

**CS FOR HOUSE BILL NO. 311(JUD)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 3/14/96

Referred: Rules

Sponsor(s): REPRESENTATIVES VEZEY, Toohey, Martin

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to the hours a person may be employed in a mine; and  
2 requiring that workers be paid for certain time worked in a mine."

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

4 \* **Section 1.** AS 23.10.410 is repealed and reenacted to read:

5           Sec. 23.10.410.   LIMITATION ON PERIOD OF EMPLOYMENT IN  
6 UNDERGROUND MINES AND REQUIREMENT FOR PAY FOR CERTAIN WORK.

7 (a) Except as provided in (d) of this section, a miner may not be employed in an  
8 underground mine or workings for more than 10 hours in 24 hours, except on a day  
9 when a change of shift is made. The 10-hour limitation applies only to work actually  
10 performed at the mine face or other place where the work is actually carried on and  
11 excludes time for meals, travel to or from the mine site, and travel between the mine  
12 portal and the mine face, whether in going on or off shift, or in going to or returning  
13 from meals. However, an employer shall pay wages for the time worked from the time  
14 the miner enters the mine at the mine portal, whether or not work is performed at the  
15 mine face or other place where the work is actually carried on, until the miner leaves the

1 mine.

2 (b) If life or property is in imminent danger, the 10-hour period may be extended  
3 for the continuance of the emergency.

4 (c) The department may not, by regulation, impose more restrictions on the hours  
5 of work of miners than are imposed by this section.

6 (d) On application from an employer, the commissioner may grant a variance  
7 that permits employment in an underground mine or workings for more than 10 but not  
8 more than 12 hours in a 24-hour period if the commissioner finds that

9 (1) the additional working time is permitted under the terms of a  
10 collective bargaining agreement entered into by a bargaining organization that represents  
11 workers performing the work covered by the variance; or

12 (2) the extension is in the best interest of resident workers of the state.

13 (e) In this section, "miner"

14 (1) means a person who works in an underground mine or workings and  
15 is engaged in actual mining operations;

16 (2) does not include mechanics, warehousemen, electricians, and other  
17 support personnel at an underground mine or workings.