

Introduced: 1/17/77  
Referred: Labor & Management  
and Commerce

1 IN THE SENATE

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 52

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to wages and hours of employment."

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

8 \* Section 1. AS 23.10.060 is amended to read:

9 Sec. 23.10.060. PAYMENT FOR OVERTIME. No employer who employs  
10 employees engaged in commerce, or other business, or in the production  
11 of goods or materials in Alaska may employ an employee [NOT ACTING IN  
12 A SUPERVISORY CAPACITY], either male or female, for a workweek longer  
13 than 40 hours or for more than eight hours a day, except that, to the  
14 extent not pre-empted or superseded by federal law, an employer may  
15 employ employees under a specific written agreement, signed by the  
16 employee or the employee's collective bargaining agent, to work ten  
17 hours a day at the regular rate of pay. If [IF] the employer finds it  
18 necessary to employ an employee in excess of the workweek or workday  
19 permitted under this section, the employee shall be compensated [40  
20 HOURS A WEEK OR EIGHT HOURS A DAY, COMPENSATION] for the overtime at  
21 the rate of one and one-half times the regular rate of pay shall be  
22 paid, and this provision is considered included in all contracts of  
23 employment. This section does not apply with respect to

24 (1) [AN EMPLOYEE EMPLOYED BY AN EMPLOYER EMPLOYING LESS  
25 THAN FOUR EMPLOYEES IN THE REGULAR COURSE OF BUSINESS, AS REGULAR  
26 COURSE OF BUSINESS IS DEFINED BY REGULATIONS OF THE COMMISSIONER;]

27 (2) Repealed by sec. 33, ch. 127 SLA 1974.

28 (3) Repealed by sec. 1, ch. 243 SLA 1970, effective October  
29 31, 1970.

1 (4) An employee employed in handling, packing, storing,  
2 pasteurizing, drying, preparing in their raw or natural state, or  
3 canning agriculture or horticultural commodities for market, or in  
4 making cheese or butter or other dairy products;

5 (5) an employee of an employer engaged in operating a small  
6 mining business or operation [OPERATIONS] where not more than eight  
7 [12] employees are employed, except for the hours the employee is  
8 employed in excess of 10 hours a day or in excess of 50 hours a week [IF  
9 THE EMPLOYEE IS EMPLOYED NOT IN EXCESS OF 12 HOURS A DAY OR 56 HOURS A  
10 WEEK DURING A PERIOD OR PERIODS OF NOT MORE THAN 14 WORKWEEKS IN THE  
11 AGGREGATE IN A CALENDAR YEAR DURING THE MINING SEASON AS THE SEASON IS  
12 DEFINED BY THE COMMISSIONER];

13 (6) Repealed by sec. 1 ch. 45 SLA 1972.

14 (7) an employee engaged in agriculture;

15 (8) an employee employed in connection with the publication  
16 of a weekly, semiweekly, or daily newspaper with a circulation of less  
17 than 1,000;

18 (9) a switchboard operator employed in a public telephone  
19 exchange which has fewer than 750 stations;

20 (10) an employee of an employer engaged in the business of  
21 operating taxicabs;

22 (11) an employee in an otherwise exempted employment or  
23 proprietor in a retail or service establishment engaged in handling  
24 telegraphic, telephone, or radio messages for the public under an  
25 agency or contract arrangement with a telegraph or communications  
26 company where the telegraph message or communications revenue of the  
27 agency does not exceed \$500 a month;

28 (12) an employee employed as a seaman;

29 (13) an employee employed in planting or tending trees,

1 cruising, or surveying, or bucking, or felling timber, or in preparing  
2 or transporting logs or other forestry products to the mill, process-  
3 ing plant, railroad, or other transportation terminal, if the number  
4 of employees employed by the employer in the forestry or lumbering  
5 operations does not exceed 12;

6 (14) an individual employed as an outside buyer of poultry,  
7 eggs, cream, or milk in their raw or natural state;

8 (15) [CASUAL EMPLOYEES AS MAY BE LIBERALLY DEFINED BY  
9 REGULATIONS OF THE COMMISSIONER;]

10 (16) [AN EMPLOYEE OF A NONPROFIT HOSPITAL].  
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