



Commonwealth Healthcare Corporation

Commonwealth of the Northern Mariana Islands
1 Lower Navy Hill Road Navy Hill, Saipan, MP 96950



PUBLIC NOTICE OF PROPOSED REVISIONS TO THE CHCC HUMAN RESOURCES RULES AND REGULATIONS REGARDING PART-TIME STATUS, LEAVE, TRANSFERS AND THE SICK LEAVE BANK

INTENDED ACTION TO ADOPT THESE PROPOSED REVISIONS TO THE RULES AND REGULATIONS: The Commonwealth Healthcare Corporation (CHCC) intends to adopt as permanent the attached Proposed Revision to the Rules and Regulations, pursuant to the procedures of the Administrative Procedure Act, 1 CMC § 9104(a). The CHCC Human Resources Rules and Regulations were initially published in November, 2016 in Volume 38, Number 11 of the Commonwealth Register. They were adopted in February, 2017 in Volume 39, Number 2 of the Commonwealth Register. The Revision to the CHCC Human Resources Rules and Regulations will become effective 10 days after adoption and publication in the Commonwealth Register. (1 CMC § 9105(b))

AUTHORITY: CHCC has developed and adopted and can amend the personnel system independent of the civil service system in accordance with the law. 3 CMC Section 2824(k).

THE TERMS AND SUBSTANCE: The CHCC Human Resources Rules and Regulations provide guidance on all aspects of the employment relationship between CHCC and its permanent, provisional, temporary, and contract employees.

THE SUBJECTS AND ISSUES INVOLVED: This Revision is to revise several sections of the CHCC Human Resources Rules and Regulations including those relating to part-time status and benefits, leave, transfers and the Sick Leave Bank.

THE REVISION IS AS FOLLOWS ON THE ATTCHED PAGE FOLLOWING THE NOTICE.

DIRECTIONS FOR FILING AND PUBLICATION: These Notice of Proposed Revision to the Regulations shall be published in the Commonwealth Register in the section on proposed and newly adopted regulations (1 CMC § 9102(a)(1)) and posted in convenient places in the civic center and in local government offices in each senatorial district, both in English and in the principal vernacular. (1 CMC § 9104(a)(1)) Copies are available upon request from Clarinda Ngirausui, Human Resources Director.

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Telephone: (670) 234-8950 FAX: (670) 236-8930

TO PROVIDE COMMENTS: Send or deliver your comments to Esther Muna, *Attn: Revision to CHCC HR Rules and Regulations*, at the above address, fax or email address, with the subject line "Human Resources Revision." Comments are due within 30 days from the date of publication of this notice. Please submit your data, views or arguments. (1 CMC § 9104(a)(2)).

This proposed revision was approved by the CEO on 23 of April, 2018.

Submitted by:  04/23/18
ESTHER MUNA, CEO Date

Received by:  6/12/18
SHIRLEY CAMACHO-OGUMORO Date
Governor's Special Assistant for Administration

Filed and Recorded by:  06.18.2018
ESTHER SN. NESBITT Date
Commonwealth Register

Pursuant to 1 CMC § 2153(e) (AG approval of regulations to be promulgated as to form) and 1 CMC § 9104(a)(3) (obtain AG approval) the proposed regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General and shall be published, 1 CMC § 2153(f) (publication of rules and regulations).

Dated the 13 day of June, 2018.


EDWARD E. MANIBUSAN
Attorney General

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Commonwealth Healthcare Corporation

Commonwealth gi Sangkattan na Islas Mariãnas
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NUTISIAN PUBLIKU NI MANMAPROPONI NA TINILAIKA PARA I AREKLAMENTU YAN REGULASION I HUMAN RESOURCES GI CHCC

I AKSION NI MA'INTENSIONA PARA U MA'ADAPTA ESTI I MANMAPROPONI NA AREKLAMENTU YAN REGULASION SIHA: I Commonwealth Healthcare Center (CHCC) ha intensiona para u ma'adapta komu petmanienti i regulasion siha i mañechetton i Manmaproponi na Tinilaika para i Areklamentu yan Regulasion siha, sigun gi manera siha gi Akton Atministrasion Procedure, 1 CMC § 9104(a). **I Areklamentu yan Regulasion i Human Resources giya CHC ginin manmapublika gi hãlom Nubembri, 2016 hãlom Baluma 38, Numiru 11 gi Rehistran Commonwealth. Manma'adapta gi hãlom Fibreru, 2017 hãlom Baluma 39, Numiru 2 gi Rehistran Commonwealth.** I Tinilaika para i Areklamentu yan Regulasion i Human Resources gi CHCC mu ifektibu gi hãlom dies (10) dihas dispues di adaptasion yan publikasion gi hãlom i Rehistran Commonwealth. (1 CMC § 9105(b))

