

TITLE 8: FAMILY LAW AND PROBATE
DIVISION 1: DOMESTICS RELATIONS

§ 19301. Definitions.

As used in this Article:

(a) “Date of hiring” means the earlier of:

(1) the first day for which an employee is owed compensation by an employer; or

(2) the first day that an employee reports to work or performs labor or services for an employer.

(b) “Earnings” means payment owed by an employer for labor or services rendered by an employee.

(c) “Employee” means an individual who performs services for remuneration for another person who has the right to control and direct the individual in the means by which such services are performed. This term includes an officer of a corporation.

(d) “Independent Contractor” means a person who performs services for remuneration for another person who does not have the right to control and direct the person in the performance of such service, but is liable in contract to that other person for the results attained through such service.

(e) “Employer” means the person, including placement agencies, temporary employment agencies, government entities, and labor organizations, for whom any individual performs any service as the employee of such person, except that:

(1) if the person for whom the individual performs the services does not have control of the payment of the wages for such services, the term employer means the person having control of the payment of such wages; and

(2) in the case of a person paying wages on behalf of a non-resident alien, foreign partnership, or foreign corporation, not engaged in trade or business within the United States, the term employer means such person.

(f) “Labor organization” means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work, and includes any entity which is used by the organization and an employer to carry out requirements described in section 8(f)(3) of the federal National Labor Relations Act, of an agreement between the organization and the employer.*

(g) “Hiring” means entering into a contract of hire with a person to perform services in exchange for compensation and includes the re-hiring or return to work of any previous employee who was laid off, furloughed, separated, granted a leave without pay, or terminated from employment.

(h) “Secretary” shall mean the Secretary of U.S. Department of Health and Human Services.

(i) “Director of New Hires” shall mean the Attorney General of the Commonwealth of the Mariana Islands or that person’s designee within the Child Support Enforcement Office of the Office of the Attorney General.

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(j) “Working day” or “business day” as used in this Article shall mean a day on which the government of the CNMI is open for regular business.

(k) “CNMI” means the Commonwealth of the Northern Mariana Islands.

* So in original.

Source: PL 20-60 § 3 (June 14, 2018), modified.

Commission Comment: The Commission inserted a comma after “entities” in (e) and changed “wages, and” to “wages; and” in (e)(1) pursuant to 1 CMC § 3806(g).