

BY THE LABOR AND COMMERCE
COMMITTEE BY REQUEST

1 IN THE SENATE

2 SENATE BILL NO. 886

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act retroactively authorizing certain methods for
7 the payment of overtime; and providing for an effective
8 date."

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

10 * Section 1. AS 23.10.060 is amended by adding a new subsection to read:

11 (b) Nothing in this section prevents the use of the following
12 methods for the payment of overtime:

13 (1) a guaranteed weekly pay for variable hours plan estab-
14 lished in accordance with 29 U.S.C. 207(f) and 29 C.F.R. 778.402 -
15 778.414 (Fair Labor Standards Act of 1938, as amended (52 Stat. 1060);

16 (2) a fluctuating workweek plan established in accordance
17 with 29 U.S.C. 207(a) and 29 C.F.R. 778.114 (Fair Labor Standards Act of
18 1938, as amended (52 Stat. 1060).

19 * Sec. 2. AS 23.10.060(b) added by sec. 1 of this Act is retroactive to
20 December 9, 1978, and extinguishes any penalty, forfeiture, or liability in-
21 curred or right accruing or accrued under 8 AAC 15.100(d)(1) and (3), adopted
22 under AS 23.10.065 and 23.10.085 to prohibit the use of the overtime payment
23 methods authorized by AS 23.10.060(b) added by sec. 1 of this Act.

24 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
25 070(c).