

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

EXECUTIVE ORDER OF THE GOVERNOR

EXECUTIVE ORDER NO. 18
July 3, 1980

OFFICE OF PERSONNEL

WHEREAS, the Commonwealth of the Northern Mariana Islands has established a Civil Service System to provide for the orderly administration of employment within the Government; and

WHEREAS, the Commonwealth Trial Court of the Commonwealth of the Northern Mariana Islands, by its order dated June 26, 1980, declared Section 3(a) of Public Law 1-9 unconstitutional, effectively abolishing the Civil Service Commission and declaring that all actions of that Commission are null and void except for Administrative acts performed pursuant to law and prior to the date of June 26, 1980; and

WHEREAS, the Civil Service Commission's appointment of Jesus P. Mafnas as Personnel Officer was not pursuant to law and therefore null and void; and

WHEREAS, it is essential that there be a responsible officer to insure the day-to-day functioning of the Civil Service System without disruption so that the operation of the Government does not suffer pending the enactment of new legislation; and

WHEREAS, it is the intention and purpose of this Executive Order to make various changes in Public Law 1-9 Sections 3, 4, 6 and 9 and it is necessary for the efficient administration of the Government that the functions and duties of the Personnel Office established by Public Law 1-9 be transferred from the abolished Civil Service Commission to the office of the Chief Administrative Officer of the Executive Branch;

NOW THEREFORE, by virtue of the authority vested in me by Article III, Sections 1 and 15 of the Constitution of the Commonwealth of the Northern Mariana Islands, it is hereby ordered that there be established within the Office of the Chief Administrative Officer of the Executive Branch of the Government of the Commonwealth of the Northern Mariana Islands, an Office of Personnel to be administered by a Personnel Management Officer subject to the terms and provisions set forth herein:

(1) Personnel Management Officer: Appointment and Qualifications.

The Personnel Management Officer shall be appointed by the Governor, and shall have a minimum of five (5) years of work experience in personnel administration, and shall not be an officer of any political party or a candidate for elective office.

(2) Office of Personnel: Duties and Responsibilities.

The Office of Personnel shall be responsible for the administration of the Civil Service System as it pertains to the Executive Branch including:

- (a) The development of adequate and reasonable selection instruments and procedures for recruiting employees for the public service and for evaluating the qualifications of applicants for positions.
- (b) The development of employee skills in the public service.
- (c) The development and maintenance of adequate position classification plans for civil service employees and recommendation of compensation plans to the Governor and Legislature.
- (d) Serving as the principal adviser to the Governor and his staff on all matters concerning personnel administration.
- (e) The establishment and maintenance of a roster of all persons in the Executive Branch of the Government setting forth, as to each, the class of position held; the salary or pay; any change in class, title, pay of status and any other necessary data.
- (f) The certification of employment of persons retained on a temporary basis when needed to serve the public interest for a period not exceeding ninety (90) days.
- (g) The certification of employment of persons retained by contract, as being either special, unique, or nonpermanent and the determination that it would not be practical to obtain personnel to perform such services through normal public service recruitment procedures.
- (h) The administration of a program for staff housing.
- (i) Insofar as they relate to the employees of the several departments, offices, agencies, commissions and other instrumentalities of the Executive Branch of the Commonwealth Government all the functions and

duties granted to the Personnel Officer of the Civil Service Commission by Public Law 1-9 Sections 3(g), 4(a) (2), 4(a) (3), 4(b), 6(a), and 9(d) are hereby transferred and re-allocated to the Office of Personnel of the Executive Branch.

(3) Office of Personnel: Staff.

The Officer of Personnel is authorized to employ such staff as may be required to assist him in performing his duties, pursuant to budgetary appropriation.

(4) Officer of Personnel: Interim Officer.

During the pendency of the sixty (60) day period for consideration of this order by the Legislature of the Commonwealth of the Northern Mariana Islands, an interim officer of the Office of Personnel shall be appointed by the Governor to insure that the administration of the Civil Service System does not suffer from lack of supervision or proper direction.

(5) Budgetary Restrictions.

The Personnel Management Officer shall not take any action which would require the obligation of public funds in an amount greater than that appropriated in advance by the Legislature.

(6) Transfer of Funds.

All funds appropriated for the operations and activities of the Civil Service Commission allocated to the Personnel Office are hereby transferred to the Office of the Governor to be used pursuant to the provisions of this Order.

(7) Severability.

If any provision of this Executive Order or the application of any such provision shall be held invalid, by a court of competent jurisdiction, the remainder of this Executive Order or any rules, regulations or orders promulgated pursuant thereto or the application of such provisions, regulations, rules or orders to persons or circumstances other than those to which it is held invalid, shall not be affected thereby.

(8) Effective Date:

This Executive Order shall take effect within sixty (60) days from the

date of its issuance or upon the earlier approval by the Legislature of the Commonwealth of the Northern Mariana Islands except that, Section (4) of this Executive Order shall take effect immediately.

DATED: July 3, 1980



CARLOS S. CAMACHO
Governor