

Original sponsor: Martin

1 IN THE HOUSE BY THE FINANCE COMMITTEE
2 CS FOR HOUSE BILL NO. 25 (Finance)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FIFTEENTH LEGISLATURE - SECOND SESSION
5 A BILL
6 For an Act entitled: "An Act relating to affirmative action and equal
7 employment opportunity in public employment."
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
9 * Section 1. AS 44.19.442(b) is amended to read:
10 (b) The office may
11 (1) recommend legislative or administrative action to the
12 governor relating to equal employment opportunity and affirmative
13 action matters;
14 (2) require the division of personnel in the Department of
15 Administration to purge records of a complaint of unlawful discrimina-
16 tion from the personnel file of an employee who has filed a complaint
17 of unlawful discrimination;
18 (3) forbid an agency to hire or promote employees based on
19 a discriminatory employment practice;
20 (4) require an agency to reverse a personnel action includ-
21 ing a hiring decision if it finds that the action was based on a
22 discriminatory employment practice;
23 (5) require an agency to change its selection procedures if
24 it finds that the procedures violate state or federal laws prohibiting
25 employment discrimination; and
26 (6) when there is reason to believe that an employee has
27 violated this subsection, require the agency to investigate and to
28 impose discipline if the investigation reveals facts warranting it.
29 * Sec. 2. AS 44.19.442 is amended by adding a new subsection to read:

1 (c) A collective bargaining agreement adopted under AS 23.40.-
2 070 - 23.40.260 (Public Employment Relations Act) must be consistent
3 with principles of equal employment opportunity and affirmative
4 action. AS 44.19.441 - 44.19.449 supercede the provisions of AS 39.25
5 (State Personnel Act).

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

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

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

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