

Introduced: 2/21/73  
Referred: Labor and  
Management

1 IN THE SENATE

BY GROH

2 SENATE BILL NO. 160

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE -- FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to wages, hours and working arrange-  
7 ments; and providing for an effective date."

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

9 \* Section 1. AS 23.40.090 is amended to read:

10 Sec. 23.40.090. COLLECTIVE BARGAINING UNIT. The labor relations  
11 agency shall decide in each case, in order to assure to employees the  
12 fullest freedom in exercising the rights guaranteed by secs. 70 - 260  
13 of this chapter, the unit appropriate for the purposes of collective  
14 bargaining, based on such factors as community of interest, wages,  
15 hours and other working conditions of the employees involved, the  
16 history of collective bargaining, and the desires of the employees.  
17 Bargaining units shall be as large as is reasonable, and unnecessary  
18 fragmenting shall be avoided. However, no unit shall include both  
19 professional and nonprofessional employees unless a majority of profes-  
20 sional employees in the proposed unit vote for inclusion in that unit.

21 \* Sec. 2. AS 23.40.250 is amended by adding a new paragraph to read:

22 (8) "professional employee" means

23 (A) an employee engaged in work

24 (i) predominantly intellectual and varied in  
25 character as opposed to routine mental, manual, mechanical or  
26 physical work;

27 (ii) involving the consistent exercise of discretion  
28 and judgment in its performance;

29 (iii) of such a character that the output produced

1 or the result accomplished cannot be standardized in relation  
2 to a given time period;

3 (iv) requiring knowledge of an advanced type in a  
4 field of science or learning customarily acquired by a pro-  
5 longed course of specialized intellectual instruction and  
6 study in an institution of higher learning or a hospital,  
7 as distinguished from a general academic education or from an  
8 apprenticeship or from training in the performance of routine  
9 mental, manual or physical processes; or

10 (B) an employee who

11 (i) has completed the courses of specialized  
12 intellectual instruction and study described in (A)(iv) of  
13 this paragraph; and

14 (ii) is performing related work under the supervision  
15 of a professional person to qualify himself to become a  
16 professional employee as defined in (A) of this paragraph.

17 \* Sec. 3. This Act takes effect on the day after its passage and approval  
18 or on the day it becomes law without approval.  
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