many of the 160 allowable hours established by Rule 30 have been used by the employee. Employees are therefore encouraged to return hours to the Sick Leave Bank withdrawn from a designated account. Employees may return the hours they withdraw from a designated account in the same manner as provided for repayment to the General Account.

42. **HOURS PREVIOUSLY WITHDRAWN FROM THE SICK LEAVE BANK.**

- (a) Any employee who immediately prior to the effective date of these regulations owed more than 160 hours to the Sick Leave Bank, upon the effective date of these regulations, will have the hours in excess of 160 forgiven. The employee's records will be amended to show that only 160 hours had been withdrawn from the Bank.
- (b) Hours withdrawn from the Sick Leave Bank prior to the effective date of these regulations shall be presumed to have been withdrawn from a designated account. Therefore, the employee will not be required to return those hours. However, employees are encouraged to voluntarily return those hours because the hours will be counted in determining how many of the 160 allowable hours established by Rule 30 have been used by the employee.

DIVISION 5 - ACCOMMODATION AND DISABILITY

50. **PHYSICIAN'S STATEMENT.** If the attending physician determines that the illness or injury for which the employee seeks extended sick leave will constitute a permanent disability preventing the employee from being able to perform the essential job functions of his or her position, the physician will issue a statement to that effect and describe the physical or mental limitations the employee is expected to experience.

51. **ALTERNATIVE POSITION.** In a case where an employee is not expected to be able to perform the essential job functions of his or her position, even with

reasonable accommodation, the Director of Personnel Management must determine, based on the physician's statement, whether the disability precludes the employee from being reasonably accommodated in another equivalent government position that can be performed by a person with that particular disability.

52. **DISABILITY.** If the Director of Personnel Management determines that the expected disability precludes the employee from performing the essential job functions of any equivalent government position, the Director of Personnel Management shall deny additional sick leave hours to the employee. The Director of Personnel Management shall then recommend the employee apply for disability retirement benefits.

DIVISION 6 - MISCELLANEOUS

60. **RECORDS.** The Director of Personnel Management or his designee shall maintain records of all hours contributed to, withdrawn from, and returned to the Sick Leave Bank.
61. **APPEAL.** Any employee denied hours from the Sick Leave Bank may appeal the denial to the Civil Service Commission. The appeal must be filed at the Commission office within five (5) days after the employee receives a written denial of the request from the Office of Personnel Management. The appeal shall be treated by the Commission in the same manner as a grievance under Personnel Service System Rules and Regulations, Part III.G10(C) through III.G10(H).

PROPOSED AMENDMENT TO EXCEPTED SERVICE REGULATIONS

Part III of the Excepted Service Regulations, Government Employees Sick Leave Bank, is repealed in its entirety.

**PROPOSED AMENDMENT TO
PERSONNEL SERVICE SYSTEM RULES AND REGULATIONS**

Part VII.A4(G)(2) is repealed. Paragraphs (3) and (4) of Part VII.A4(G) are renumbered (2) and (3), respectively.

DULY ADOPTED AS PROPOSED REGULATIONS by the Civil Service Commission at its regularly scheduled meeting on the **29th** day of **July, 1997**.



Eugene A. Santos, Chairman

Pursuant to 1 CMC 2153 as amended by PL 10-59 the rules and regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General's Office.

Dated this 15th day of Sept, 1997


Robert B. Dunlap II
Attorney General (Acting)

Assistant Attorney General



NORTHERN MARIANAS HOUSING CORPORATION

P.O. BOX 514, Saipan, MP 96950

Tels: (670) 234-6866
234-9447
234-7689
234-7670
Fax: (670) 234-9021

NOTICE OF REVISED DEFINITION OF A FIRST TIME HOMEOWNER

The Board of Directors of the Northern Marianas Housing Corporation (NMHC) hereby notifies the general public that it has revised the **Definition of First Time Homeowner** expanding the definition under which an applicant may be considered a first time homeowner, pursuant to the authority provided under Executive Order 94-3, Section 407 of Re-organization Plan No. 2 of 1994, Directive No. 138, and the Administrative Procedures Act, 1 CMC 9101, et. Seq. Of the Commonwealth Code.

The definition now clarifies the status of ownership interest through inheritance, as well as, those applying for renovation or improvement loans.

Copies of the definition are available at NMHC's Central Office, Garapan, Saipan and its field office on Tinian and Rota.

NMHC urges the public to submit written comments and recommendations regarding the definition within 30 days after the first publication in the Commonwealth Register to the following address:

Northern Marianas Housing Corporation
P. O. Box 514, C.K.
Saipan, MP 96950-0514

Dated this 15 day of August, 1997.



JUAN S. TENORIO
Chairman, Board of Directors



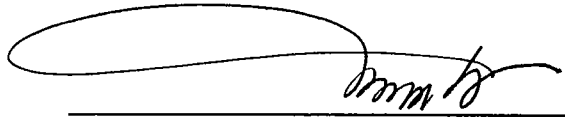
MARYLOU S. ADA
Corporate Director

Date: 9/15/97



Received by: HERMAN T. GUERRERO
Governor's Office

Date: 9/15/97



Filed by: SOLEDAD B. SASAMOTO
Registrar of Corporation



NORTHERN MARIANAS HOUSING CORPORATION

P.O. BOX 514, Saipan, MP 96950

Tels: (670) 234-6866
234-9447
234-7689
234-7670
Fax: (670) 234-9021

Citation of
Statutory Authority: Commonwealth Development Authority (CDA) Act of 1984.

Short Statement of
Goals & Objectives: The NMHC must concentrate its efforts in assisting those who have yet to own a home. This practice will extend limited loan funds to those most deserving of the assistance.

Brief Summary of
the Proposed Rule: The Revised Definition of a First Time Homeowner includes additional classifications of applicants who are considered first-time homeowner. It further defines the statuses of applicants who possess heirship interest in residential properties and those are seeking rehabilitation loans.

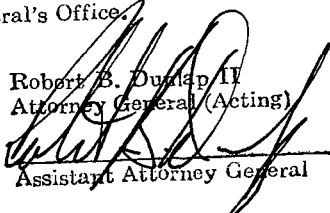
The revised definition supplements the definition initially adopted by the NMHC Board. It is applicable to all loan programs under the NMHC.

For Further
Information Contact: Diana P. Crisostimo, Manager, Mortgage Credit Division, NMHC, telephone no. 234-7689/7670/6866/9447 or fax no. 234-9021.

Date: 8/19/97 Submitted by: MaryLou S. Ada
Title: Corporate Director

Pursuant to 1 CMC 2153 as amended by PL 10-59 the rules and regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General's Office.

Dated this 15th day of Sept, 1997;

By: 
Robert B. Dunlap II
Attorney General (Acting)
Assistant Attorney General

NORTHERN MARIANAS HOUSING CORPORATION

Definition of a First Time Home Owner

Any individual ("Borrower") residing in the Commonwealth, who does not currently, or in the last ten (10) years, has not held an ownership interest in a house.

An interest created by the Borrower acting as a mortgagee, lien holder, or creditor, will not count as an ownership interest in the house that he holds said interest, for the above definition, so long as the Borrower does not occupy the house on a regular basis.

Moreover, an ownership interest obtained in a house through inheritance, shall not be considered as an ownership interest for the above definition, so long as the individual did not obtain a one hundred (100%) percent interest in the house, by way of inheritance, nor hold a one hundred (100%) percent interest at any time prior to the time of loan application.

A First Time Home Owner shall also include an individual who currently owns a home and is applying for a home renovation/improvement loan, to improve the house they are currently residing in, so long as they do not currently, or in the last ten (10) years, have not held an ownership interest in a house, other than an interest created by the individual acting as a mortgagee, lien holder, or creditor, and will occupy the improved/renovated property as his or her principal house.

The term "house" shall include condominiums, town houses, or any other permanent structure in which the individual or any person resides, or has used as a residence in the last ten (10) years.

**NUTISIA PUT RIBISION
DEFINASION PARA I FIRST TIME HOMEOWNER**

I Board of Directors i Northern Marianas Housing Corporation (NMHC) ginen este ha infofotuma i pupbliku henerat na esta ha ribisa i **Definasion Para I First Time Homeowner** para u mas klaru i definasion komu ma konsidera i aplikante na first time homeowner sigu gi aturidat ginen i Oden Eksekatibu 94-3, Seksiona 407 gi Re-organization Plan No. 2 of 1994, Directive No. 138, yan i Administrative Procedures Act, i CMC 9101, et. seq. gi Kodikun Commonwealth.

I definasion para una klaru mas i estao interes dueñu ginen irensia, yan ayu siha lokkue' i manman aplilika para u ma famaolek gima'-ñiha osino inaya para u mana mas gatbo i gima'-ñiha.

Guaha kopian i definasion gi Ofisinan NMHC, giya Garapan, Saipan yan i Ofisinan-niha giya Luta yan Tinian.

I NMHC ha sosohyu i pupbliku para u fanman satmiti halom rekomendasion gi tinige' put i definasion gi halom trenta (30) dias despues di malaknos i primet na nutisia gi Rehistran Commonwealth ya u mana hanao guatu gi sigiente na address:

Northern Marianas Housing Corporation
P.O. Bo 514, C.K.
Saipan, MP 96950


Ma fecha gi mina' 19 na dia Agosto, 1997



JUANA S. TENORIO
Chairman, Board of Directors

Fecha: 9/15/97

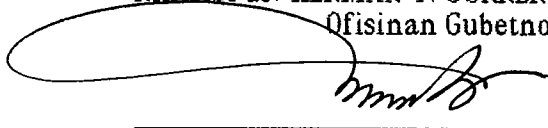
Fecha: 9/15/97



MARYLOU SOADA
Corporate Director



Rinisibi as: HERMAN T. GURRERO
Ofisinan Gubetno



Ma file as: SOLEDAD B. SASAMOTO
Rehistradoran Kotporasion

NORTHERN MARIANAS HOUSING CORPORATION
P.O. BOX 514, Saipan, MP 96950

Ginen Hayi I Aturidat: Commonwealth Development Authority (CDA) Act of 1984.

Didide' na emfotmasion

put i minito' yan obyektibu: I NMHC debi di u ma asiste ayu siha i manman aplilika para u fanggai guma'. Este na Cho'cho tieniki ha ekstende chi'-ña i fundon inayao para ayu siha i mas munisisita inasiste yan ayudu.

Kadada' na sinagan put

i mapropoponi na Areklamento I ma Ribisa na Definasion par i First Time Homeowner engkulus mas klasifikasion para ayu siha na aplikante i manma konsidera komu first time homeowner. Itmas ha difina lokkue' i estao aplikante siha ni guaha interes gi iresian-niha para propiedat residencia yan ayu siha i man aliligao rehabilitation loans.

I ma ribisa na definasion para u tulaika ayu na definasion i hagas ma adapta ni NMHC Board. Aplikapble para todú programan inayo gi papa NMHC.

Put mas emfotmasion a'agang si

Diana P. Crisostimo, Manager, Mortgage Credit Division, NMHC, gi numirun tilifon, 234-7689/7670/6866/9447 osino fax no. 234-9021.

Fecha: 8/19/97 Ma satmiti as: MaryLou S. Ada
Titulu: Corporate Director

**ARONGORONG REEL IGHA EBWE REVISED AWEWEEL
MILLE FIRST TIME HOMEOWNER**

Board of Directors mellól Northern Marianas Housing Corporation(NMHC) sangi milleel ekke arongaar aramas toulap a revised li **Aweeweel Mille First Time Homeowner** reel ebwe maas ffataló aweewe kkaal igha schóol tingór(applicant) ebwe lo bwe i eschay first time homeowner, mereel bwángil ila elo faal Executive Order 94-3, Tálil 407 of Re-organization Plan No. 2 llól rághewe 1994, Directive No. 138, me Administrative Procedures Act, 1 CMC 9101 et. seq. mellól Commonwealth Code.

