

Comm. No. 15



MARIANA ISLANDS HOUSING AUTHORITY

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July 12, 1985

The Honorable Herman T. Guerrero
President
Second Northern Marianas
Constitutional Convention
House of Taga
Saipan, CM 96950

Re: COMMITTEE RECOMENDATION NO. 25

Dear Mr. President:

We have been dismayed over the news we heard over the radio that the Convention had passed, on first reading, a proposed amendment that would place employees of public corporation, agencies, and government instrumentalities under the Civil Service System.

As a general rule, public corporations, instrumentalities, and agencies are created by legislation or executive orders for specific purposes. And recognizing the uniqueness of the type of services and/or assistance that each public corporation, instrumentality, or agency has to provide, enabling legislation or executive order provides the governing body with some degree of independence and flexibility within which to function. This includes the exercise of every administrative and program decision making authority to effectively carryout its mandate.

By and large, the success of public corporations maybe measured by the degree of independence that they are afforded. We honestly believe that the effectiveness of public corporations would be seriously compromised if their authority to employ and dismiss employees in accordance with established rules and regulations is removed and transferred to the Civil Service Commission.

The Personnel Manual, as adopted by the Board of Directors, provides for systematic procedures for efficient and effective administration of personnel and, to govern assigned responsibility of employees, authority, accountability, employee supervisor inter-relationship, and employees benefits and privileges. We feel that employees rights as provided for by public

"MIHA is an equal employment and fair housing public agency"

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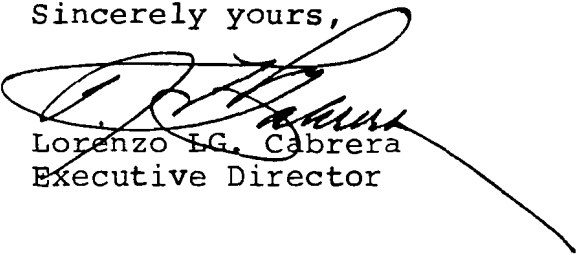
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corporations are comparable, if not equal to those, which are provided employees of the Executive Branch of our government. While employees of public corporations may not enjoy the same security of employment that employees of the Executive Branch have, they are extended the same privileges. These are workman's compensation, life insurance, enrollment in the Retirement Program and job training opportunities. In addition, they are participating in a shared Health Insurance Program. A program that will save our government a substantial amount of money for medical cost.

Because most programs that are operated by public corporations are funded in whole or in part by the U.S. Federal Government, the personnel administration and employment practices of each respective corporation must be reviewed and approved by the grantor agency. Such review and approval must be made in conformity to every applicable provisions of the Civil Rights Acts of 1964 and 1968. In addition, these corporations are required to adopt and promulgate affirmative action plans, insuring that employment and extension of assistance policies are implemented in strict compliance to applicable laws.

We can't helped but note that based on a number of proposal we have seen introduced and, most assuredly Committee Recommendation No. 25, the Convention is bent on taking the very fiber that makes public corporations efficient in carrying-out their mandate. If you were to take away their autonomy in managing their personnel administration and the authority to allocate their funds to achieve their goals and objectives, you will basically have public corporations that are operational, if not for anything else, to provide employment.

Sincerely yours,



Lorenzo I.G. Cabrera
Executive Director