

HOUSE BILL NO. 116

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE MASEK

Introduced: 2/19/03

Referred: Labor and Commerce

A BILL

FOR AN ACT ENTITLED

1 **"An Act exempting supervisory employees of small businesses from the overtime wage**
2 **requirement."**

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

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

5 (19) work performed by a supervisory employee of a small business;
6 for purposes of this paragraph,

7 (A) "small business" means an employer employing 50 or
8 fewer employees in the regular course of business, as "regular course of
9 business" is defined by regulations of the commissioner;

10 (B) "supervisory employee" means an employee

11 (i) whose primary duties are regularly assigning and
12 directing the activities of other employees;

13 (ii) who is responsible for results of the work
14 performed;

1 (iii) who does not, except for periods of time not to
2 exceed 40 percent of the hours worked in the workweek, perform duties
3 regularly performed by the employees supervised; and

4 (iv) who earns at least two-and-one-half times the state
5 minimum wage an hour for the first 40 hours of employment each
6 week.