



LAWS OF ALASKA

1988

Source

CSHB 25 (Fin)

Chapter No.

69

AN ACT

Relating to affirmative action and equal employment opportunity in public employment.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

THE ACT FOLLOWS ON PAGE 1, LINE 9

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: May 27, 1988
Actual Effective Date: August 25, 1988

AN ACT

Relating to affirmative action and equal employment
opportunity in public employment.

* Section 1. AS 44.19.442(b) is amended to read:

(b) The office may

(1) recommend legislative or administrative action to the governor relating to equal employment opportunity and affirmative action matters;

(2) require the division of personnel in the Department of Administration to purge records of a complaint of unlawful discrimination from the personnel file of an employee who has filed a complaint of unlawful discrimination;

(3) forbid an agency to hire or promote employees based on a discriminatory employment practice;

(4) require an agency to reverse a personnel action including a hiring decision if it finds that the action was based on a discriminatory employment practice;

(5) require an agency to change its selection procedures if it finds that the procedures violate state or federal laws prohibiting employment discrimination; and

(6) when there is reason to believe that an employee has violated this subsection, require the agency to investigate and to impose discipline if the investigation reveals facts warranting it.

* Sec. 2. AS 44.19.442 is amended by adding a new subsection to read:

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1 (c) A collective bargaining agreement adopted under AS 23.40.-
2 070 - 23.40.260 (Public Employment Relations Act) must be consistent
3 with principles of equal employment opportunity and affirmative
4 action. AS 44.19.441 - 44.19.449 supercede the provisions of AS 39.25
5 (State Personnel Act).

6 * Sec. 3. AS 44.19.444 is amended to read:

7 Sec. 44.19.444. AFFIRMATIVE ACTION PLAN. The governor shall
8 establish an equal employment opportunity program and adopt annually
9 an affirmative action plan for the executive branch of state govern-
10 ment. The plan remains in effect until the governor adopts a subse-
11 quent plan. The office shall work with each agency to enhance equal
12 employment opportunity.

13 * Sec. 4. AS 44.19.445 is amended by adding a new subsection to read:

14 (b) When the office finds that an agency has violated the affir-
15 mative action plan or its affirmative action program, the office may

16 (1) suspend the hiring authority of the agency; and

17 (2) impose mandatory affirmative action measures on the
18 agency to bring the agency into compliance.