Aweewe yeel a maas affataaló reel mille status of ownership interest through inheritance, me bwal iir ikkiwe schóol tingorol loan reel ebwe fféer sefaal ngare maas aghatchuúló imweer.

Kopiyaal aweewe kkaal nge eyoor reel NMHC's Central Office, iye elo Arabwal, Seipel bwal wool faluw ye Tchúliyol bwal Luuta.

NMHC ekke arongaar aramas toulap rebwe ischilong yaar ágheyagh me aiyegh bwelle reel aweewe kkaal llól eliigh(30) rál takkelóol mmwal yaal toolong arong yeel llól Commonwealth Register. Iyeel yaal address:

Northern Marianas Housing Corporation
P.O. Box: 514, CK.
Saipan, MP 96950-0514

Rál ye 19 llól maramal Elúwel(August), 1997.

Juan S. Tenerio
Chairman, Board of Directors

Ral: 9/15/97

Ral: 9/15/97

MaryLou S. Ada
Corporate Director

Herman T. Guerrero
Bwughiyal: Herman T. Guerrero
Bwulasiyool Gobennog

Soledad B. Sasamoto
Registrar of Corporation



EQUAL HOUSING OPPORTUNITY

NORTHERN MARIANAS HOUSING CORPORATION

P.O. BOX 514, Saipan, MP 96950

Tels: (670) 234-6866
234-9447
234-7689
234-7670
Fax: (670) 234-9021

Bawngil yeel e
nwetti nereel:

Commonwealth Development Authority (CDA) Act of 1984.

Wiemwoschol Autol

Yaal Goals me Objectives:

NMHC e fil ebwe tepengiir aramas kkewe resaal yoor mwo imweer. Reel tappal feffe'e'r yeel nge imwu ebwe maas lapalo fundool loan reel ebwe tepengiir ikkewe reghi weirres lo'.

Eghus Tapalal Reel
Pomwol Allegh:

Reel igha e revised aweeweel mille First Time Homeowner nge ebwal toolong maas reel classification-nul school tingor ikka re pa'a'pa'a'long bwe first time homeowner. Ebwal maas affataalo' reel scho'o'l tingor (applicant) ikka eyoor yaar mweschel reel residential properties me ikka re tipeli rehabilitation loans.

Reel igha e revised aweewe kkaal nge ebwe liweli fasil aweewe kkewe NMHC Board e adoptaay. E fil lol alongal progooma kka elo faal NMHC.

Reel maas aiyegh ffaingi: Diana P. Crisostimo, Manager, Mortgage Credit Division, NMHC.
Reel numorool telefoon kkaal: 234-7689/7670/6866/9447 ngare fax no. 234-9021.

Ral: 08/19/97

Mereel MaryLou S. Ada

Title: Corporate Director



NORTHERN MARIANAS HOUSING CORPORATION

P.O. BOX 514, Saipan, MP 96950

Tels: (670) 234-6866
234-9447
234-7689
234-7670
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NOTICE OF PROPOSED REVISIONS TO THE LOAN PROCESSING PROCEDURE

The Board of Directors of the Northern Marianas Housing Corporation (NMHC) hereby notifies the general public that it proposes to revise the **Loan Processing Procedure** to incorporate several provisions, pursuant to the authority provided under Executive Order 94-3, Section 407 of Re-organization Plan No. 2 of 1994, Directive No. 138, and the Administrative Procedures Act, 1 CMC 9101, et. Seq. Of the Commonwealth Code.

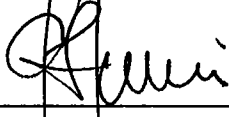
The proposed revisions refine and augment the existing procedure relative to loan refinancing, renting and leasing of NMHC- or MIHA-financed residential dwelling, and collection and foreclosure.

Copies of the proposed revisions are available at NMHC's Central Office, Garapan, Saipan and its field office on Tinian and Rota.


NMHC urges the public to submit written comments and recommendations regarding the proposed revisions within 30 days after the first publication in the Commonwealth Register to the following address:

Northern Marianas Housing Corporation
P. O. Box 514, C.K.
Saipan, MP 96950-0514

Dated this 17 day of August, 1997.




JUAN S. TENORIO
Chairman, Board of Directors




MARYLOU S. ADA
Corporate Director

Date: 9/15/97



Received by: HERMAN T. GUERRERO
Governor's Office

Date: 9/15/97



Filed by: SOLEDAD B. SASAMOTO
Registrar of Corporation



NORTHERN MARIANAS HOUSING CORPORATION

P.O. BOX 514, Saipan, MP 96950

Tels: (670) 234-6866
234-9447
234-7689
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Fax: (670) 234-9021

Citation of

Statutory Authority: Commonwealth Development Authority (CDA) Act of 1984.

Short Statement of

Goals & Objectives: The revisions to the Loan Processing Procedure will enable NMHC to further serve its clientele. They provide avenues for the agency and its clients to resolve obstacles that may occasionally be encountered during the term of a loan.

Brief Summary of the Proposed Rule:

The revisions broaden the scope of NMHC's policies to allow some flexibility when dealing with issues of loan refinancing, renting or leasing out of an NMHC- or MIHA-financed dwelling unit, and collection and foreclosure. These revisions will serve as additional guidelines for NMHC and its clients to adhere to.

Another change in the Loan Processing Procedure entail appeals. This was included to give an aggrieved applicant or borrower the opportunity be considered at the Board level.

For Further

Information Contact: Diana P. Crisostimo, Manager, Mortgage Credit Division, NMHC, telephone no. 234-7689/7670/6866/9447 or fax no. 234-9021.

Date: 8/19/97 Submitted by: MaryLou S. Ada

Title: Corporate Director

Pursuant to 1 CMC 2153 as amended by PL 10-55 the rules and regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General's Office.

Dated this 15th day of Sept, 199 7;

Robert B. Donlan II
Attorney General (Acting)

By: [Signature]
Assistant Attorney General

**NUTISIA PUT PRINIPONEN RIBISION GI
BANDAN KINALAMTEN MAN AYAO' SALAPE
(LOAN PROCESSEING PROCEDURE)**

I Board of Directors i Northern Marianas Housing Corporation (NMC), ginen este ha nutitisia i publiku henerat na ha propoponi para u ribisa i Loan Processing Procedure para u mana halom unos kuantos siha na probinsion, sigun gi aturidat ni manmana'e' ginen Oden Eksekatibu Numiru 94-3, Seksiona 407 gi halom Re-organization Plan Numiru 2 gi sakkan 1994, Directive Numiru 138, yan i Administrative Procedures Act. I CMC 9101, et Seq. gi Kodikun Commonwealth.

Este na proniponen rebision para una mas libianu i eksplikasion i manpresenti siha na kinalamten put ina'yao, atkilon yan arienda gi NMHC-osino i MIHA- pat para u mana guahayi salapen liheng residencia, yan u ma rikohe pat u mana' para.

Kopian i priniponen rebision guaha gi Ofisinan NMHC's Central giya Garapan, Saipan yan i Ofisinan-niha giya Tinian yan Luta.


I NMHC ha sosohyu todú i publiku henerat para u fana'halom osino satmiti rekomendasion siha gi tinige' put i priniponen rebision siha gi halom trenta (30) dias despues di i primet na nutisia komu malaknos gi Rehistran i Commonwealth ya u mana hanao guato gi sigiente na address:

Northern Marianas Housing Corporation
P.O. Box 514, C.E.
Saipan, MP 96950-0514

Ma fecha gi natna' 19 na dia Agosto, 1997

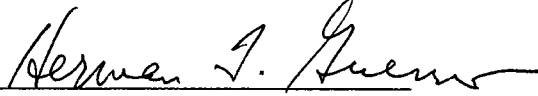


JUAN S. TENDRA
Chairman, Board of Directors



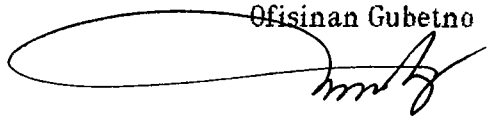
MARYLOU ADA
Corporate Director

Fecha: 9/15/97



Rinsibi as: HERMAN T. GUERRERO
Ofisinan Gubetno

Fecha: 9/15/97



Ma File as: SOLEDAD B. SASAMOTO
Rehistradoran Kotporasion

NORTHERN MARAIANAS HOUSING CORPORATION

P.O. BOX. 514, SAIPAN, MP 96950

Ginen Hayi i Aturidat. Commonwealth Development Authority(CDA) Act of 1984

Didide na emfotmasion
put i minito' yan
obyektibu

I ribision i para i Loan Processing Procedure para u alaba mas i NMHC para u setbe i kastuma-ña. Ma pribiniyi manera para i ahensia yan i kastuma-ña para u ma satba hafa siha na yinao'yao entalo'-niha duranten i teminun inayao.

Kadada' na sinagan
put i ma propoponi

na areklamento I ribision para u mas adelanta i areklamenton NMHC' para u alaba hafa siha siña mas libianu komu matto gi taiguihe i kinalamten inayao, atkilon yan ariendo ginen i NMHC-osino i MIHA- para lihen residencia, manrikohi pat mana'para. Este na ribision para u setbe komu mas giniha para i NMHC ya i kastuma-ña ni para u ma dalalake'.

I otro na tinulaika gi halom i Loan Processing Procedure este i para man apela. Hagas mana halom este para ayu siha na taotaogues i ti man satisfecho komu siha aplikante pat taotao man ayao, ya manma na'e oputinidat ni Board Level.

Pot ma emfotmasion

A'agan si Diana P. Crisostimo, Manager, Mortgage Credit Division, NMHC, guine na numirun tilifon i 234-7689/7670/6866/9447 osino fax no. 2349021.

Fecha: 8/12/97 Ma Satmiti halom as: MaryLou S. Ada

Titulu: Corporate Director

Pursuant to 1 CMC 2153 as amended by PL 10-50 the rules and regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General's Office.

Dated this 15th day of Sept, 1997.

Robert B. Dunlap II
Attorney General (Acting)
By: [Signature]
Assistant Attorney General

Arongorong Reel Pomwolil Revision-nul
Loan Processing Procedure

Board of Directors mereel Northern Marianas Housing Corporation(NMHC) bwelle reel milleel ekke arongaar aramas toulap bwe a pomwoli ebwe revise li mille loan provisions, sáangi mereel bwángil ila elo faal Executive Order 94-3. Táfil 407 mellól Reorganization Plan No. 2 sáangi rághewe 1994. Directive No. 138, me Administrative Procedures Act, 1 CMC 9101, et. seq. mellól Commonwealth Code.

Arong reel pomwol revisions kkaal igha ebwe affataalo reel mwoghútul iyeey reel mille loan refinancing, renting, me leasing of NMHC- ngare MIHA- ayooora salapiyal mille residential dwelling me yéelúl me ayuúw ló.

Kopiyaal pomwolil revisions kkaal nge eyoor mellól bwulasiyool NMHC's iye elo Arabwal, Seipel me ebwal yoor mellól bwulasiyo ikka elo wóol falúw kkaal, Tchúfúyol bwal Luutá.

NMHC ekke amwescháliir aramas toulap rebwe ischilong yaar ágheyagh ngare aiyegh bwelle reel pomwol revisions kkaal nge essóbw aluúw ló eliigh(30) rál mwiril takkelóól mmwal arongorong llól Commonwealth Register. Iyeel yaal address:

Northern Marianas Housing Corporation
P.O.Box: 514 CK.
Saipan M.P. 96950-0514

Reel 9/15/97 llól maramal Elúwel(Agust), 1997.

Juan S. Tenerio
Chairman, Board of Directors

Rál 9/15/97

Rál 9/15/97

MaryLou S. Ada
Corporate Director

Herman T. Guerrero
Bwughiyal: Herman T. Guerrero
Bwulasiyool Gobenno

Soledad B. Sasamoto
Regsitrar of Corporation



EQUAL HOUSING OPPORTUNITY

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234-7689
234-7670
Fax: (670) 234-9021

Bwangil yeel e
mwetto mereel: Commonwealth Development Authority (CDA) Act of 1984.

