

Introduced: 2/17/71  
Referred: Labor & Management and Judiciary

1 IN THE HOUSE

BY MCGILL

2 HOUSE BILL NO. 186

3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 SEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to physical examination of nonresident  
7 employees."

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

9 \* Section 1. AS 18.15.060 is amended to read:

10 Sec. 18.15.060. PHYSICAL EXAMINATIONS OF EMPLOYEES TRANSPORTED  
11 INTO STATE. It is the intent of secs. 60 - 110 of this chapter, in the  
12 exercise of the police power, to supplement the state's health program  
13 by precluding inhabitancy in the state of workers with infectious or  
14 contagious diseases recruited outside the state for work in the state  
15 and do every other thing reasonably necessary to protect the life,  
16 health, safety and welfare of employees.

17 \* Sec. 2. AS 18.15.070 is amended to read:

18 Sec. 18.15.070. PHYSICAL EXAMINATION REQUIRED OF NONRESIDENT  
19 EMPLOYEES. Each person recruited by an employer outside of the state  
20 for a job in the state shall, upon arrival at, or near, the place of  
21 employment and before entering upon the rendition of service for the  
22 employer, undergo a physical examination by a qualified Alaska physician  
23 as a check against infectious or contagious disease. The employer  
24 shall pay the expense of the physical examination. The requirement of  
25 a physical examination is considered one of the terms of the employment  
26 agreement.

27 \* Sec. 3. AS 18.15.080 is amended to read:

28 Sec. 18.15.080. CERTIFICATE OF HEALTH. When the physical examina-  
29 tion shows freedom from infectious or contagious disease, the physician

1 shall issue a certificate stating that fact and showing the name of the  
2 employee, name of the employer, and date of the examination. The  
3 physician shall keep a record of these facts and forward a copy to the  
4 Department of Labor.

5 \* Sec. 4. AS 18.15.090 is amended to read:

6 Sec. 18.15.090. RETURN TO PLACE OF RESIDENCE. If the examination  
7 shows that an employee is afflicted with an infectious or contagious  
8 disease, he is immediately subject to the precautions prescribed by  
9 the Department of Labor [DEPARTMENT] for safeguarding other persons.  
10 The physician shall keep a record showing the presence of the disease  
11 and immediately notify the employer and the Department of Labor  
12 [DEPARTMENT]. At the earliest possible time, the employer shall obtain  
13 transportation for the return of the afflicted employee to his home  
14 state. The employer is responsible for seeing that the employee leaves  
15 the state in this manner. The employer is not excused by a termination  
16 in any manner of the employer-employee relationship while the employee  
17 is in the state. Liability of the employer for return transportation  
18 is considered one of the terms of the employment agreement in each  
19 case, and timely acceptance by the employee of return transportation  
20 is considered one of the obligations in the employment contract from  
21 which the employer may not be released while the employee remains in  
22 the state.

23 \* Sec. 5. AS 18.15.100 is amended to read:

24 Sec. 18.15.100. PENALTY FOR VIOLATION. An employer who obtains  
25 the services of the employee in the state without first obtaining a  
26 health certificate or who fails to transport out of the state an employee  
27 found to be afflicted with an infectious or contagious disease, or an  
28 afflicted employee who fails or refuses to accept return transportation,  
29 is guilty of a misdemeanor, and upon conviction is punishable by a fine

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of not more than \$1,000 [\$500].

\* Sec. 6. AS 18.15 is amended by adding a new section to read:

Sec. 18.15.120. REGULATIONS. The Department of Labor shall issue orders and regulations necessary to carry out secs. 60 - 100 of this chapter.