

**NOTICE & Q&A'S REGARDING DOI'S OFFICE OF THE FEDERAL OMBUDSMAN
IN THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS**

The Office of the Federal Ombudsman in Saipan will close on September 30, 2013. Over a number of years, the Ombudsman's Office has provided advice and assistance to alien workers in the CNMI. Here are some of the questions that Office was most frequently asked, along with suggestions of where alternative advice or assistance may now be obtained. In all cases, it may also be prudent to seek advice from a private attorney or a non-profit organization. A list of state, federal and non-profit organizations that may be generally available to provide assistance to alien workers in the CMNI is provided.

FREQUENTLY ASKED QUESTIONS

- What to do if your employer has not paid you for many weeks or months

- Contact CNMI Department of Labor (DOL) 322-4365/664-3196, located at Capitol Hill, Saipan, to obtain an in-take interview that may lead to filing of a labor complaint.
- Contact U.S. Department of Labor, Wage and Hour Division (Wage and Hour) 233-0740/0730, located on the second floor of the Marina Heights II Bldg, Puerto Rico, to file a labor complaint.

- What to do if your employer pays you less than minimum wage and/or does not pay you for overtime

- Contact CNMI Department of Labor (DOL) 322-4365/664-3196, located at Capitol Hill, Saipan, to obtain an intake interview and then file a labor complaint.
- Contact U.S. Department of Labor, Wage and Hour Division (Wage and Hour) 233 -0740/0730, located on the second floor of the Marina Heights II Bldg, Puerto Rico, for an interview with an investigator who will provide you with additional information on how to proceed with your claim for unpaid wages. You may also retain a private attorney regardless of whether the violation falls within the scope of either the federal or CNMI minimum wage law. The federal law, in some cases, provides for payment of your attorney's fees if you win your case.

- What to do if your employer promised one job when you left your home country, but now that you are here he only has a different, much worse job for you

- If your employer made fraudulent promises, you may file a complaint with the Federal Bureau of Investigation (FBI) 322-6934 or with the U.S Department of Homeland Security (DHS) 237-0600. You may want to seek assistance from a humanitarian group, such as a church or non-profit organization, for guidance, even before seeking assistance from law enforcement agencies for these types of offences, which may in some cases constitute human trafficking. You may also want to seek assistance from Crime Stoppers

- What to do if your employer discriminates against you because you are not a U.S. citizen, or because you are older, or because of your race or gender

- You may contact U.S. Equal Employment and Opportunity Commission (EEOC), Honolulu Local Office, HI, 1-866-247-6904 (Toll free), or 1-808-541-3120/3125, regarding discrimination by an employer based on age, race, gender (including transgender), nationality, religion, or disability. EEOC also enforces pay disparity claims under the Lilly Ledbetter Fair Pay Act. You may also access information on how to file a charge at <http://www.eeoc.gov/employees/charge.cfm>.
- You may also contact the U.S. Department of Justice Office of Special Counsel for Immigration-Related Unfair Employment Practices (OSC), which investigates and prosecutes allegations of national origin and citizenship status discrimination in hiring, firing, and recruitment or referral

for a fee, as well as unfair documentary practices during the employment eligibility verification process and retaliation. You may obtain a charge form at <http://www.justice.gov/crt/about/osc/htm/charge.php> . You may print it and fax it to (202) 616-5509, email it to oscrt@usdoj.gov., or mail it to Office of Special Counsel for Immigration-Related Unfair Employment Practices, Civil Rights Division, U.S. Department of Justice 950 Pennsylvania Avenue, NW (NYA), Washington, DC 20530.

- How to get a visa to work and stay in CNMI if you are married to a U.S. citizen

- Contact U.S. Citizenship and Immigration Services Application Support Center (USCIS), part of the U.S. Department of Homeland Security, located at the TSL Building in Garapan. Tel. No. 233-1700. You may make an Infopass appointment or find out additional information on how to obtain employment immigration status via the internet at www.uscis.gov.

-What to do if your employer has your passport and won't give it back

- Contact CNMI Department of Public Safety (DPS) for assistance for unlawful possession of your belongings by your employer, including your passport. You can visit a local police station located in Susupe to file a complaint or may call 911 or the Anti-Trafficking Hotline at 664-9046/9035 or 234-5100 or Crime Stoppers at 234-7272 for assistance.

- What to do if your employer touches you inappropriately/has raped you/otherwise acted in a sexually inappropriate way

- Report rapes or assaults to DPS for possible criminal prosecution by going to your local police station or calling 911, or the Victim Hotline at 234-6981 or Crime Stoppers at 234-7272.
- You should also go immediately to Commonwealth Health Center (CHC) Emergency Room on Middle Road in Garapan if you are raped by your employer to preserve evidence that may be needed by the police or other law enforcement agents. CHC will provide you medical services whether you can pay for them or not in the case of rape.
- Regarding inappropriate contact or other inappropriate sexual harassment, contact the U.S. Equal Employment and Opportunity Commission (EEOC), Honolulu, HI, 1-866-247-6904 (toll free), or 1-808-541-3120/3125. You may also access information on how to file a charge at <http://www.eeoc.gov/employees/charge.cfm>.

- What to do if you are robbed/beaten/raped

- Report all crimes of this nature to DPS for possible criminal prosecution by going to your local police station or calling 911, or the Victim Hotline at 234-6981 or Crime Stoppers at 234-7272.

-What can you do if you are fired because you have been arrested

- Probably nothing until after your case has been finally resolved. If you cannot pay for an attorney in a criminal case, the court, whether local or federal, will provide one for you.
- If you are convicted for felony and are an alien, then you are subject to deportation/removal by DHS. If you are an alien and you are convicted for a misdemeanor and it involved moral turpitude, then you are subject to deportation/removal by DHS.
- If you are acquitted, or the case against you is dropped, you may be able to get your job back at your employer's discretion.

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Filipino Version ([linked here](#))