Weimwoschol Yaal

Goals me Objectives: Revisions kkaal rel mille Loan Procedure ebwe aghatchuulo NMHC reel ebwe tepengiir layul aramas (Clients). E ayoor a ya'a'lil ngaliir agency reel ebwe saliti fitighooho ikka ebwe fisita' llo'l otol ngare tetminool loan.

Eghus Tapala Reel
Pomwol Allegh:

Revisions kkaal e alapalapaalo allegh kka llol NMHC's reel ebwe ayoor a mwescheragh reel igha rebwe ate'e'w mwoghu'tul loan refinancing, renting me leasing merrel NMHC- ngare MIHA-financed dwelling me ye'e'lu'l me Ayu'u'w lo' Revision kkaal ebwe lo bwe eew guidelines ngali NMHC bwal layul aramas (Clients) igha rebwe attabwel.

Bwal eew lliiwel mellol ille Loan Processing Procedure reel mille appeals iyeel eew a fasil toolong reel ebwe tepengiir aramas kka rese satisfecho igha ur aplikanti ngare school tingor reel opportunity yeel ebwe yoor konsiderasion sangi board level.

Reel maas
Aiyegh ffaingi: Diana P. Crisostimo, Manager, Mortgage Credit Division, NMHC, telephone no. 234-7689/7670/6866/9447 or fax no. 234-9021.

Ral: August 19, 1997 Submitted by: MaryLou S. Ada

Title: Corporate Director

REVISIONS TO THE LOAN PROCESSING PROCEDURE

The revisions to the Loan Processing Procedure are as follows: Deletions are italicized; additions are underlined.

Part I.A3. is revised as follows:

3. Desirable Loans-Priority

First Priority should be given to **FIRST TIME HOMEOWNER**. Other consideration might be given to improve, expand or renovate an existing dwelling. Applicant(s) must occupy the house as primary residence.

Applications will be processed in the order of the following priority criteria of applicant(s).

- a. First Priority: Married couple with dependent(s).
- b. Second Priority: Single parent (head of household) with dependent(s).
- c. Third Priority: Married couple without any dependent.
- d. Fourth Priority: Single without any dependent.

Part XV. is revised as follows:

XV. COLLECTION AND FORECLOSURE

Section A: The Chairman, or designee, shall closely monitor the repayment of all loans by NMHC borrowers. All loan installments shall be due and payable monthly.

1. If any payment is not received by the thirtieth (30th) day after the due date, then the Corporate Director or designee, shall personally contact the borrowers immediately by telephone and by written letter informing them of the payment default.

The Corporate Director shall also send out such notices of default and other letters as are required by the loan agreement and other loan documents.

2. If any payment is not received by the sixtieth (60th) day after the due date, then the Corporate Director, or designee, shall personally contact the borrower by telephone and by written letter informing them of the payment default.

3. If any payment is ninety (90) days or more delinquent, the matter shall be brought to the attention of the Board. The Board shall consider the matter and make a determination as to whether the matter should be forwarded to an attorney for collection, or if the Corporate Director should take further actions in an attempt to collect the debt without litigation. If the matter is not forwarded to an attorney for collection, the matter shall be revisited by the Board at each successive meeting until the delinquency is cured.

4. If the matter is forwarded to attorney for collection, then NMHC shall inform the attorney of the status of the account and provide them with all necessary documents to bring a foreclosure action on the same. The attorney shall send the borrower a Notice of Default in accordance with the CNMI Mortgage Foreclosure Act (2 CMC § 4537).

5. If, after the Notice of Default is sent to the borrower, and the borrower fails to begin curing the delinquency, in a manner and speed that is satisfactory, in the sole discretion of the Corporate Director, then the attorney shall file a lawsuit to collect the loan and foreclose upon the mortgage.

6. Upon filing of the lawsuit, the principal of the loan shall be accelerated and the entire principal balance plus any accrued interest shall become immediately due and payable. Interest shall accrue on the principal at the rate established in the loan agreement.

7. Upon entry of Judgment in the lawsuit, a copy of the Judgment shall be served upon the borrower. If the borrower fails to pay the entire outstanding loan balance plus accrued interest and attorneys fees within three (3) months from the time the borrower is served with the copy of the Judgment, all properties mortgaged as security for the loan shall be noticed for sale by way of public auction. The notice shall provide that the minimum bid is the total principal, interest, attorneys fees and costs of sale, or the appraised value, whichever is greater.

8. In the event that no bidders are willing to make a minimum bid, the property shall be withdrawn and noticed for a second sale. As such sale, the minimum bid shall be the same amount.

9. NMHC may bid on the property at any public auction.

10. If no bidders offer a minimum bid at the second sale, the property shall be withdrawn, and in the discretion of the Corporate Director, or designee, shall either be noticed for a third sale or temporarily removed from the market if, in the discretion of the Corporate Director, the likelihood of sale would be greater at a future time. In the event a third sale is authorized, the property shall be offered with the minimum bid set at the appraised value of the property, or the amount outstanding and due to NMHC, whichever is less. NMHC shall bid the minimum bid on the property.

11. If the property is sold at an auction, the attorney shall prepare a certificate of sale, deliver a copy to the buyer and record the original.

12. If NMHC obtains the property, then it shall proceed to make all efforts to sell it at the highest price possible. NMHC may finance the purchase of the house by a borrower in accordance with its policies in Section D below. If NMHC sells the property prior to the expiration of the Redemption Period, it shall so notify the buyer and ensure that all sales documents reflect the same.

13. After one year, if the borrower has not made an effort to redeem the property from the purchaser, the attorney shall prepare a Deed of Sale to be executed and delivered to the purchaser.

14. If any of the above procedures conflict with any applicable provision of law, or a term in any of the loan documents, then said law or contract term shall control.

15. If the Borrower has executed a Deed of Trust, and the same has been sold/assigned to NMHC, due to delinquency in payment, then the same procedures outlined above shall be followed; provided that if the Deed of Trust allows for foreclosure by way of a private power of sale, then NMHC may follow the terms of the Deed and applicable law and handle the foreclosure in house, by way of said power of sale, without referring the matter to an attorney for collection and foreclosure.

Section B. The Board may recommend a "loan workout" wherein there exists a possibility for NMHC to recover its funds without foreclosure. Such "loan workout" should be considered only as an alternative to foreclosure and will be authorized on a case-by-case basis on substantial evidence provided by the borrower that the loan is recoverable. Any new terms of repayment shall not exceed the period of repayment authorized in this policy inclusive of the date when the loan was made and all grace periods.

Section C. Any amendments of the terms and conditions of the loan, once granted, regardless whether or not a loan is in default, shall require the approval of the Corporate Director.

Section D. In the event that NMHC has purchased a property at public auction, in which it has foreclosed a defaulted mortgage, it may sell the same to a person who lacks the financial resources to fully pay the sales price, by financing the purchase through a Direct Family Home Loan. In order to participate under this program, the borrower must:

1. Be a first-time homeowner;
2. Be credit worthy, as determined in the sole discretion of NMHC;

3. Agree to an interest rate of nine percent (9%);
4. Agree that the loan amount will be amortized over a period not to exceed fifteen (15) years;
5. Make a down payment of twenty-five percent (25%) of the total purchase price, plus all closing costs, which shall be due and payable to NMHC on loan closing;
6. Execute, on a document provide by NMHC, a mortgage on the property to be purchased to secure the approved loan; and
7. Obtain an appraisal report for the property, by an appraiser approved by NMHC.. If the appraisal report shows that the property does not have a market value sufficient to secure the loan, then the borrower shall provide additional sources of collateral to fully secure the loan, or additional sources of capital so that the loan may be reduced.

DFHL loans payments which are defaulted three months or more, and have been issued the required delinquency and default notices (first, second and final), shall be referred to the legal counsel for judicial foreclosure proceedings pursuant to the Mortgage Law. Demanded loan(s) from the Rural Development or its predecessors, RECDS and FmHA, shall be processed for a private sale foreclosure pursuant to the Deed of Trust Act.

Parts XX., XXI and XXII. are added as follows:

XX. RENTING OR LEASING OUT AN NMHC (MIHA) FINANCED DWELLING UNIT

Borrower(s) who contemplate on leasing or renting his/her/their home, that was financed through a loan from the NMHC, or its predecessor, MIHA, to develop a homestead lot, that contains, in the Deed, Grant of Public Domain Land, or as a Rider to the Borrower(s), a prohibition against renting or leasing the property for a set period of time, any request in writing, for a limited terms, one (1) year, release from such prohibition set forth in any loan document entered into with NMHC or MIHA. Said written request must clearly set forth the reasons which justify why said prohibitions should be waived by NMHC.

Upon receipt of a request for waiver of prohibition, the same will be date-stamped and logged in NMHC's incoming log book. It will then be forwarded to the Corporate Director for consideration.

NMHC may issue a written authorization to borrower(s) to rent or lease out a MIHA- or NMHC- financed house, for a period not to exceed one (1) year, under the following circumstance only:

1. Borrower(s) must temporarily move off-island for educational or medical purpose; or
2. Borrower(s) must temporarily relocate to care for or assist a family member, such as the elderly, physically challenged individual, etc., who is determined by a qualified physician, to require assistance with daily routine activities.

If the Borrower(s) wish to extend the one (1) year waiver for an additional one (1) year period, they must submit a new written request sixty (60) days prior to the lapse of the previous one (1) period waiver. There shall be no limitation on the number of waivers that a Borrower may receive and the same shall be issued for as long as NMHC determines that justification exists for the issuance of the same.

A Borrower may appeal a denial of a written request for a waiver of Prohibition, to the NMHC Board of Directors in accordance with the provisions of the CNMI APA for appealing adverse agency actions.

XXI. LOAN REFINANCING

It is the policy of NMHC not to allow the refinancing of loans solely on the basis of delinquency. Further, it is the policy of NMHC not to allow delinquent/outstanding charges- principal, accrued interest, insurance charges, etc., to be consolidated, or added to the principal balance of a loan for the purposes of refinancing. All outstanding charges must be paid prior to NMHC entertaining a request to refinance a loan.

Any outstanding payments, whether they be principal, accrued interest, or other charges shall be due and payable in accordance with the terms of the applicable loan document. When payment is made on a loan, the payment shall not be applied to the principal of the loan until all other outstanding charges have been paid.

This policy shall also apply to a housing loan that is taken over by a new borrower.

Any loan delinquent for a period of four (4) months shall be referred to counsel for foreclosure and collection.

Borrowers may seek exemption from NMHC's standard policies and procedures by petitioning the NMHC's Corporate Director. All such petitions shall be directed to NMHC's Loan Review Committee and must set forth the grounds upon which relief is sought and the exact relief sought. NMHC shall only grant exemptions from NMHC's standard policies and

procedures, when, in the Corporate Director's sole discretion, compelling grounds for the same exist, and the granting an exemption shall also be in the best interest of the Corporation.

XXII. APPEALS

Any applicant/borrower who is aggrieved by an action of NMHC may appeal to the NMHC Board of Directors, in accordance with the provisions of the CNMI APA for appealing adverse agency actions.



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NOTICE OF PROPOSED REVISED PERSONNEL MANUAL

The Board of Directors of the Northern Marianas Housing Corporation (NMHC) hereby notifies the general public that it has adopted a **Proposed/Revised Personnel Manual** to effectuate a comprehensive version, pursuant to the authority provided under Executive Order 94-3, Section 407 of Re-organization Plan No. 2 of 1994, Directive No. 138, and the Administrative Procedures Act, 1 CMC 9101, et. Seq. Of the Commonwealth Code.

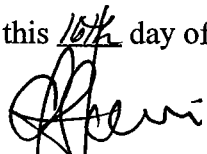
The Proposed/Revised Personnel Manual revamps the existing Personnel Manual of the NMHC, further implementing provisions essential for the mutual benefit and interest of NMHC and its employees.

