NITIJELA OF THE MARSHALL ISLANDS

25TH CONSTITUTIONAL REGULAR SESSION, 2004 **BILL NO. 38ND1**

P.L. 2004-14

AN ACT

To amend the Protection of Resident Workers Act 16 MIRC, Chapter 1 (the Act) by inserting a new section 109A, to require all employers to pay salaries and wages by check, and to amend Section 114 in order to modify the penalties for the violation of any of the provisions of the Act.

BE IT ENACTED BY THE NITIJELA OF THE MARSHALL ISLANDS:

Section 1. **Short; Title.**

This Act may be cited as the Protection of Resident Workers (Salaries and Wages Amendment) Act, 2004
2004.

Section 2. **Amendment**

The Act, is hereby amended:

(1) by inserting a new Section 109A, to read as follows:

§ 109A. Workers to be paid by Check

(1) Employers in the Republic are hereby prohibited from paying salaries and wages in cash or in any other form, except by check. Such check shall reflect on its face:

(a) the name of the employer;

(b) the name of the worker;

(c) the number of hours worked, per pay period;

(d) the amount of gross earnings per pay period; and

(e) the taxes deducted from such earnings; and

(f) the net earnings.

(2) Counter-part copies of such checks shall be maintained by the employer.

(3) Any employer who violates the provisions of subsections (1) and (2) herein shall be guilty of an offense, and upon conviction, shall be liable to the penalties set out under Section 114 below.

(2) By amending Section114 to read as follows:

§114. Penalties for violation of Chapter.

(1) Any employer who willfully violates any of the provisions of this Chapter or any of the rules and regulations issued pursuant thereto shall be guilty of an offense and shall upon conviction be liable to a fine not exceeding five thousand dollars ($5,000), or to a term of imprisonment not exceeding twelve (12) months, or both.

(2) Any non-resident worker who fails to comply with the provisions of this Chapter shall be guilty of an offense and shall upon conviction be liable to a fine not exceeding five hundred dollars ($500) or to a term of imprisonment not exceeding thirty (30) days, or both.

Section 3 **Effective Date**

This Act shall take effect on the date of certification in accordance with Constitution and the Rules of Procedures of the Nitijela.

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CERTIFICATE

I hereby certify:

(1) that the above Nitijela Bill No. 38ND1 was passed by the Nitijela of the Marshall Islands on the 25th day of October 2004; and

(2) that I am satisfied that Nitijela Bill No. 38ND1 was passed in accordance with the Constitution of the Republic of the Marshall Islands and the Rules of Procedures of the Nitijela..

I hereby place my signature before the Clerk of the Nitijela on this 22nd day November 2004.

Attest:

Litokwa Tomeing
Speaker,
Nitijela of the Marshall Islands

Joe E Riklon
Clerk,
Nitijela of the Marshall Islands