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Referred: Labor and Commerce
and Finance

5-0462A

1 IN THE SENATE

BY BINKLEY, FAIKS,
FISCHER AND HENSLEY

2 SENATE BILL NO. 128

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 state employees; and providing
7 for an effective date."

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

9 * Section 1. AS 22.05.140(c) is repealed and reenacted to read:

10 (c) In addition to annual salary, each justice is entitled to
11 receive a geographic cost-of-living adjustment, based on the location
12 of the primary office assignment, equal to the amount established
13 under AS 39.27.020 for a state employee working in the same election
14 district. Retirement benefits to which a justice may be entitled
15 shall be computed only on the annual salary.

16 * Sec. 2. AS 22.10.190(c) is repealed and reenacted to read:

17 (c) In addition to annual salary, a superior court judge is
18 entitled to receive a geographic cost-of-living adjustment, based on
19 the location of the judge's primary office assignment, equal to the
20 amount established under AS 39.27.020 for a state employee working in
21 the same election district. Retirement benefits to which a superior
22 court judge may be entitled shall be computed only on the annual
23 salary.

24 * Sec. 3. AS 22.15.220(b) is amended to read:

25 (b) Each magistrate shall receive annual compensation to be
26 determined by the supreme court. Salary increases shall be determined
27 on the basis of percentage of pay increase the legislature provides
28 for state employees in the classified service. The base salary of a
29 magistrate shall be increased by an amount [A PERCENTAGE] equal to the

1 amount [THREE AND ONE-HALF PERCENT TIMES THE NUMBER OF STEP INCREASES]
2 provided under AS 39.27.020 that a state employee would receive work-
3 ing in the same election district. A magistrate's annual compensation
4 may be payable, at the option of the magistrate, either monthly in 12
5 equal installments or semi-monthly in 24 equal installments.

6 * Sec. 4. AS 22.15.220(d) is repealed and reenacted to read:

7 (d) In addition to annual salary, a district court judge is
8 entitled to receive a geographic cost-of-living adjustment, based on
9 the location of the judge's primary office assignment, equal to the
10 amount established under AS 39.27.020 for a state employee working in
11 the same election district. Retirement benefits to which a district
12 court judge may be entitled shall be computed only on the annual
13 salary.

14 * Sec. 5. AS 23.40.210 is amended to read:

15 Sec. 23.40.210. AGREEMENT. (a) Upon the completion of nego-
16 tiations between an organization and a public employer, if a settle-
17 ment is reached, the employer shall reduce it to writing in the form
18 of an agreement.

19 (b) The agreement may include a term for which it will remain in
20 effect, not to exceed three years.

21 (c) The agreement shall include

22 (1) a pay plan designed to provide for a cost-of-living
23 differential between the salaries paid employees residing in the state
24 and employees residing outside the state; the [. THE] plan shall
25 provide that the salaries paid, as of August 26, 1977, to employees
26 residing outside the state shall remain unchanged until the difference
27 between those salaries and the salaries paid employees residing in the
28 state reflects the difference between the cost of living in Alaska and
29 living in Seattle, Washington; and

1 (2) [. THE AGREEMENT SHALL INCLUDE] a grievance procedure
2 which shall have binding arbitration as its final step.

3 (d) An agreement between the state and a bargaining organization
4 representing state employees may not

5 (1) establish a work week of fewer than 40 hours;

6 (2) limit the state's right to contract for services if
7 contracting for the services will be more cost effective than assign-
8 ing state employees to perform the services;

9 (3) require the state to pay an employee a performance
10 incentive or other increase based on performance unless the employee's
11 performance has been outstanding; in any case, an employee's salary
12 may not increase because of performance more than one step in 12
13 months; or

14 (4) require increased pay based on the geographic area of
15 the state in which the position is located, except as provided in
16 AS 39.27.020.

17 (e) Either party to the agreement has a right of action to
18 enforce the agreement by petition to the labor relations agency.

19 * Sec. 6. AS 39.27.011 is amended by adding a new subsection to read:

20 (d) The state may not pay an employee an increased salary as a
21 performance incentive or other increase based on performance unless
22 the employee's performance has been outstanding. An employee's salary
23 may not increase because of performance more than one step in 12
24 months.

25 * Sec. 7. AS 39.27.020(a) is repealed and reenacted to read:

26 (a) State employees who are employed full-time and whose posi-
27 tions are located in the following geographic areas are entitled to
28 monthly pay differentials as indicated in the table in this subsec-
29 tion. A part-time employee is entitled to a proportionate pay

1 differential.

2	Pay	Geographic Areas
3	Differential	(Election districts)
4	\$ 0	1, 2, 3, 4, 7, 8, 9, and 10
5	117	that part of 16 south of the Arctic
6		Circle except the communities of
7		Tok and Delta Junction
8	147	5
9	264	11
10	323	6
11	469	the communities of Tok and Delta
12		Junction in 16
13	587	the community of Nenana in 15
14	792	12 and 13
15	880	15, except the community of Nenana,
16		and 19
17	997	18
18	1,115	14
19	1,232	that part of 16 north of the
20		Arctic Circle, and 17
21	-389	states other than Alaska

22 * Sec. 8. AS 39.27 is amended by adding a new section to read:

23 Sec. 39.27.024. WORK WEEK. The work week for state employees
24 who are not members of a collective bargaining unit under the Public
25 Employment Relations Act (AS 23.40) consists of 40 hours in work
26 status from 12:01 a.m. Sunday to 11:59 p.m. Saturday.

27 * Sec. 9. The amendments made by sec. 5 of this Act apply to work
28 performed on or after July 1, 1987.

29 * Sec. 10. Sections 5 and 9 of this Act take effect immediately under

1 AS 01.10.070(c).

2 * Sec. 11. Sections 1 - 4 and 6 - 8 of this Act take effect July 1,
3 1987.