Copies of the Proposed/Revised Personnel Manual are available at NMHC's Central Office, Garapan, Saipan and its field office on Tinian and Rota.

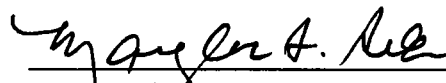
NMHC urges the public to submit written comments and recommendations regarding the Proposed/Revised Personnel Manual within 30 days after the first publication in the Commonwealth Register to the following address:

Northern Marianas Housing Corporation
P. O. Box 514, C.K.
Saipan, MP 96950-0514

Dated this 16th day of July, 1997.

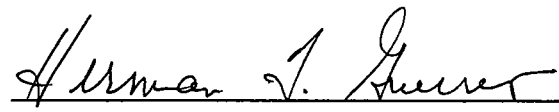


JUAN S. TENORIO
Chairman, Board of Directors



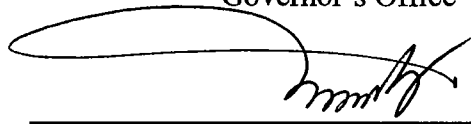
MARYLOU S. ADA
Corporate Director

Date: 9/15/97



Received by: HERMAN T. GUERRERO
Governor's Office

Date: 9/15/97



Filed by: SOLEDAD B. SASAMOTO
Registrar of Corporation



NORTHERN MARIANAS HOUSING CORPORATION

P.O. BOX 514, Saipan, MP 96950

Tels: (670) 234-6866
234-9447
234-7689
234-7670
Fax: (670) 234-9021

Citation of
Statutory Authority: Commonwealth Development Authority (CDA) Act of 1984.

Short Statement of
Goals & Objectives: The Proposed/Revised NMHC Personnel Manual provides an updated set of policies pertaining to employment at the agency. It is set forth to replace the existing personnel manual with added stipulations for the common benefit and interest of employer and employees.

Brief Summary of
the Proposed Rule: The Proposed/Revised NMHC Personnel Manual delineates guidelines applicable to personnel matters. It provides definitive measures for recruitment, compensation, benefits, training, evaluation, disciplinary action and other related issues affecting the agency and its work force.

Revisions include standard personnel practices implemented by governmental agencies. The revisions were made to ensure that the agency's personnel policies are comparable to other government entities.

For Further
Information Contact: Edith V.C. Fejeran, Office Manager, NMHC, telephone no. 234-7689/7670/6866/9447 or fax no. 234-9021.

Date: 7/16/97 Submitted by: MaryLou S. Ada
Corporate Director
Title: _____

Pursuant to 1 CMC 2153 as amended by PL 10-50 the rules and regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General's Office.

Dated this 15th day of Sept, 1997

By: [Signature]
Robert B. Dinnan II
Attorney General (Acting)
Assistant Attorney General

NUTISIA PUT PRINIPONEN MA RIBISIAN PERSONNEL MANUAL

I Board of Directors i Northern Marianas Housing Authority Corporation (NMHC) ginen este ha infotoma i pupbliku na esta ha a adapta i **Prinipone/Ribision Personnel Manual** para una mas efektibu yan klaru mas i frasa, sigun gi aturidat ginen i Oden Eksekatibu 94-3, Seksiona 407 gi Re-organization Plan No. 2 of 1994, Directive No. 138, yan i Administrative Procedures Act. i CMC 9101, et seq. gi Kodikun Commonwealth.

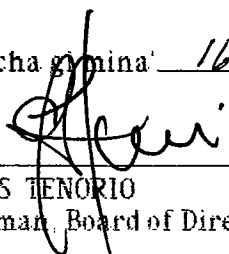
I Prinipone yan Ma Ribisan i Personnel Manual para u tulaika i presentu na Manual para i NMHC, put para u mas implementa prubision para minaolek benefisiu yan interes i NMHC yan i empleao siha.

Kopian este i Prinipone yan ma Ribisan Personnel Manual gi gi Ofisinan NMHC giya Garapan, yan gi Ofisinan-niha giya Tinian yan Luta.

I NMHC ha sohsohyu to i pupbliku para u fanman satmiti halom rekomendasion put i Prinipone yan Ma Ribisan i Personnel Manual gi tinige' gi halom trenta (30) dias despues di i primet na nutisia gi Rehistran Commonwealth ya u mana hanao guatu gi sigiente na address

Northern Marianas Housing
Corporation
P.O. Bo 514, C.K.
Saipana, MP 96950

Ma fecha gina' 16 na dia Hului 1997



JUAN S. TENORIO
Chairman, Board of Directors




MARYLOU S. ADA
Corporate Director

Fecha 9/15/97



Rinisibi as: HERMAN T. GUERRERO
Ofisinan Gubetno

Fecha 9/15/97



Ma file as: SOLEDAD B. SASAMOTO
Rehistradoran Kotporasion

NORTHERN MARIANAS HOUSING CORPORATION
P.O. Box 514, Saipan, MP 96950

Ginen Hayi i Aturidat: Commonwealth Development Authority (CDA) Act of 1984.

Didide' na emfotmasion
put i minito' yan
obyektibu:

I Prinipone yan Ma Ribisan i NMHC Personnel Manual para u na' guaha man nuebo na areklamento put kinalamten i empleao siha gi halom este na ahensia. Para u tulaika i manprisenti siha na areklamento gi personnel manual yan u guaha mas prubinsion para benefisiu yan interes i man emplelea yan empleao siha.

Kadada' na sinagan put
i maproponi siha
na areklamento:

I Prinipone yan Ma Ribisan i Personnel Manual para u representa mas giniha i man petsonat siha na manera. Para u pibiniyi mas kondision gi bandan man emplea, apas, benefisiu, trening, baluasion, aksion put kondukta yan hafa siha ni ha afefekta i ahensia yan i taotao-ña siha.

I Ribision enklusu praktikat na manera siha ni manma implementa para i ahensian i gubetnamento siha. I ribision manma cho'gue' para u asigura i areklamenton i ahensia siha para u chi'lon yan i pumalu siha ahensia gi halom i gobetnamento

Put mas emfotmasion
a'agang si:

Edith V.C. Fejeran, Office Manager, NMHC, gi numirun tilifon 234-7689/7670/6866/9447 osino fax no. 234-9021

Fecha: 7/16/97 Ma satmiti halo as: MaryLou S. Ada
Titulu: Corporate Director

**ARONGORONG REEL POMWOL IGHA EFFEER SEFAAL
MILLE PERSONNEL MANUAL**

Board of Directors mellol Northern Marianas Housing Corporation(NMHC) reel milleel ekke arongaar aramas bwe a adopt-taay Ffeeretaal/Lliiwelool Personnel Manual reel igha ebwe meseragh aweeweel, sangi bwangil ila elo taal Executive Order 94-3, Talil 407 mellol Re-organization Plan No.2 llol raghewe 1994. Directive No. 138. bwal mereel Administrative Procedures Act, 1 CMC 9101, et. Seq. mereel Commonwealth Code.

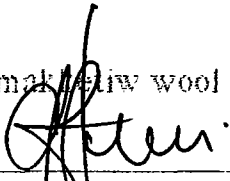
Reel Ffeeretaal me Lliiwelool Personnel Manual yeel nge ebwe liweli Personnel Manual NMHC ye eyoor ighila, bwe epwal toolong ffeer kka e fil reel mutual benefit me interes mellol NMHC ngali layul aramasal angaang.

Kopiyaal ffeeretaal aweewe nge eyoor reel Bwulasiyool NMHC's iye elo Arabwal, Seipel ebwal yoor Bwulasiyool NMHC's mewool Tchuliyol me Luuta.

NMHC's ekke amweschaliir aramas toulap bwe rebwe ischilong yaar agheyagh bwelle reel ffeeretaal aweewe kkaal llol eligh(30) ral takkelool arongorong mellol Commonwealth Register. Iyeel yaal address:

Northern Marianas Housing Corporation
P.O.Box: 514 CK.
Saipan M.P. 96950-0514

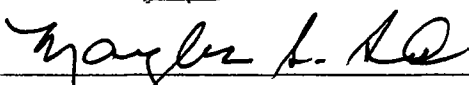
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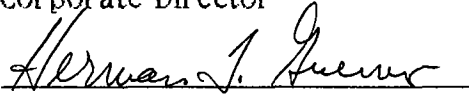
Juan S. Tenerio
Chairman, Board of Directors

Ral: 9/15/97

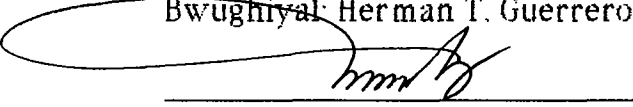
Ral: 9/15/97



MaryLou S. Ada
Corporate Director



Bwughiyal: Herman T. Guerrero



Isaliyal: Soledad B. Sasamoto
Registrar of Corporation



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234-7670
Fax: (670) 234-9021

Bwangil yeel e
mwetto mereel:

Commonwealth Development Authority (CDA) Act of 1984.

Weimwoschol Autol
yaal goals me objectives:

Reel Pomwolil igha ebwe lliiwel NMHC's Personnel Manual e ayooora aweewe kka e ffe reel umwuumwul school angaang mellol agency yeel. E ffeer aweewe kkaal bwelle ebwe lliiwelil fasil personnel manual me atotoolong akkaaw stipulation bwelle reel mille common benefits me interest ngaliir employers me employees.

Eghus Tapalal Reel
Pomwol Allegh:

Reel pomwolil igha ebwe lliiwel NMHC Personnel Manual e ayooora guidelines ikka efil llo' meeta kka mwoghutughutul llo' personnel. E ayooora lo maas affat reel mille recruitment, compensation, benefit, training, evaluation, disciplinary action me akkaaw mwoghutughut bwal akkaaw ikka e maas arap ngali issues kka ekke afektaay agency me school angaangal.

Revisions kkaal e toolong yaal standard personnel practices ikka a takkalo' mereel agencies kka llo'l governamento. Revisions kkaal e ffe'e're'ta' reel ebwe alu'ghu'lu'ghuy aweewe kkaal ebwe ppagh me akka'a'w entities mello'l gobennamento.

Reel Maas Aiyegh ffaingi: Edith V. C. Fejeran, Office Manager, NMHC. Telephone No. 234-7689/7670/6866/9447 ngare fax no. 234-9021.

Ral: 7/16/97

Mereel MaryLou S. Ada

Title: Corporate Director

PERSONNEL MANUAL

SECTION 1. PERSONNEL COMMITTEE

The Personnel Committee is composed of such members of the Board as are appointed thereto by the Chairman of the Board. The Chairman of the Board appoints the Chairman of the Committee. The Personnel Committee meets at the direction of its Chairman or upon the request of any of its members and has such powers and authority as are set forth in this Personnel Manual.

SECTION 2. EMPLOYMENT

2.01 Coverage

This manual applies to all employees and positions in the Northern Marianas Housing Corporation (NMHC), except for the following employees and unless otherwise noted as set forth below:

- A. Corporate Director;
- B. Consultants of the Corporation, consultants of the corporation shall be announced by the Corporate Director, but the selection shall be made by the Board of Directors, taking into account all relevant and material factors, including the recommendation of the Corporate Director. Retention with the corporation of such consultants shall be governed by contracts executed by the consultant and the corporation.
- C. The position of the Corporate Director shall be announced and selected by the Board of Directors.
- D. **Removal of the Executive Director.**

The Corporate Director serves at the pleasure of the NMHC Board of Directors and maybe removed by the Board with or without cause. The Corporate Director and those exempted under Section 2.01 in this Personnel Manual maybe removed or dismissed by affirmative vote of a majority of the total authorized Board membership in a regular or a special meeting. If the Corporate Director is to be removed for cause, they must be provided with a full accounting of the reasons for such dismissal, and provided the opportunity to be heard in response at the same meeting before a final vote is taken on dismissal.

