

Offered: 4/27/87  
Referred: Judiciary and  
Finance

5-0286B

Original sponsor: Martin

1 IN THE HOUSE BY THE STATE AFFAIRS COMMITTEE  
2 CS FOR HOUSE BILL NO. 25 (State Affairs)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FIFTEENTH LEGISLATURE - FIRST SESSION  
5 A BILL

6 For an Act entitled: "An Act relating to affirmative action."

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

8 \* Section 1. AS 44.19.442(b) is amended to read:

9 (b) The office may

10 (1) recommend legislative or administrative action to the  
11 governor relating to equal employment opportunity and affirmative  
12 action matters;

13 (2) require the division of personnel in the Department of  
14 Administration to purge records from the personnel file of an employee  
15 who has filed a complaint of unlawful discrimination;

16 (3) forbid an agency to hire or promote employees and  
17 require an agency to reverse a personnel action including a hiring  
18 decision if it finds that the action was based on a discriminatory  
19 employment practice;

20 (4) require an agency to change its selection procedures if  
21 it finds that the procedures have a discriminatory effect on members  
22 of a protected class; and

23 (5) require an agency to investigate whether an employee  
24 has violated this subsection and to impose discipline if the inves-  
25 tigation reveals facts warranting it.

26 \* Sec. 2. AS 44.19.442 is amended by adding a new subsection to read:

27 (c) A collective bargaining agreement adopted under AS 23.40.-  
28 070 - 23.40.260 (Public Employment Relations Act) must be consistent  
29 with principles of equal employment opportunity and affirmative

1 action. AS 44.19.441 - 44.19.449 supercede the provisions of AS 39.25  
2 (State Personnel Act).

3 \* Sec. 3. AS 44.19.444 is amended to read:

4 Sec. 44.19.444. AFFIRMATIVE ACTION PLAN. The governor shall  
5 establish an equal employment opportunity program and adopt annually  
6 an affirmative action plan for the executive branch of state govern-  
7 ment. The plan remains in effect until the governor adopts a subse-  
8 quent plan. The office shall work with each agency to enhance equal  
9 employment opportunity.

10 \* Sec. 4. AS 44.19.445 is amended by adding a new subsection to read:

11 (b) When the office finds that an agency has violated the affir-  
12 mative action plan or its affirmative action program, the office may  
13 (1) suspend the hiring authority of the agency; and  
14 (2) impose mandatory affirmative action measures on the  
15 agency to bring the agency into compliance.