

HOUSE BILL NO. 269

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Introduced: 5/4/01

Referred: Labor and Commerce, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act establishing employment protections for certain employees in the aviation**
2 **industry relating to safety issues."**

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

4 *** Section 1.** AS 02 is amended by adding a new chapter to read:

5 **Chapter 80. Miscellaneous Provisions.**

6 **Sec. 02.80.010. Protections for aviation employees who raise safety issues.**

7 (a) An employer in the aviation industry may not discharge, threaten, or otherwise
8 discriminate against an employee regarding the employee's compensation, terms,
9 conditions, location, or privileges of employment because the employee, in good faith

10 (1) declines to accept or carry out a job assignment because of a
11 safety-related aviation issue; or

12 (2) carries out a job assignment in a manner other than the manner
13 requested or expected by the employer because of a safety-related aviation issue.

14 (b) The provisions of this section do not diminish or impair the rights of an

1 employee under a collective bargaining agreement.

2 (c) An employer in the aviation industry shall post notices and use other
3 appropriate means to inform employees of their protections and obligations under this
4 section.

5 (d) A person who alleges a violation of this section may bring a civil action,
6 and the court may grant appropriate relief, including punitive damages.

7 (e) A person who violates or attempts to violate this section is also liable for a
8 civil fine of not more than \$10,000. The attorney general may enforce this subsection.

9 (f) In this section,

10 (1) "aircraft" has the meaning given in AS 02.15.260;

11 (2) "employer in the aviation industry" includes an owner, operator,
12 lessor of an aircraft, or other person with an interest in an aircraft or a business related
13 to an aircraft who employs at least one employee to pilot, navigate, operate, service,
14 maintain, or repair aircraft.

15 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new
16 section to read:

17 **APPLICABILITY.** (a) This Act applies to conduct by an employee of an employer in
18 the aviation industry that occurs on or after the effective date of this Act.

19 (b) The definition of "employer in the aviation industry" set out in AS 02.80.010,
20 enacted by sec. 1 of this Act, applies to this section.