2.02 Selection Process

A. **Authority of Corporate Director**

The Corporate Director, or their designee, has the authority to select and appoint all employees of NMHC, except those positions specifically excluded under NMHC's

enabling statute, those positions requiring a written contract, and those excluded under this manual.

B. Procedure for Selection

1. Whenever a new position is created by the Board, or whenever a vacancy occurs in an existing position, the Corporate Director, or their designee, shall interview and select an individual in accordance with the Personnel Service System Rules and Regulations (PSSRR).
2. For the retention of consultants as approved by the Board, the Corporate Director, or designee, shall, if necessary, announce the position in accordance with the applicable procurement regulations, and shall submit to the Board no later than one (1) week after the initial procurement process has been completed, all submissions, plus a summary of the interviews with his/her recommendation of the consultant best suited for the position. The Board shall make or reject the appointment no later than the second regular meeting after submission to the Board.

2.03 Types of Appointments

Appointments in NMHC are placed in one of the following classes:

- A. **Probationary Appointment.** An appointment in which the appointee is selected from an eligible list resulting from an open examination to fill a permanent position. The appointee shall serve a period of not less than six (6) and not more than twelve (12) months from the beginning of the probationary appointment and shall demonstrate the capacity for 26 consecutive weeks of satisfactory performance before being eligible to be converted to a permanent appointment. Separations during a probationary appointment are not processed under adverse action procedures or reduction-in-force (RIF).
- B. **Permanent Appointment.** An employee who has been appointed to a permanent position and who has satisfactorily completed a probationary period is entitled to the full benefits of these Regulations. Permanent appointment may be made to less than full-time positions with a regularly scheduled tour of duty.
- C. **Limited-Term Appointment.** A Limited-Term appointment is one in which the appointee is appointed for a period of not more than one (1) year. An employee serving a limited-term may serve in either a full-time or part-time position. Any person given a limited-term appointment must meet the minimum qualifications for the class of position to which appointed. The Corporate Director shall justify, in

writing, to the Director of Personnel Management, requests for new Limited-Term Appointments following expiration of one (1) year appointments. Limited-Term Appointments may be converted to Permanent Appointments at the end of one year, if the position has been found to be permanent, provided that the employee has demonstrated the capacity for 52 consecutive weeks of satisfactory performance.

D. **Provisional Appointment.** A provisional appointment is usually limited to ninety (90) days and is used to fill a permanent position in the absence of an appropriate eligible list. The Director of Personnel Management may authorize extension of a provisional appointment beyond ninety (90) days for a maximum of one hundred and eighty (180) days when the examination fails to make available an adequate number of qualified candidates. Any person given a provisional appointment must meet the minimum qualifications for the class of position to which appointed.

E. **Emergency Appointment.** An emergency appointment may be authorized by the Director of Personnel Management for any one of the following purposes:

1. When a serious emergency exists; or
2. To prevent stoppage of essential public services.

An emergency appointment shall be limited to thirty (30) calendar days but may be extended by the Director of Personnel Management, if the Corporate Director so requests in writing, when the cause is determined to be good and sufficient, and the extension does not exceed twenty (20) additional working days.

All persons receiving emergency appointments shall be required to meet the minimum qualification requirements of the class of position to which appointed.

F. **Temporary Appointment.** A temporary appointment is utilized when it is anticipated that an employee will temporarily occupy a position for a period in excess of three (3) months. An employee can be temporarily promoted only if the employee meets the qualification standards of the new position. See PSSRR Part IV.B6.

G. **“Acting” Appointment.** An “acting” appointment is the official written designation that an employee will act for a period of up to thirty (30) days in place of a supervisor. When the supervisor’s absence exceeds the initial thirty (30) day period, a new designation shall be made for an additional thirty (30) days. The thirty (30) day renewal of an “acting” assignment may be repeated until the supervisor returns to the position.

2.04 Discipline

A. Grounds for Discipline

Employees (other than probationary employees) may be demoted, suspended, or terminated for cause, which shall include but not be limited to the following;

1. Non-performance of duties;
2. Incompetence (inexcusable failure to discharge duties in a prompt and efficient manner);
3. Insubordination;
4. Breach of trust;
5. Excessive tardiness or absenteeism.

An employee shall receive written notification of conduct warranting discipline, except where the employee's conduct is a danger to himself/herself, the public, or other employees, or the Corporation's property, or in the case of insubordination or breach of trust, and shall be given a reasonable amount of time to correct his/her conduct before receiving any of the sanctions specified in this section.

B. Types of Discipline

1. Admonishment;
2. Reprimand;
3. Furlough;
4. Suspension not to exceed three (3) working days; and
5. Suspension for more than three (3) working days.
6. Demotion
An employee may be demoted in rank and/or pay by the Corporate Director.
7. Termination

2.05 Adverse Action Procedure

Any adverse action taken against an employee shall be governed by the applicable section of the PSSRR.

2.06 Resignation

When an employee decides to resign from NMHC, he/she must prepare a letter of resignation, containing the effective date and reason for leaving. This letter should be submitted to the Corporate Director not less than two weeks before he/she intends to leave NMHC.

The Corporate Director or designee is responsible for informing the employee his/her obligations to NMHC and for securing the return of all NMHC property, including keys and identification cards.

SECTION 3. REMUNERATION

3.01 Time and Attendance Record

All NMHC employees shall complete a Time and Attendance Record. The Corporate Director or his designee shall review and approve Time and Attendance Records. Pay periods shall be identical with those of the government of the Northern Mariana islands. Except as designated by the Corporate Director, the Attendance Record shall be based on time-clock records. Executive, Administrative and Professional Employees as designated by the Corporate Director, shall not use the time clock.

3.02 Payment of Salary

All NMHC employees shall be paid within two weeks after the end of every pay period.

3.03 Salary Raise

An employee is eligible for a salary raise at any time after his/her probationary period of employment ends, and after the expiration of not less than six (6) months from the date of his/her previous salary raise; provided, however, that no salary raises shall be granted except for sustained above-averaged performance. The Corporate Director will decide all raises and will consider the employee's Annual Evaluation in doing so.

3.04 Performance Bonuses

An employee may be considered for a lump-sum cash award for Superior Performance. A Superior Performance Award is granted for performance exceeding job requirements and involving a contribution so superior or meritorious as to warrant special recognition. Bonuses must be pursuant to a program approved by the Board of Directors.

3.05 Overtime

The NMHC workweek for full-time permanent employees is normally eight (8) hours per day, five (5) days per week. Employees may, however, be asked by the Corporate Director or, in an emergency, their supervisor, to work overtime. Other arrangements may be made for a different workweek and work day.

All employees eligible for overtime compensation shall be compensated at the rate of one and one-half hours' (1.5) pay for an hour actually worked in excess of forty (40) hours per week.

Compensation shall be computed at 1.5 times base salary. Overtime compensation will be computed in the manner determined by the Northern Marianas Housing Corporation Personnel Committee. Employees are advised that computing overtime and determining an employee's base salary can sometimes be very difficult. This is in part due to occasional changes made to the Fair Labor Standards Act (FLSA) as well as the result of new court cases interpreting the FLSA. If an employee has a question on this matter, they are urged to contact the Corporate Director.

3.06 Premium Pay

A. Hazardous Pay

All employees whose occupation involves unusual and extreme hazards to their health and safety shall be paid a differential of twenty-five (25%) percent of their base salary rate. All requests for hazardous pay must be justified by the requesting official(s).

Exposure to the particular unusual and extreme hazard must constitute a reasonable proportion of the employee's time on the job so that it is clearly recognizable that the position is hazardous. Hazard may occur for a brief period of time, but collectively measured over a period of time, e.g., one day, may provide a valid basis for recognition of the hazard. Conversely, clear and sustained exposure to an unusual and extreme hazard is more readily recognizable and measurable.

B. Night Work

A fifteen (15%) percent night work differential shall be added to the employee's base salary rate if the employee's regular work schedule is between 4:30 p.m. and 7:30 a.m. Payment will be made only for actual hours scheduled and worked between 4:30 p.m. and 7:30 a.m. If an employee whose regular hours of duty included scheduled hours during the period of 4:30 p.m. and 7:30 a.m. is absent and does not actually perform work, the employee will not receive night differential for the hours involved even if the employee is on an approved leave.

C. Typhoon Emergency

Employees who are required by NMHC to work in a location and during a period of time in which a typhoon or tropical storm emergency has been declared by the Governor, and during which other government employees are released as a result of such condition, shall for the employee's regularly scheduled work hours, receive pay for administrative leave and shall also receive pay for the actual hours worked. For all other hours such employees are required to work during said period, compensation shall be at the rate of two and one-half (2 1/2) times the base salary rate. Employees being paid this rate are not eligible to receive any other premium

pay or overtime.

3.07 Travel

- A. Travel Authorization forms shall be approved by the Corporate Director. It is expected that the Travel Authorization form relating to any given trip will be approved prior to the incurring of expenses.
- B. An employee traveling on official NMHC business shall receive travel and per diem compensation at the rates and guidelines established by the CNMI Government.
- C. An employee may receive reimbursement for extraordinary expenses actually incurred in the performance of his/her duties upon the submission of receipts or other proof of extraordinary expenses to the Corporate Director and the specific approval of the Corporate Director to reimburse the employee for his/her extraordinary expenses.
- D. Travel expenses shall never be billed directly to NMHC but should be paid by the employee and reimbursement sought. Necessary receipts must be attached before reimbursement will be made. An approved Travel Authorization form is required for every trip away from the island where the employee's office is located, if the trip lasts longer than two quarters of a day.
- E. Travel advances may be made for extended trips in accordance with guidelines established by the CNMI Government. A travel advance is secured by completing a Travel Authorization form and forwarding it to the Corporate Director. Travel advances must be accounted for by a Travel Reimbursement Claim after the trip or the advance will be deducted from the employee's wages. No more than one hundred (100%) percent of the per diem estimated to be due on the Travel Authorization may be advanced.
- F. Items on Travel Reimbursement Claims, Missing Receipt Affidavits, and Travel Authorization forms which violate the regulations stated above or the instructions which appear on the forms themselves will be suspended and a Notice of Explanation will be forwarded to the employee concerned. In order to be allowed, such items must be included in a subsequent Travel Expense Statement in accordance with established CNMI Government Guidelines. Reclaimed items must be fully itemized and must be supported by the original Notice of Explanation or a copy thereof.
- G. The Travel Reimbursement Claim should be completed by a traveler who has qualified for reimbursement of travel expenses. All necessary receipts must be attached before reimbursement will be made. In the event no receipt is available for an expenditure for which reimbursement is sought, reimbursement is conditioned

upon substantiation of the expense in a manner satisfactory to the Corporate Director. An approved Travel Authorization form must be attached for every trip reported.

- H. Erasures and alterations in totals on any Travel Reimbursement Claim or Travel Authorization form must be initialed by the traveling employee. Erasures or alterations in totals on vendor's receipts must be initialed by the vendor or his/her representative.

3.08 Outside Gainful Employment

A full-time employee who wishes to engage in outside gainful employment must have the express prior written approval of the Corporate Director. In considering a request to engage in outside employment, the Corporate Director must be sensitive to the employee's financial needs and whenever warranted, may: (1) recommend the employee for a salary increase or promotion to preclude the need for outside work; or (2) permit outside employment if he/she deems it not likely to conflict with the employee's performance of his/her duties to NMHC.

3.09 Severance Pay

An employee who is involuntarily terminated from NMHC, without cause, shall be entitled to severance pay at the time of his/her termination. A general reduction-in-force is an involuntary termination without cause. An employee's termination will not be considered involuntary if he/she was hired on a temporary basis, if he/she has not completed his/her six (6) month probationary period, or if the employee is eligible to immediately receive retirement. Nor shall termination be considered involuntary if the employee is offered and declines to accept another position with NMHC which is equivalent in function, seniority, tenure, and compensation.

