A BILL FOR AN ACT

To amend title 51 of the Code of the Federated States of Micronesia (Annotated) by amending section 112 and inserting a new section 116 thereof, for the purpose of establishing a minimum wage for resident workers hired by foreign contractors, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

Section 1. Section 112 of Title 51 of the Code of the Federated States of Micronesia (Annotated) is hereby amended to read as follows:

“Section 112. Definitions.

For the purposes of this chapter, unless it is otherwise provided or the context requires a different construction, application, or meaning:

(1) “Available” means able to be on the island on which the employer desires workers on the date the employer states the workers are desired.

(2) “Chief” means the chief of the Division of Labor within the Department of Resources and Development.

(3) “District representative” means any district employment service officer, or any other person designated by the chief to act on his behalf in any district in which there is no district employment service officer.
(4) "Employer" means any individual, partnership, association, or corporation hiring employees in the Trust Territory and any individual who has in his employ a domestic servant, but does not include any branch or agency of the Trust Territory Government or of the United States Government.

(5) "Employment service" means the Trust Territory Employment Service established under section 151 of this chapter.

(6) "Foreign contractor" means any sole proprietorship, partnership, company, corporation, joint venture, or other association of persons engaging in business, performing services as a contractor or subcontractor, that is

(a) majority-owned by noncitizens of the Federated States of Micronesia, or

(b) performing services funded by a foreign donor.

(7) "Employment service officer" means the official who is the head of the Trust Territory Employment Service established under section 151 of this chapter.

(8) "Nonresident worker" means any person who is capable of performing services or labor and who is not a citizen of the Trust Territory or an immigrant alien
admitted to the Trust Territory for permanent residence under the provisions of title 50 of this code, including persons acting in a professional, managerial, or executive capacity.

[&reg;] (9) “Resident worker” means any person who is capable of performing services or labor and who is a citizen of the Trust Territory or an immigrant alien admitted to the Trust Territory for permanent residence under the provisions of title 50 of this code, including persons acting in a professional, managerial, or executive capacity.”

Section 2. Title 51 of the Code of the Federated States of Micronesia (Annotated) is hereby amended to insert a new section 116 to read as follows:

“Section 116. Minimum wage for resident workers hired by foreign contractors.

A foreign contractor shall pay to each resident worker hired by the foreign contractor a minimum wage of not less than $2.50 per hour for work performed in the Federated States of Micronesia.”
Section 3. This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.

Date: 7/13/21

Introduced by: /s/ Peter M. Christian

Peter M. Christian