ATURIDÁT: I CHCC ma'aturisa ni para u adapta i areklamentu yan regulasion siha komu nisisãriu para i implimentasion nu esti na pãtti. 3 CMC Seksion 2824(l). Yan mãs, i CHCC mafa'tinas yan ma'adapta i personnel system independent nu i civil na setbision sistema ni inaprueba yan i lai. 3 CMC Seksion 2824(k).

I TEMA YAN SUSTANSIAN I PALABRA SIHA: I Areklamentu yan Regulasion i Human Resources ha pribeni guidance gi todú aspects nu i rilasion i impli'ão entalu' i CHCC yan i iyo-ñiha petmanienti, provisional, tempurãriu, yan i kontrak na impli'ão siha.

I SUHETU YAN MANERA SIHA NI MANTINEKKA: Esti na Tinilaika para u na'suha i ginen i Areklamentu yan Regulasion i Human Resources gi CHCC.

I TINILAIKA MANTINATTIYI POT FABOT ATAN LOKUE I TATITE NA PAPET.

DIREKSION SIHA PARA U MAPO'LU YAN PUBLIKASION: Esti na Nutisia nu i Manmaproponi na Rvision para Regulasion siha debi na u mapublika gi hãlom i Rehistran Commonwealth gi hãlom i seksiona gi maproponi yan nuebu na ma'adapta na regulasion siha (1 CMC § 9102(a)(1) yan u mapega gi hãlom i mangkumbinienti na lugãt gi hãlom i Civic Center yan i hãlom ufisinan gubietnamentu siha gi kada distritun senadot, parehu English yan i dõs na linguãhi Chamorro yan Refaluwasch. (1 CMC § 9104(a)(1) Managuaha kopia siha yanggin manrikuesta hao ginen as Clarinda Ngirausui, i Direktot Human Resources.


PARA U MAPRIBENIYI OPIÑON SIHA: Nã'hãnao pat intrega i upiñon-mu siha guatu gi as Esther Muna; Attn: *Tinilaika para i Areklamentu yan Regulasion i HR gi CHCC*, gi sanhilo' na address, fax pat email address, yan i subject line "*Tinilaika para i Areklamentu yan Regulasion i*

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HR gi CHCC.” Todu upiñon debi na u fanhålom trenta (30) dihas ginen i fetchan pupplikasion esti na nutisia. Put fabot na’hålom iyon-mu data, upiñon, yan kuntestasion siha. (1 CMC § 9104(a) (2))

Esti siha i manmaproponi na tinilaika ma’aprueba ginen i CEO gi diha 23 gi Abrit, 2018.

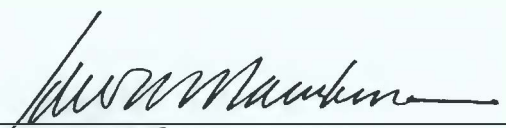
Nina’hålom as: 
ESTHER MUNA, CEO
Commonwealth Healthcare Corp. 04/23/18
Fetcha

Rinisibi as: 
SHIRLEY P. CAMACHO-OGUMORO
Espisiåt Na Ayudånti Para I Atministrasion 6/12/18
Fetcha

Pine’lu Yan
Ninota as: 
ESTHER SN. NESBITT
Rehistran Commonwealth 06.18.2018
Fetcha

Sigun i 1 CMC § 2153(e) (I Abugådu Heneråt ha aprueba i regulasion siha na para u macho’gui kumu fotma) yan 1 CMC § 9104(a)(3) (hentan inaprueban Abugådu Heneråt) i manmaproponi na regulasion siha ni mañechettun guini ni manmaribisa yan ma’aprueba kumu para fotma yan sufisienti ligåt ginin i CNMI Abugådu Heneråt yan debi na u mapupblika sigun gi , 1 CMC § 2153(f) (pupplikasion areklamentu yan regulasion siha).

Mafetcha gi diha 13 gi JUNE, 2018.