The amount of severance pay to which an eligible employee is entitled shall be calculated pursuant to Part IV.B24 PSSRR.

SECTION 4. PERSONNEL POLICIES

4.01 Open Door Procedures

Each member of management welcomes discussion with employees regarding work-related concerns which adversely affect the employee's performance. If any employee has a conflict they feel they cannot resolve with a supervisor, they can make arrangements to meet with the Department Manager, the Human Resources Manager, the Department Executive or the general Manager. NMHC believes that this policy will create a more open environment for all employees.

4.02 Grievance Procedure

The following procedure shall be followed in reviewing and settling an employee's

grievance. An employee may at all times be assisted by a representative of the employee's choice, at the employee's sole expense.

- A. The employees shall first try to resolve the grievance with the immediate supervisor, fellow employee or organization officials concerned. A grievance concerning a particular act or occurrence must be presented within ten (10) calendar days of the date of the act or occurrence or the date the aggrieved employee become aware of the act or occurrence.
- B. If the employee is not satisfied with the understanding reached through such discussion, the employee shall take up the matter with the immediate supervisor. If the immediate supervisor was the person with whom the employee had the first discussion, the employee should follow step "C" below.
- C. If the grievance is not settled within five (5) days, or if employee is dissatisfied with the understanding reached through consultation with the immediate supervisor, the employee shall deliver his/her appeal in writing to the Corporate Director within the next ten (10) calendar days. The Corporate Director will consult with the employee and others concerned, and will try to resolve the grievance. Such consultation may be mail or in person.
- D. All grievances shall be governed by Part III.G PSSRR.

4.03 Annual Evaluations

Each NMHC employee shall be evaluated annually by his/her Division or Department Manager. Evaluations shall be written on forms provided by the Corporate Director, who will require the evaluator to assess the employee's performance of the duties listed on the employee's position description, as well as comment on the employee's dependability, resourcefulness, and cooperativeness. Evaluation forms will also ask for the evaluator's recommendation regarding any increase in the employee's salary.

Completed evaluations shall be returned to the Corporate Director, and a copy given to the employee. After review of the completed evaluation, the Corporate Director will forward it to the Personnel Officer for processing of and documents required; i.e., salary increase, demotion, etc. The evaluator shall discuss the evaluation with the employee so that constructive criticism may be exchanged between the evaluator and the employee.

The employee will be invited to evaluate himself or herself, and that self-evaluation will be included in the composite evaluation for all purposes.

Employees other than the Corporate Director will be evaluated by their immediate supervisors. The Corporate Director shall be evaluated by the Board of Directors.

4.04 Non-Related Activities

An employee shall devote his/her entire working time to carrying out the functions, purposes and policies of NMHC in accordance with procedures established by NMHC. All employees shall refrain from any activities not related to their employment with NMHC while on duty.

4.05 Solicitation and Distribution

To Maintain and promote efficient operations, attractive appearance, employee discipline, and security, rules have been established which govern solicitation, distribution of written material, and entry into our buildings and work areas. You are expected to comply strictly with these rules. Failure to obey these rules may result in disciplinary action. If you need more information about this rule, please ask your supervisor.

Solicitation for any reason or cause, and distribution of literature are prohibited at all times in areas open to the public. You may not solicit, sell anything, or promote support for any cause or organization, or distribute any literature during your work time or during the working times of other employees to whom such activity is directed. You may not distribute any material in working areas. Non-employees are never to be permitted to distribute literature or solicit our employees or guests at any time on our property. This applies to ANY solicitation, including lotteries, magazine clubs, sale of goods, etc. Any violation of this policy should be reported to your supervisor.

This list is not all-inclusive. Employees are not permitted to post, remove or alter anything on the bulletin boards or elsewhere on company premises without the authorization of the Corporate Director. Please contact the Corporate Director if there is an item you would like to have posted.

4.06 Drug Free Work Place

The NMHC operates a "Drug-Free" work place. As a matter of law and general business practice, we not only have the right, we have the obligation under CNMI and Federal law to maintain strict work rules prohibiting drug use by our employees.

Our "drug free work place" policy was established because any amount of drugs in your body can put you under the influence to a degree, even if the impairment is not readily apparent to ordinary people. Drug abuse is often difficult to detect and can lead to serious property damage; serious injury, even death; and deterioration of your health and work performance.

Compliance with this policy is not just an essential job qualification, it is a condition of your continued employment with us.

Our mandatory "drug-free work place" policy is set forth as follows:

We absolutely prohibit -- as a condition of employment--possession, distribution,

manufacture, sale or use of any controlled substance, drug or other mind-altering chemical or organism, narcotic or related paraphernalia everywhere on our property and in every work place.

Reporting for work when you are in any way affected by the use of any drug, alcohol or narcotic, except those lawfully prescribed by a physician, is cause for immediate dismissal.

Here are your responsibilities under this policy:

1. You must report any violation of our drug-free work place policy that comes to your attention. Failure to report violations will subject you to disciplinary action.
2. You must tell us if you are convicted of any drug-related crime. If you are convicted of a drug offense that does not result in your imprisonment, you may not continue to work for us unless you agree to participate in a government-approved drug abuse assistance or rehabilitation program. (Note: Since we are engaged in contracting with the federal government, you should know that the Drug Free work Place Act permits termination of your employment if you are convicted of a drug related crime.)

Any inconvenience this policy may cause is regrettable, but the alternatives to operating "Drug-Free" are unacceptable.

4.07 Work Safety

Safety for our guests and employees cannot be overemphasized. NMHC safety programs are in effect to inform and protect employees and guests from unsafe acts or conditions. Safety rules and regulations will be reviewed and you will receive safety tips from your Supervisor. Be conscientious while you work and report any unsafe practice or condition to your department head.

First Aid Kits are positioned in key areas throughout the NMHC, in the event a need for first aid arises. Locate the nearest First Aid Kit to your work station and ask your supervisor about safety procedures in effect for your department.

Smoking is prohibited in guest areas and all areas in the NMHC except those designated in work areas, employee lounge and office. Please observe this policy to protect guests and employees from fire.

4.08 Company Vehicles

The NMHC provides company vehicles for use by employees who need vehicles to fulfill duties outside of the NMHC. Company vehicles are for official use only. Use of Company vehicles for personal business is strictly prohibited and may result in dismissal.

All drivers must be a minimum of twenty-five (25) years old and possess a valid Commonwealth of the Northern Mariana Islands (CNMI) drivers license.

Employees using company vehicles must abide by all traffic laws in effect in the CNMI. The NMHC will not be responsible for traffic citations issued to employees.

4.09 Equal Opportunity Employer

NMHC is committed to providing equal employment for all persons regardless of race, religion, color, sex, sexual orientation, national origin, age, or disability. This commitment encompasses all aspect of our employment and personnel policies including hires, termination, promotions, transfers, rates of pay, educational assistance, and company-sponsored training and recreational programs.

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, the company will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee unless undue hardship would result.

If you believe you have been subjected to any unlawful discrimination, to any unlawful discrimination, provide a written complaint to your supervisor or the Human Resources Manager. Your complaint should be specific and should include the names of the individuals involved and the names of any witnesses, NMHC will not retaliate against you for filing a complaint and will not knowingly permit retaliation by management employees or your co-workers. NMHC will immediately undertake an effective, thorough and objective investigation and attempt to resolve the situation.

4.10 Changes In Personal Information

For benefits administration and emergency purposes, it is vital that we maintain accurate, current personnel records. It is your responsibility to notify your supervisor or the Human Resources Department of any changes regarding your marital status, name change, address, telephone number, who to notify in case of emergency, CNMI residency status and number of dependents.

4.11 Working With The Media

NMHC is an interesting and newsworthy establishment and an important part of the community. As a result, reporters periodically come here to write or film stories about the company. It is important that we furnish them with accurate facts. Please refer all reporters or news people to the Corporate Director or an Executive and notify your Department if yo have been approached. No comments tot he media are authorized without permission from the Corporate Director.

4.12 Harassment

NMHC intends to provide a work environment that is pleasant, healthful, comfortable, and free from intimidation, hostility, discrimination or other offenses which might interfere with work performance. Harassment of any sort-verbal physical, visual-will not be tolerated. Examples of harassment include inappropriate touching, vulgar comments, dirty jokes/pinups/posters, threatening calls and messages, and repeated whistling/cat calls/gestures.

As a NMHC employee, you are responsible for keeping our work environment free of harassment. Any employee who becomes aware of an incident of harassment, whether by witnessing the incident or being told of it, must report it to the Human Resources Manager or any member of management of NMHC with whom you feel comfortable. When NMHC becomes aware that harassment might exist, we are obligated by law to take prompt and appropriate action, whether or not the victim wants the company to do so.

NMHC will immediately undertake effective, thorough and objective investigation of the harassment allegation. If NMHC determines that harassment has occurred, effective remedial action will be taken in accordance with the circumstances involved. Any employee determined by the Company to be responsible for harassment will be subject to disciplinary action, up to and including termination. NMHC will not retaliate against you for filing a complaint and will not tolerate or permit retaliation by management, employees or co-workers.

4.13 Punctuality And Attendance

You are expected to be at work and on time each day you are scheduled. You must notify your department manager well in advance (eight hours is recommended) of your scheduled work shift if you will be late or absent. While we know there are valid reasons for being late or absent, excessive tardiness and absenteeism will not be tolerated and disciplinary action may be taken.

4.14 Standards Of Conduct

There are certain rules and regulations necessary for the safe and efficient operation of NMHC. The following conduct is prohibited and will not be tolerated by NMHC. The list of prohibited conduct is not all-inclusive but is representative of unacceptable behavior. Any behavior which is not listed does not mean that it is acceptable.

- *Unauthorized absenteeism or tardiness to work by employee.

- *Neglect, careless performance, non-performance or non-completion of assigned work by the employee, abandonment of job or assigned duty of the employee.

- *Illegal possession of firearm or use or possession of illegal drugs or violation of any criminal law of the Commonwealth.

- *Misrepresentation of qualifications, skills or physical or mental health.

- *Inability to fulfill job requirements.

*Dishonesty.

*Releasing confidential information.

*Insubordination, including but not limited to failure or refusal to obey the legal orders or instructions of a supervisor, or the use of abusive or threatening language toward a fellow employee, supervisor or client.

*Stealing, removing or taking company property without consent or being an accomplice in the execution of such action.

*Discrimination.

*Wasting time and/or sleeping while on duty.

*Harassing or disturbing the peace of any employee or client, to include, but not limited to, threats of any kind to others, fighting with or shouting at other co-workers, on company premises, or inflicting such cruel and abusive treatment to others not amounting to physical cruelty.

*Stealing, misusing, destroying, damaging, defacing, or concealing company property or another employee's personal property.

*Posting or removing posted notices without proper authorization.

*Distributing any written or printed material on company property during working hours without prior authorization.

*Knowingly timing in and/or timing out for another employee; attempting to be paid for time not worked by having another employee time in and/or time out for you.

4.15 Other NMHC Policies And Practices

A. Betel Nut, Tobacco and Gum

Chewing betel nut, tobacco or gum is not allowed on the property.

C. Smoking Areas

Smoking is not permitted during work time or in any area open to customer access or viewing. It is only allowed in designated areas. Ask your Department Manager for the designated smoking area.

SECTION 5. EMPLOYEE BENEFITS

5.01 Eligibility for Benefits

A. A permanent full-time employee (i.e., hired without a predetermined terminal point of employment) is eligible for all employee benefits enumerated in this Manual.

B. All other employees are eligible for no benefits, except as specified in their contract of employment, or specified elsewhere in this manual.

5.02 Annual Leave

Employees shall accumulate leave time at the rate set forth in this section.

Employees who have less than three (3) years of creditable service shall earn annual leave at the rate of four (4) hours per pay period; employees with three (3) but less than six (6) years of service shall earn six (6) hours of annual leave per pay period; and employees who have six (6) or more years of service shall earn eight (8) hours of annual leave per pay period.

