

1 IN THE SENATE BY COMMERCE AND LABOR COMMITTEE

2 CS FOR SENATE BILL NO. 93

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SECOND LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act setting forth exemptions to over-
7 time hours requirements of Alaska Wage and
8 Hour Act; amending Sec. 3, Ch. 171, SLA'
9 1959; and providing for an effective date."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 Section 1. Sec. 3, Ch. 171, SLA 1959 is amended to read as
12 follows:

13 Sec. 3. OVERTIME HOURS. No employer who employs
14 employees engaged in commerce, or other business, or in the
15 production of goods or materials in Alaska, shall employ any
16 of his employees not acting in a supervisory capacity, either
17 male or female, for a workweek longer than forty hours or for
18 more than eight hours per day, except that should the employ-
19 er find it necessary to employ any employee in excess of the
20 hours provided for, compensation for such overtime at the
21 rate of one and one-half times the regular rate of pay shall
22 be paid, and this provision shall be deemed to be included
23 in all contracts of employment entered into hereafter; pro-
24 vided that the provisions of this section shall not apply
25 with respect to:

26 (1) any employee employed by an employer employing
27 less than four employees in the regular course of business,
28 as regular course of business is defined by regulations of
29 the Commissioner of Labor; [ANY EMPLOYEE EXEMPT UNDER SEC.

1 13(a), (b) AND (c) OF THE FAIR LABOR STANDARDS ACT OF 1938,
2 AS AMENDED;]

3 (2) an employee employed [AT A GUARANTEED SALARY
4 OF MORE THAN FIVE HUNDRED FIFTY (\$550.00) DOLLARS A MONTH]
5 in a bona fide executive, administrative, or professional
6 capacity or in the capacity of outside salesman as such terms
7 are defined by regulations of the Commissioner of Labor;
8 [AS DEFINED BY REGULATION OF THE COMMISSIONER;]

9 (3) any employee employed in handling, canning,
10 processing, curing, or storing (including cold storage) of
11 any kind of fish, shellfish, or any other aquatic forms of
12 animal or vegetable life, or any by-product thereof;

13 (4) any employee employed in handling, packing,
14 storing, pasteurizing, drying, preparing in their raw or
15 natural state, or canning of agricultural or horticultural
16 commodities for market, or in making cheese or butter or
17 other dairy products;

18 (5) any employee of an employer engaged in small
19 mining operations where not more than twelve [EIGHT] employ-
20 ees are employed, insofar as an employee is employed not in
21 excess of twelve (12) hours a day or fifty-six (56) hours a
22 week during a period or periods of not more than fourteen
23 (14) workweeks in the aggregate in any calendar year during
24 the mining season, as the season is defined by the Commissioner
25 of Labor;

26 (6) any person subject to the provisions of the
27 U. S. Railway Labor Act, 45 U. S. C. A. 151-188, as amended;[.]

28 (7) any employee engaged in agriculture;

29 (8) any employee employed in connection with the

1 N publication of any weekly, semiweekly, or daily newspaper
2 E with a circulation of less than one thousand;
3 W (9) any switchboard operator employed in a public
4 telephone exchange which has fewer than seven hundred and
5 M fifty stations;
6 A (10) any employee of an employer engaged in the
7 T business of operating taxicabs;
8 T (11) any employee in an otherwise exempted employ-
9 E ment or proprietor in a retail or service establishment en-
10 R gaged in handling telegraphic, telephone or radio messages
11 for the public under an agency or contract arrangement with
12 a telegraph or communications company where the telegraph
13 message or communications revenue of such agency does not
14 exceed \$500 a month;
15 (12) any employee employed as a seaman;
16 (13) any employee employed in planting or tending
17 trees, cruising, or surveying or bucking, or felling timber,
18 N or in preparing or transporting logs or other forestry products
19 E to the mill, processing plant; railroad, or other transporta-
20 W tion terminal, if the number of employees employed by the
21 employer in such forestry or lumbering operations does not
22 M exceed twelve;
23 A (14) any individual employed as an outside buyer
24 T of poultry, eggs, cream, or milk, in their raw or natural
25 T state;
26 E (15) casual employees as may be liberally defined
27 R by regulations of the commissioner.
28 Sec. 2. This Act takes effect on the day after its passage
29 and approval or on the day it becomes law without such approval.