

ALASKA STATE LEGISLATURE



REPRESENTATIVE ZACK FIELDS

Fairview • South Addition • Government Hill • Downtown • Eastridge

3/31/2021

Sectional Analysis HB 149 ver A

Section 1: This section amends AS 23.40.070, the declaration of policy regarding the Public Employment Relations Act, to include child day care providers.

Section 2: This section amends AS 23.40.080 to give child day care providers the right to self-organize, join or assist an organization to bargain collectively and engage in concerted activities for the purposes of collective bargaining or other mutual aid or protection.

Section 3: This section amends AS 23.40.090 to include child day care providers in the definition of collective bargaining unit.

Section 4: This section amends AS 23.40.100(a) to include child day care providers in the statute regarding the election of representatives and organizations for collective bargaining.

Section 5: This section amends AS 23.40.100(b) adds child day care providers to the statute that directs the labor relations agency to officiate the election on representation following the determination that a question of representation exists.

Section 6: This section amends AS 23.40.110(a) to add child day care providers to the statute prohibiting unfair labor practices by the public employer or agent of the public employer.

Section 7: This section makes conforming changes in AS 23.40.205, regarding public employee family leave benefits.

Section 8: This section amends AS 23.40.210(d) to make conforming changes.

Section 9: This section amends AS 23.40.225 to add child day care providers. It clarifies that child day care provider have the right of non-association.

Section 10: This adds a new section to AS 23.40 to add language that clarifies that nothing in

this bill makes child day care providers and organizations public employees, their inclusion in this bill does not form or terminate employer-employee relationship, change a child care provider's legal status as an entity, corporation or sole proprietorship. It also declares nothing in this bill is intended to interfere with compliance by a person, the state or political subdivision of the state with a federal law or requirement of a federal grant or subsidy. It also states that nothing in this bill prohibits a child day care provider from communicating with a public employer or another person. It also states that a child day care provider organization (union) may not process or administer payments for day care.

Section 11: This section amends AS 23.40.250 (1) to include child day care providers in the definition of collective bargaining.

Section 12: This section amends AS 23.40.252 (2) to include child day care providers in the definition of election.

Section 13: This section amends AS 23.40.250 (4) to include child day care providers in the definition of monetary terms of agreement.

Section 14: This section amends AS 23.40.250 (5) to include child day care providers in the definition of organization.

Section 15: This section amends AS 23.40.250(6) to clarify that child day care providers are not necessarily public employees.

Section 16: This section amends AS 23.40.250 (7) to clarify that child day care providers are not public employers.

Section 17: This section amends AS 23.40.250 (9) to include child day care providers in the definition of terms and conditions of employment.

Section 18: This section amends AS 23.40.250 to add new paragraphs, (11) - (13), that add the definition of child, child day care provider, day care, and state aid.

Section 19: This section makes conforming changes to AS 39.27.011, salary schedules.

Section 20: This section makes conforming changes to AS 30.27.012, temporary salary schedules.

Section 21: This section makes conforming changes to AS 39.28.020, powers and duties of the Department regarding collective bargaining agreements.

Section 22: This section makes conforming changes to AS 39.30.095, group health and benefits fund.

Section 23: this section amends AS 40.25.151(d), retirement records, to make conforming changes.