EDWARD EMANIBUSAN
Abugådu Heneråt 6/13/18
Fetcha

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Part 100 – Types of Employment

§140-90.1-101 Types of Employment

(F)3 Part-time employees may be hired for one or two years. In order to obtain benefits, employees must work (or be on a legitimate approved leave status) a minimum of 40 hours per pay period to receive benefits, including health and life insurance and the 401(a) program. Annual, sick leave, and holiday pay will be pro-rated. Leave is granted in full hours only.

(F)5 All full-time employment contract employees will earn the annual leave benefit of eight (8) hours. Those employees who currently accrue less than eight (8) will have their contract amended to reflect the current leave accrual to eight (8) hours. The effective date of the amendments shall be effective on the day it is processed.

(G) Part-time employees are employees who work less than sixty (60) hours per pay period. They will be eligible for health and life insurance and the 401(a) program. Their accrual of annual and sick leave and holiday pay will be pro-rated.

Part 400 - Certification of Candidates

§140-90.1-401 Certification of Candidates

Upon receipt of request for certification, the HRM may certify to the Manager or Supervisor the names of all candidates included in the highest five (5) rankings (if more than five applied) pursuant to an examination and the names of those candidates whose employment may assist the Corporation to reach its affirmative action goals and timetables. Upon request by the Manager or Supervisor, the HRM may certify additional candidates. If more than one vacancy occurs in the same class of positions, the HRM may certify the name of five additional candidate for each additional vacancy. If the Manager or Supervisor, for good cause, rejects all names submitted, the HRM may prepare and submit a second list of candidates for consideration. If there are no other certified candidates and all efforts are being exhausted; then position will be re-announced. The Manager or Supervisor must submit in writing justification for the rejection of all names submitted in the list of candidates. Applicants will be placed on Register of Eligible List for one year, if applicant is not selected for the position.

§140-90.1-420 Promotion, Lateral Transfer, Demotion, Transfer

D. Transfer

Transfer shall be made upon request by the Department. Employee will transfer from one position to another position and must meet the minimum qualification requirement of the position. CEO will approve all Transfer at the recommendation of the HR Manager.

Part 5 – Work Hours, Holidays, Leave, and Benefits

§140-90.1-510 Leave

§140-90.1-510 (b)(4)(ii)

Annual Leave at Date of Separation Upon separation of employment for any reason, employees shall be entitled to payment of their unused annual leave balance. Such payment shall be made at the rate of 100% of the current value of the employee's leave balance based upon his or her factored hourly rate at time of separation, but in no event, will anything over 360 hours be paid. In addition, any annual leave accrued that needs to be paid out after separation will be paid out in bi-weekly payments. There will be no lump sum payouts of annual leave unless the employee has less than 80 hours of accrued annual leave. CEO shall waive the lump sum payment upon a written request from the employee. Employee shall not accrue leave benefits during leave exhaustion period.

§140-90.1-510 (c)(4)(vii)

Employee on part-time status are able to use sick leave from prior accrual not to exceed the part-time hours.

§140-90.1-510 (n) Sick Leave Bank

- (1) Donation. CHCC hereby establishes a Sick Leave Bank. Employees may donate annual leave either to a designated employee or to the Sick Leave Bank in general. Employees may donate as much annual leave as they want to the Bank but no more than 320 hours to any specific employee.
- (2) Use. Employees must be approved by the HRM to use the Sick Leave Bank. In order to be eligible, employees must have a serious or life threatening illness or accident that precludes the employee from working. The employee must have exhausted all other leave, including advanced leave, prior to using the Sick Leave Bank. Employees using either designated time or general Sick Leave Bank time may use no more than 320 hours total during the course of their employment.

Part 600 – Human Resources Policies

§140-90.1-615 Separation

(a) Resignation.

- (1) An at will employee shall submit a written resignation at least fourteen (14) calendar day notice prior to the effective date of separation to the Chief Executive Officer. The period of notice may be reduced or waived by the Chief Executive Officer.**

(d) No Lump sum Payment upon Separation.

- (2) Monies the employee owes the Corporation, including money owed from travel and breached agreements for continued service, shall be deducted from the final paycheck upon completion of Employee Exit Clearance. Deductions from accrued leave pay may be made for the replacement value or fair market value of the Corporation's property not returned by the employee on or before the effective date of separation.**