

TITLE 1: GOVERNMENT
DIVISION 8: PUBLIC EMPLOYMENT

§ 8143. Prohibited Activities: Wrongful Certification of Payrolls.

(a) No disbursing or certifying officer shall make or approve or take any part in making or approving any payment for personal service to any person holding a position in the civil service or otherwise employed under the provisions of this part unless payroll certification has been made by the Personnel Officer or his authorized agent that the person named therein has been appointed and employed in accordance with the provisions of this part and the rules and regulations adopted thereunder. The Personnel Officer may, for proper cause, withhold payroll certification for any position or positions in the civil service or for any other positions where the Personnel Officer's certification is required under the provisions of this part.

(b) If the Personnel Officer wrongfully withholds payroll certification for a position in the government service held by any employee, the employee may maintain a proceeding in the courts to compel the Personnel Officer to certify the payroll.

Source: PL 1-9, § 9; repealed and reenacted by PL 17-80 § 3 (8143) (August 31, 2012).

Commission Comment: See the comment to 1 CMC § 8116.