

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

**§ 4948. Appeal to the Secretary.**

(a) Within fifteen days of issuance, any person or party affected by findings, decisions, or orders made pursuant to 3 CMC § 4947 of this chapter may appeal to the Secretary by filing a written notice of appeal, in a form prescribed by regulations, stating the grounds for the appeal. If no appeal is made to the Secretary within fifteen days, the findings, decisions, or orders shall be unreviewable administratively or judicially.

(b) Upon appeal, the Secretary may, in the Secretary's discretion, restrict review to the existing records, supplement the record with new evidence, hear oral argument, or hear the matter *de novo* pursuant to 1 CMC §§ 9109 and 9110. The Secretary shall have the same powers as a hearing officer, including but not limited to the power to grant or extend a temporary work authorization, in addition to other powers pursuant to this chapter.

(c) Upon completion of review, the Secretary shall confirm or modify the finding, decision, or order in writing as soon as practicable. Any modification shall include supplemental findings. The Secretary's decision shall constitute final action for purposes of judicial review. Failure by the Secretary to confirm or modify a finding, decision, or order within thirty days shall constitute confirmation of each of the findings, decisions, or orders of the hearing officer as the final action of the Secretary for purposes of judicial review.

**Source:** PL 15-108, § 4(4948), modified.

**Commission Comment:** The Commission replaced section references with proper code sections and deleted figures that repeated written words pursuant to 1 CMC § 3806(c) and (e).