

CS FOR HOUSE BILL NO. 226(FIN) am

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Amended: 2/28/96

Offered: 1/31/96

Sponsor(s): REPRESENTATIVES KELLY, Rokeberg

A BILL

FOR AN ACT ENTITLED

1 "An Act permitting the provision of different retirement and health benefits to
2 certain employees by differentiating between benefits provided to employees with
3 spouses or children and to other employees."

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

5 * **Section 1.** AS 18.80.220(a) is amended to read:

6 (a) **Except as provided in (c) of this section, it** [IT] is unlawful for

7 (1) an employer to refuse employment to a person, or to bar a person
8 from employment, or to discriminate against a person in compensation or in a term,
9 condition, or privilege of employment because of the person's race, religion, color, or
10 national origin, or because of the person's age, physical or mental disability, sex, marital
11 status, changes in marital status, pregnancy, or parenthood when the reasonable demands
12 of the position do not require distinction on the basis of age, physical or mental
13 disability, sex, marital status, changes in marital status, pregnancy, or parenthood;

14 (2) a labor organization, because of a person's sex, marital status,

1 changes in marital status, pregnancy, parenthood, age, race, religion, physical or mental
2 disability, color, or national origin, to exclude or to expel a person from its membership,
3 or to discriminate in any way against one of its members or an employer or an
4 employee;

5 (3) an employer or employment agency to print or circulate or cause to
6 be printed or circulated a statement, advertisement, or publication, or to use a form of
7 application for employment or to make an inquiry in connection with prospective
8 employment, that expresses, directly or indirectly, a limitation, specification, or
9 discrimination as to sex, physical or mental disability, marital status, changes in marital
10 status, pregnancy, parenthood, age, race, creed, color, or national origin, or an intent to
11 make the limitation, unless based upon a bona fide occupational qualification;

12 (4) an employer, labor organization, or employment agency to discharge,
13 expel, or otherwise discriminate against a person because the person has opposed any
14 practices forbidden under AS 18.80.200 - 18.80.280 or because the person has filed a
15 complaint, testified, or assisted in a proceeding under this chapter;

16 (5) an employer to discriminate in the payment of wages as between the
17 sexes, or to employ a female in an occupation in this state at a salary or wage rate less
18 than that paid to a male employee for work of comparable character or work in the same
19 operation, business, or type of work in the same locality; or

20 (6) a person to print, publish, broadcast, or otherwise circulate a
21 statement, inquiry, or advertisement in connection with prospective employment that
22 expresses directly a limitation, specification, or discrimination as to sex, physical or
23 mental disability, marital status, changes in marital status, pregnancy, parenthood, age,
24 race, religion, color, or national origin, unless based upon a bona fide occupational
25 qualification.

26 * **Sec. 2.** AS 18.80.220 is amended by adding a new subsection to read:

27 (c) Notwithstanding the prohibition against employment discrimination on the
28 basis of marital status or parenthood under (a) of this section,

29 (1) an employer may, without violating this chapter, provide different
30 health and retirement benefits to employees who have a spouse or children than are
31 provided to other employees;

32 (2) a labor organization may, without violating this chapter, negotiate

- 1 different health and retirement benefits for employees of an employer who have a spouse
- 2 or children than are provided to other employees of the employer.