

HOUSE BILL NO. 389

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE COWDERY

Introduced: 2/11/98

Referred: Labor and Commerce

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to an exemption from the requirement for payment for overtime**
2 **under a voluntary written agreement for certain employees in the airline industry;**
3 **and providing for an effective date."**

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

5 *** Section 1.** AS 23.10.060(d) is amended by adding a new paragraph to read:

6 (17) work performed by an employee under a voluntary written
7 agreement addressing the trading of work hours, work days, and work shifts among
8 employees if

9 (A) the employee is employed in the airline industry, including
10 employment as a customer service representative;

11 (B) the trading agreement is not a flexible work hour plan
12 entered into under (13) or (14) of this subsection;

13 (C) the trading agreement is filed with the employee's employer;

14 and

1 (D) the trading agreement states that

2 (i) the hours worked as a result of a trade under the
3 agreement may not be considered in determining whether the employee
4 performing the work is entitled to overtime pay, except as described in
5 (ii) of this subparagraph, whether or not the hours traded between the
6 employees are equal in number or other value;

7 (ii) if, when considering only the hours traded, an
8 employee working those hours and no other hours would be entitled to
9 overtime pay for a portion of the time worked, the employee working
10 the hours is eligible for overtime pay based on the hours traded.

11 * **Sec. 2.** This Act takes effect immediately under AS 01.10.070(c).