

On My Mind
10/04/02

The legislature's on-going furor over the contract termination of 11 Northern Marianas College employees raises the question: don't contract terms have any validity? Each of the contracts of the 11 employees contained the provision that their contracts could be canceled without cause, with sixty day notice. In the case of the 11, some of the employees were given an extra 30 day notice - 90 days in all.

The on-going furor (fueled by the press?) also raises the question: don't legislative acts have any validity? It was the legislature, after all, that gave Northern Marianas College the authority to operate its own personnel system, within the framework of which the terminations were done.

In other words, no one can claim that the terminations were done improperly, or were illegal.

There simply is no easy way, no good time, to tell an employee that his or her services are no longer wanted. Many business guides, in fact, advise that it is better to have employees leave their job at the end of the day on which they have been notified, rather than having them work until the actual end of contract date, so as to avoid having a disgruntled employee on the premises. Cultural considerations notwithstanding, bad news is bad news. There's no custom that I am aware of for giving an employee the bad news that it's been decided to cancel his or her contract.

Threatening yet more hearings or investigative audits won't really accomplish anything. Nor, as a matter of fact, does bending rules or creating artificial jobs to ensure that the 11 regain immediate employment address the issue. On the other hand, advice, assistance, guidance to those 11 would help, and indeed, there is some sign of this occurring - outside the legislature. It's time the legislature stopped its pointless protests, and focused on the many real problems still before it.

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It's interesting to note that the announcement by the Marianas Public Land Authority that it has imposed a moratorium on homesteads on Saipan has not aroused any furor. With the historically entrenched expectation that everyone was entitled to a homestead, one would have expected howls of protest.

Of course, the announcement did provide some lead time before the moratorium goes into effect.

Possibly no one is protesting because everyone who doesn't yet have a homestead is lining up to apply for one.

It would be nice to believe, though, that perhaps it has finally dawned on one and all that the island is ringed with water, and that the amount of land within that ring is fixed - it cannot expand. And, moreover, that the amount of public land within that ring cannot expand either.

A recent comment from the Organization for Economic Cooperation and Development (OECD), taken from the publication *Rachel's Environment and Health News* would seem appropriate here. The comment was made in the context of environmental concerns, but its premise regarding the effect of smaller households - which are already evident in the CNMI - is particularly relevant: "Population [worldwide] will grow at a rate of 1.1% per year between now and 2020 - resulting in a 23% increase in the total. "This basic trend will impose a 23% greater burden on the natural environment in the next 20 years. Furthermore, **as household size diminishes (requiring more individual homes)** and urban sprawl increases, the burden imposed on the environment by each individual is steadily rising, the OECD says." (emphasis added)

In other words, as fewer family members live together in the same house, more houses will be required to provide homes for them all - just at a time when the supply of land is giving out.

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The MPLA's announcement should, perhaps, have gone even further, and included a moratorium on the use of public land for commercial development. With so little public land left, it would seem particularly timely for the Authority to re-assess what purposes public land should serve now and in the future, rather than to give all the land away and find itself with no more public land at all.

This would seem all the more urgent, given that the governor was quoted, several weeks ago, as saying that "We should push for the commercialization of beaches and opening public land for leases" for tourism investors in order to attract more tourists to the CNMI. (see the *Marianas Variety*, 9/19/02, p.5)

Wouldn't it be more helpful to the local economy if tourism investors were encouraged to lease private land?

The comment is also disturbing since Saipan's beaches aren't all that large. More beach commercialization - whatever that means - than already exists would not only deprive the public of access to which it is constitutionally guaranteed, but could also cause irreparable harm to the delicate nature of the balance between shoreline and lagoon.

Perhaps what remains of public lands should be viewed as a savings account - to be set aside for the future. After all, where is it said that all public lands must be encumbered now?

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Speaking of attracting tourists to the CNMI, another place where signs to guide Japanese tourists are conspicuous by their absence is at the Arts Council. The current display, CNMI Cultural Heritage and Arts Pacifica, includes numerous early artifacts and examples of traditional handicrafts that provide insight and background to an understanding of the island's culture. In fact, many are worthy of inclusion in the Museum's exhibits.

Unfortunately, the Marianas Visitors Authority has never seen fit to include mention of either the Museum or the Arts Council exhibits in its blurbs promoting the CNMI to tourists, and both suffer accordingly -unacknowledged, unrecognized, understaffed and underfunded - ignored by tourist and travel agents and therefore by tourists themselves.

As has been observed here before, to increase tourist traffic requires improving the product, so to speak. The Museum and the Arts Council are already in place. Both have the potential for offering the tourist a greater understanding of the history and culture of the CNMI - as well as something to do in non-beach weather. The money spent on monthly excursions to Japan by the governor and his retinue might more profitably be spent on enhancing and enlarging those institutions' display capabilities.

The results would be easily measurable through the increased flow of traffic in both institutions. With an expected increase in the sale of the weaving, beadwork and carvings on display at the Arts Council, greater tourist flow would thus also encourage and support an expanded local handicraft industry. Provided Duty Free doesn't start co-opting local artisans by selling imitations made in the Philippines, as it has done once before.

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Short takes: It has been argued that nurses should not be hired directly because then one would have to provide them with health insurance, workman's comp, sick leave, annual vacation, holidays. No wonder there's a shortage of nurses here!!!!

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Will the House Speaker ever live down those rash words: custom is more important than the law? He's been unusually - and understandably - quiet about that pronouncement - no doubt because there's no easy way out of that one.....

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I don't know if anyone has given Ambrose Bennet a call about his idea for an orientation booklet for off-island hires (the suggestion is buried in Bennett's lengthy letter in the <I>Variety's</I> 10/02 issue). It's not a new idea - PSS once published what it called "Briefing Material" for new hires. The forward notes: "The primary purpose of this briefing package is to give you some insights of the way things are and not necessarily what they ought to be."

Even today, I should think a guide to "the way things are" would certainly be helpful to island newcomers.