Newly appointed employees shall undergo a waiting period of ninety (90) calendar days before being credited with annual leave.

If an official holiday falls while an employee is on annual leave, that day will not be deducted from accrued annual leave. If an employee is sick while on annual leave, the employee may charge that time to accrued sick leave.

Annual leave must be approved by an employee's supervisor and the Corporate Director prior to the employee's taking it.

Any annual leave accumulated in excess of three hundred sixty (360) hours as of the end of a calendar year shall be converted to sick leave on the last day of such calendar year.

An employee whose employment is terminated, or who resigns employment, and who has been employed for more than one year prior to the effective date of such termination or resignation, shall be entitled to payment for any and all unused annual leave, up to a maximum of three hundred sixty (360) hours.

5.03 Sick Leave

An employee commences to accrue sick leave at the beginning of the pay period following the employee's employment. Each employee will accrue four (4) hours of sick leave for each bi-weekly pay period, for which they are in pay status for the entire ten (10) days. If an employee's accrued sick leave is depleted, any additional days the employee is not at work will be deducted from accrued annual leave. When accrued annual leave has been depleted, the employee will go on leave without pay. If an official holiday occurs while an employee is on sick leave, that day will not be deducted from accrued sick leave.

When an employee is absent due to illness, the employee should give notice of his/her illness to the employee's office by twelve noon or the entire day may be charged against annual leave, at the discretion of the immediate supervisor.

Written verification may be required for absence of less than three (3) days at the discretion of the Corporate Director.

5.04 Maternity Leave

An employee may be granted maternity leave with pay, not to exceed fifteen (15) work days, because of childbirth. Maternity leave shall be in addition to sick leave.

The employee should request maternity leave at least one (1) week prior to the day they expect to leave work.

Accrued annual leave and sick leave may be applied during this period. If maternity leave, annual-leave and sick leave are exhausted, the employee will be considered to be on leave of absence without pay.

5.05 Leave Under The Family And Medical Leave Act Of 1993 (FMLA)

Pursuant to the FMLA, an employee who has worked for NMHC for at least one (1) year, and for one thousand two hundred fifty (1,250) hours over the previous twelve (12) months, may take up to twelve (12) weeks of unpaid leave for certain family and medical reasons. At the option of the employee or NMHC, paid leave (i.e. accumulated sick leave and/or vacation leave) may be substituted for unpaid leave.

Typical reasons for taking FMLA leave include the following:

- The care of the employee's child (birth, or placement for adoption or foster care);
- The care of the employee's spouse, son or daughter, or parent who has a serious health condition; or
- A serious health condition that makes the employee unable to perform their job.

Generally, NMHC will ask for, and the employee will be required to provide thirty (30) days advance notice of intent to take leave and a medical certification.

It is the policy of NMHC to fully comply with all applicable laws. If you have any questions about the FMLA, contact the Corporate Director.

5.06 Military Leave

The federal Uniformed Services Employment and Reemployment Act (USERRA) generally requires the Commonwealth government to provide extended military leave for its career employees, regardless of whether the service is voluntary or involuntary. The cumulative length of all absences due to military leave and extended military leave shall not exceed five years, unless extended for good reason documented in writing by the appointing authority. The employee must give advance notice to the appointing authority, unless military necessity or circumstances make this impossible

or unreasonable. In most cases, the employee is guaranteed reinstatement rights and certain seniority rights upon return from leave. The employee must also comply with requests for documentation and with the requirements of these regulations regarding the timing of applications for reemployment. For details, employees and appointing authorities should contact the U.S. Department of Labor.

5.07 Election Day Leave

An employee will be given two (2) hours off work with pay to vote on each official election day. The determination of which two hours of the day shall be taken off will be made by the employee's supervisor, so as to assure adequate staffing of the employee's office at all times.

5.08 Administrative Leave

An absence from duty administratively authorized, without loss of pay and without charge to accrued leave, is administrative leave. The Governor and Corporate Director, have the responsibility for approving administrative leave requests. The following are the four general classes into which administrative leaves fall:

1. Administrative leave is absence authorized under emergency conditions beyond the control of management, e.g., typhoons, or for participation in civic activities of interest to the government, or employment connected examinations, or for such reasons as the Governor may determine (such as a shortened work day on Christmas Eve);
2. Extended absence required for medical appointments and care following job-related injuries may be authorized as administrative leave;
3. Administrative leaves related to disciplinary actions. Corporate Director may place an employee in non-working status with pay for up to three (3) work days pending preparation of a notice of proposed suspension for up to thirty (30) calendar days or removal from NMHC; and
4. Administrative leave may be granted to employees serving on government boards and commissions, provided such employee does not receive compensation from the boards and commissions. Advance written notice by the head of a board or commission must be delivered to the department of agency head before an employee can be released from official duties to attend a meeting. If an emergency meeting is necessary, the chairman or corporate director may notify the department or agency head by phone, but a written confirmation of the meeting must follow that notification.

5.09 Jury Duty

There may be an occasion where you are called to serve as a juror in court proceedings. If you are selected for Jury Duty, NMHC will give you time off from work to fulfill your civic responsibilities. You are required to notify your supervisor and department head as soon as you receive notice that you may be required to serve as a juror. Official court notice must be presented to approve total leave time.

5.10 Death in the Immediate Family

An employee who suffers a death in his or her immediate family will be given a maximum of five (5) days compassionate leave with pay, which must be taken within eighteen (18) days after the death of the immediate family member.

Immediate family shall be defined as including the employee's parent (including step or adoptive), spouse, sibling (including step or half), child (including step or adopted), grandparents, great-grand parents, mother-in-law and father-in-law (including step or adoptive).

5.11 Leave Advance

Where, for good reason, an employee on permanent status requires additional annual or sick leave in addition to the amounts accrued, the Corporate Director, may grant advance leave up to a maximum of one-half (1/2) of the total earnable leave credits for which the employee is eligible for one year from the date the application is received. Subsequent accrued leave earnings shall serve to replace the amount of advance leave granted and taken. Request for leave advance must be in writing from the employee with recommendation from the appointing authority.

Leave advance granted and taken:

1. Constitute a legal contract between the employee and the government; and
2. Must be repaid, even if the employee separates from government service. Recovery of advance leave that is unpaid may be through the government's assumption of the employee's accrued unused leave, payroll deductions, matched reduction of service time and/or recourse to the courts.

5.12 Leave of Absence

An employee may request a leave of absence with or without pay. Requests for such leave must specify its purpose and time period and must be authorized by the Corporate Director prior to its commencement. Because of the difficulties presented the organization by granting such leave, approval will not be given in ordinary course.

When practical, an employee must give thirty (30) days notice for the leave. Employees must give a reason for the leave, beginning date, and date you expect to return to work. All Personal Leave must be approved by the Corporate Director.

If you accept employment with another organization during your leave, you will be terminated from your job at NMHC. If you do not return to work on the agreed date, you will be considered to have voluntarily terminated your employment. Benefits will continue for the duration of the leave.

5.13 Training and Education Leave

Employees on permanent status who wish to pursue their education on a full-time basis, without financial assistance by the government, may be granted leaves of absence without pay for a period not to exceed one (1) year. Such employees shall have the right to return to their positions at the satisfactory conclusion of their education or training, and their service anniversary dates shall be adjusted by the amount of leave without pay taken. The Personnel Officer is responsible for approving or disapproving requests for Training and Education Leave, upon recommendation by the appointing authority.

5.14 Leave Without Pay in Extension of Annual or Sick Leave

Employees on permanent status may be granted leave without pay (LWOP) for the purpose of extending annual or sick leave. When sick leave is so extended, the attending physician must certify to the necessity of the extension. The Personnel Office is responsible for approving or disapproving requests for leave without pay, upon recommendation by the appointing authority.

5.15 Disposition of Leave upon Separation

A. Annual Leave

An employee separated from NMHC for any reason shall receive a lump-sum payment for all annual leave accrued to the employee's credit and remaining unused at the time of separation. If the employee returns to duty in any capacity with the government before the accumulated term of leave would have expired, had it been liquidated in the normal course of employment, the employee must return to the government the gross value of such unused leave and have those hours of leave recredited to the employee's annual leave account.

For example, if an employee has 260 hours annual leave to his credit upon separation, that represents 45 days of annual leave. If the employee returns to government employment before the passage of 45 work days, the employee is required to make a refund from the unexpired term of leave remaining.

If the employee in the above example separates from government employment December 31, is offered an opportunity to return to duty with the same classification and pay, accepts, and returns to work March 15, 34 work days or 272 hours would have elapsed (one holiday occurred in February) between separation and return to duty.

Repayment may be through lump-sum cash prior to resuming duty status, payroll deduction or assigning to the government all annual leave accrued subsequent to returning to duty until the repayment is completed.

B. Sick Leave

An employee separated from NMHC for any reason shall have all sick leave accrued to the employee's account held in the leave records for three (3) years. Should the person be re-employed by NMHC at any time during that three (3) year period, the sick leave balance shall be re-credited to the employee's sick leave account and available for use from the first day of re-employment. Provided, however, that an employee separated from NMHC for retirement purposes, and whose unused sick leave has been converted to service time to determine eligibility in the Retirement Program, shall not be re-credited for such sick leave balance. (See 1 CMC 8301, as amended.)

5.16 Holidays

NMHC shall observe those holidays observed by the Government of the Northern Mariana Islands. All NMHC employees shall receive leave with pay on each legal holiday. An employee required to work on a legal holiday shall be compensated at the base salary rate, or the adjusted base salary rate for the hours actually worked, and shall also be paid for the holiday leave with pay.

5.17 Training

Leaves for the purpose of job-related training may be granted to full-time employees for periods not to exceed one (1) year, by the Corporate Director. Any extension of the above shall be subject to the approval of the Corporate Director.

5.18 Training Outside the Commonwealth

Training courses given by agencies outside the Commonwealth will be utilized as necessary, and to the extent the budget will permit. If any manager wishes to send his/her employees to attend job-related training and development programs, he/she shall submit a memorandum to the Corporate Director requesting approval for training with the names of the employees, the course, and the content and length of such training. No training outside the CNMI, shall be approved if the same or equivalent training is available locally.

5.19 Payment of Training Costs

- A. Employees released to attend authorized job-related training and developmental programs will continue to receive their regular salary, travel expenses when required, and a stipend or per diem if for a short period of time, as applicable to the training involved.
- B. It shall be the policy of the Corporation to pay all costs for training defined as "job-skill training."
- C. Employees attending education or training designed generally to improve their potential for advancement, but not specially related to their present duty or to duties they are being specifically trained to assume, may be released on training at the discretion of the Corporate Director in accordance with the requirements set forth in this Part.
- D. Salary and related benefits provided to employees released for training under all the paragraphs above shall be limited to a period of one (1) year, unless an extension is recommended by the employee's supervisor with the approval of the Corporate Director.

5.20 Training Costs Defined

The term "All Costs" when used in this Part to define the Corporation's intent to support an employees undergoing training means:

- A. Round-trip transportation to the training site by the least expensive air routings;
- B. Cost of tuition, books and fees; and
- C. Stipend. One-half (1/2) the regular per diem rate for the time authorized to be spent at the training site. In the event the training is received at or near a high cost resort area, the Corporate Director may approve an upward adjustment of the stipend.

Supervisory officials are encouraged to support training efforts, since improved skills and more effective supervision at all levels will improve mission accomplishment.

5.21 Medical and Life Insurance

Pursuant to the determination of the Board of Directors, an employee is entitled to participate in the group life and hospital insurance programs which are available to employees of the Government of the Northern Mariana Islands on the same terms and conditions as are available to employees of the Government for as long as such participation is permitted by the Government or

its insurer.

5.22 Workers' Compensation Insurance

Workers' Compensation Insurance is provided for all employees upon date of hire. This insurance is paid by NMHC and provides medical coverage for employees injured in work-related activities.

For a work-related illness or injury, Worker's Compensation Insurance provides coverage for the following needs.

