



THE STATE  
of **ALASKA**


GOVERNOR MICHAEL J. DUNLEAVY

**Department of Labor and  
Workforce Development**

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TO: Representative Mia Costello  
Chair – Senate Labor and Commerce Committee

FROM: Cathy Muñoz   
Deputy Commissioner – Department of Labor and Workforce Development

RE: Request hearing on SB 237

DATE: April 15, 2022

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Thank you for your consideration of a hearing on Senate Bill 237 – an act exempting certain ambulatory surgical center employees from overtime pay requirements.

Alaska law requires overtime pay for eligible workers to begin after eight working hours in a day or forty cumulative hours in a week. Certain employers, such as hospitals, have an exemption from the eight-hour requirement, allowing for more flexibility in workforce scheduling.

The use of ambulatory surgical centers has grown nationally as many procedures do not require admissions. However, these centers are not treated the same as hospitals for purposes of overtime rules.

SB 237 would allow ambulatory surgical centers to be exempt from the 8 hour per day threshold for purposes of overtime pay, however the federal 40-hour work week would still apply. This straight-forward change will provide greater scheduling flexibility, and will put ambulatory surgical centers on the same footing as hospitals.