- *Medical service and supplies.
- *Partial payment of wages during periods of partial or total disability.
- *Payment for the support of employees undergoing a different job-skill training.
- *Death benefits, funeral expenses and payment to surviving dependents.

If you have an accident that is work related, you must report it to your supervisor or department manager IMMEDIATELY. You will be sent for treatment if necessary. To protect benefits which may be paid under Workers' Compensation Insurance, be sure an INCIDENT REPORT is completed. Your failure to notify a supervisor or department manager of an on-the-job injury may cause you to delay your workers' compensation benefits. NMHC may require that the injured employee seek medical attention from a physician chosen by NMHC.

SECTION 6. MISCELLANEOUS

6.01 Rules governing Conflict of Interest and Nepotism

No person shall hold a job which a member of his/her immediate family exercises supervisory authority.

For purposes of this part, the phrase "immediate family" shall include those persons described in Section 5.08 of this Manual.

6.02 Internal Operating Procedures

Internal office routine shall be governed by the Corporate Director. From time to time, written memoranda will be issued by the Corporate Director. Policies and procedures so issue shall be followed.

6.03 Promulgation of Personnel Policies and Procedures

All existing personnel and each new employee shall be advised of the existence of this Personnel Manual and all memoranda governing internal operating procedures. This Manual and

all memorandum shall be kept in a place in each office where all employees will have access to them.

SECTION 7. APPLICABILITY

7.01 In General

All provisions of this Personnel Manual shall apply to all persons who have the status of employees of NMHC, except the Corporate Director and those exempted from this Manual by Section 2.01. The Board and any independent contractors retained by the Board are not employees of NMHC and the provisions hereof shall apply to such persons, and to the Corporate Director and to those included in the exception, only as specifically made applicable herein.

7.02 Applicability of Particular Sections

Section 3.07, **Travel Reimbursement**, applies to the Board, to the Corporate Director and those Employees exempted from this Manual by Section 2.01, unless otherwise provided by his/her contract.

Section 3.07, **Severance Pay**, applies to the Corporate Director and all employees of the Corporation, including those exempted from this Manual by Section 2.01.

Section 4.03, **Non-related Activities**, applies to all employees of the Corporation, including those exempted from this Manual by Section 2.01.

Section 5.01, **Employee Benefits**, applies to the Corporate Director and all employees of the Corporation, including those exempted under Section 2.01. Approval of leave requests for the Corporate Director shall be made by the Chairman of the Board.

7.03 Personnel Service System Rules & Regulations

Pursuant to E.O. 94-3, NMHC was placed within the Executive Branch of the CNMI Government. As such, the rules and regulations adopted by the Civil Service Commission shall control NMHC's personal policies. All employees are advised to become familiar with the Civil Service Commission's Personnel Service System Rules and Regulations (PSSRR). If a conflict exists and/or develops between the PSSRR's and this manual, or if this manual is silent on an issue, the PSSRR's shall control.

SECTION 8. RECEIPT & ACKNOWLEDGMENT OF NMHC HANDBOOK

Please read the following statement and sign below to indicate your receipt and acknowledgment of the NMHC Employee Handbook.

I certify that I have received the NMHC Employee Handbook dated _____ and that it is my responsibility to become familiar with its contents.

I understand and agree that the policies and benefits described in this handbook are not intended to create any contractual obligations.

I further understand that NMHC reserves the right to change its policies, rules, regulations and benefits as it sees fit, and that any such changes will take precedence over the statements contained in this employee handbook.

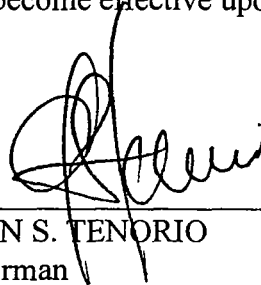
I understand that my signature below indicates that I have read and understand the above statements and have received a copy of the NMHC Employee Handbook dated _____.

SECTION 9. AMENDMENTS AND MODIFICATIONS

The provisions contained may be modified or amended by a majority of vote of the Personnel Committee. Any such amendment or modification shall become effective upon ratification by the Board of Directors.



MARYLOU S. ADA
Corporate Director

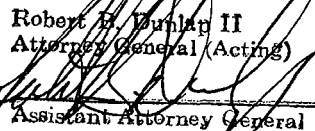


JUAN S. TENORIO
Chairman

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Pursuant to 1 CMC 2153 as amended by PL 10-50 the rules and regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General's Office.

Dated this 15th day of Sept, 1997.

Robert B. Dunlap II
Attorney General (Acting)
By: 
Assistant Attorney General



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
OFFICE OF THE CIVIL SERVICE COMMISSION

P.O. BOX 5150 CHRB
SAIPAN, MP 96950
TEL. NOS. (670) 322-4363/6954
FAX NO.: (670) 322-3327

NOTICE OF ADOPTION OF PROPOSED REGULATIONS
IMPLEMENTING THE
LAW ENFORCEMENT OFFICERS' BENEFIT ACT

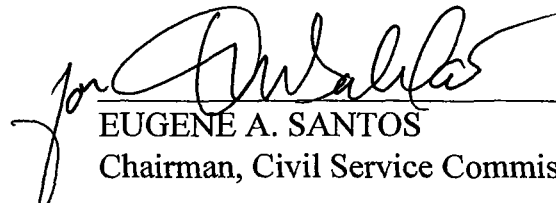
Having received no comments on the proposed regulations implementing the Law Enforcement Officers' Benefit Act as published in the Commonwealth Register on July 15, 1997, the Civil Service Commission hereby adopts the aforesaid proposed regulations.

The proposed new regulations will implement the Law enforcement Officers' Benefit Act, identifying the beneficiaries of the benefit, establishing procedures for making claims for payment of the benefit, and establishing procedures for appealing denial of the benefits.

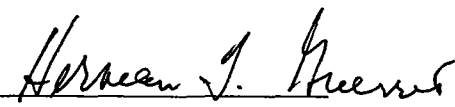
The proposed regulations were published in Volume 19, Number 07 (July 15, 1997) of the Commonwealth Register in proposed form for public comment.

In accordance with 1 CMC §9105(b), the adopted regulations shall take effect ten (10) days after the date of publication of this Commonwealth Register issue.

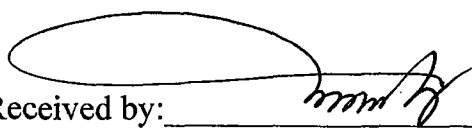
Date: 8/28/97


EUGENE A. SANTOS
Chairman, Civil Service Commission

Date: 9/15/97

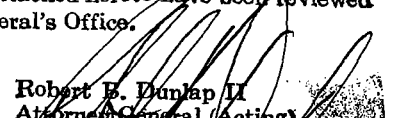
Received by: 
Herman T. Guerrero
Governor's Office

Date: 9/15/97

Received by: 
Soledad B. Sasamoto
Registrar of Corporation

Pursuant to 1 CMC 2153 as amended by PL 10-50 the rules and regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General's Office.

Dated this 15th day of Sept, 1997


Robert B. Dunlap II
Attorney General (Acting)
Assistant Attorney General



**COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
OFFICE OF THE CIVIL SERVICE COMMISSION**

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**NUTISIA PUT I MAN ADAPTAN
I REGULASION SISTEMAN SETBISIUN PETSONAT
LAW ENFORCEMENT OFFICERS' BENEFIT ACT**

Komu taya komento siha manma resibi put i manma propoponi siha na regulasion ni umimplimenta i Law Enforcement Officers' Benefit Act ni manma pupblika gi halom i Rehistran Commonwealth gi Julio 15, 1997, i Komision Setbision Sibit osino i Civil Service Commission ginen este na nutisia ha adapta i manma sangan siha na priniponen regulasion.

I nuevo siha na regulasion ni manma propoponi para umplementa i Law Enforcement Officers' Benefit Act, aidentifika i benefision i benefisiu, establese areklamento siha para manaplikan pinuhon benefisu.


I ma proponi siha na regulasion manma pupblika gi halom i Baluma 19 Numiru 07 na Rehistran Commonwealth (Julio 15, 1997) gi fotmat priniponi para komenton pupbliku.

Komo konsiste yan i 1 CMC §8105(b), i manma adapta siha na regulasion para u fanefektibu dies (10) dias despues gi fechan i ma pupblikan este na edision Rehistran Commonwealth.

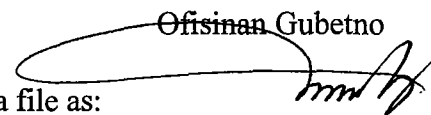
Fecha: 8/28/97


EUGENE A. SANTOS
Chairman, Kumision Setbision Sibit

Fecha: 9/15/97

Rinisibi as: 
Herman T. Guerrero

Fecha: 9/18/97

Ofisinan Gubetno
Ma file as: 
Soledad B. Sasamoto
Rehistradoran Kotporasion



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
OFFICE OF THE CIVIL SERVICE COMMISSION

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SAIPAN, MP 96950
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FAX NO.: (670) 322-3327

**ARONGORONGOL ADOPTION-UL LLIWEL MELLO'L ALLE'GHU'L
LAW ENFORCEMENT OFFICERS' BENEFIT ACT**

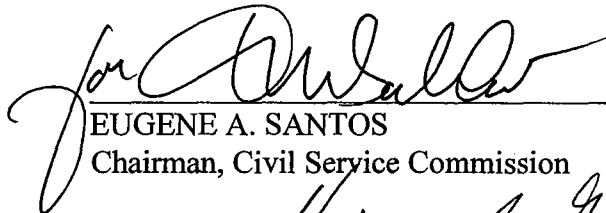
Igha essor mangemang me tiip kka e atotoolong reel lliiwelil owtol Alleghul Law Enforcement Officer's Benefit Act igha e toowow mellol Commonwealth Register Wool July 15, 1997, nge Civil Service Commission sangi arongorong yeel aa adaptaali lliiwel kkaal.

Pomwol ffeerul allegh kkaal nge ebwe bwuluuwta mille Law Enforcement Officers' Benefit Act, igha ebwe affataawow iye kka emmwel rebwe bweibwogh sangi benefit kkaal, me ebwe ayooora lemelemil igha rebwe tingor abwos reel benefit, me bwal ayooora lemelemil igha rrebwe tingor sefaal igha rese abwossuur.

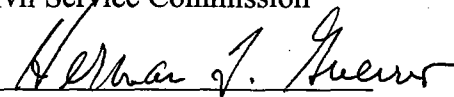
Allegh kkaal nge e toowow llol Volume 19, Numuro 07 (July 15, 1997) mellol Commwealth register igha rebwe atotoolong towap meta mangemangiir me tiipeer.

Sangi bwangi mille 1 CMC §9105(b), nge allegh ka raa adaptaliilo nge ebwe alleghelo llol seigh (10) ral sangi igha e toowow arongorong yeel mellol Commonwealth Register.

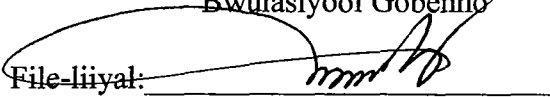
Ral: 8/28/97


EUGENE A. SANTOS
Chairman, Civil Service Commission

Ral: 9/15/97

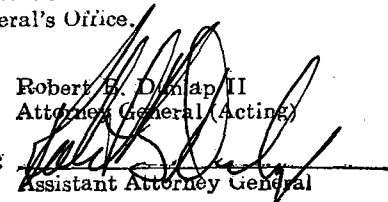
Bwughiiyal: 
Herman T. Guerrero
Bwulasiyool Gobenno

Ral: 9/15/97

File-iiyal: 
Soledad B. Sasamoto
Registrar of Corporations

Pursuant to 1 CMC 2153 as amended by PL 10-50 the rules and regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General's Office.

Dated this 15th day of Sept, 1997

Robert B. Danlap II
Attorney General (Acting)
By: 
Assistant Attorney General