

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

1 IN THE SENATE

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SENATE BILL NO. 254

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IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

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For an Act entitled: "An Act relating to implementation of a classifica-  
7 tion study for state employees; and providing for an  
8 effective date."

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

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\* Section 1. AS 23.40.210 is amended by adding a new subsection to  
11 read:

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(b) The employer and the organization may not negotiate over or

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include in the agreement a provision that is contrary to AS 39.27.-

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013(b) or (c). The employer and the organization shall include in the

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agreement a system of sub-steps for implementation of the classifica-

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tion study as provided in AS 39.27.013(a), and the employer and the

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organization may negotiate over the dollar amounts for each sub-step

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at each salary range.

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\* Sec. 2. AS 39.27 is amended by adding a new section to read:

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Sec. 39.27.013. IMPLEMENTATION OF CLASSIFICATION STUDY. (a) In

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order to implement the classification study that was conducted under

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the appropriation in sec. 32, ch. 107, SLA 1983, page 10, line 23, as

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amended by sec. 214, ch. 171, SLA 1984, and sec. 405, ch. 105, SLA

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1985, the basic monthly salary schedule in AS 39.27.011(a) shall be

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supplemented by up to six sub-steps. The sub-steps must reflect pay

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rates that are integrated with the salary schedule in AS 39.27.011(a).

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Adoption of the sub-step amounts of pay is not subject to the Adminis-

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trative Procedure Act (AS 44.62), but the sub-steps must be published

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in the Alaska Administrative Register and Code for information

1 purposes. Any salary schedule negotiated under AS 23.40 must also in-  
2 clude a schedule of integrated sub-steps.

3 (b) Step placement under the classification study for individu-  
4 als employed by the state on the date of implementation of the classi-  
5 fication study is as follows:

6 (1) Movement to a higher salary range. For purposes of  
7 moving an employee to a higher salary range, either through reclassi-  
8 fication of an individual position or change in range of an entire job  
9 class, the employee must be placed at the lowest step or sub-step in  
10 the higher pay range that does not result in a decrease in salary. An  
11 employee's merit anniversary or longevity eligibility date is not  
12 affected as a result of an action taken in accordance with this para-  
13 graph.

14 (2) Movement to a lower salary range. For purposes of  
15 moving an employee to a lower salary range, either through reclassi-  
16 fication of an individual position or change in range of an entire job  
17 class, the employee must be placed at the step or sub-step in the  
18 lower range that provides a salary that is the same as the employee's  
19 current salary. However, if no step or sub-step in the lower range  
20 provides the same salary, the employee must be assigned to the highest  
21 step or sub-step that provides a lesser salary, but the employee's  
22 salary remains frozen at the former higher rate (A) until earned merit  
23 step advancements or adjustments to the salary schedule cause the rate  
24 for the assigned step or sub-step to exceed the frozen rate, or (B)  
25 for up to two years, after which it is reduced to the rate for the  
26 assigned step or sub-step. An employee's merit anniversary or longev-  
27 ity eligibility date is not affected as a result of an action taken in  
28 accordance with this paragraph.

29 (c) Step placement under the classification study for

1 individuals hired as state employees after the date of implementation  
2 of the classification study is as follows:

3 (1) The employee must be placed at the lowest step or  
4 sub-step in the salary range corresponding to the employee's classi-  
5 fication.

6 (2) Notwithstanding (1) of this subsection, a beginning  
7 salary higher than the lowest step or sub-step in the appropriate  
8 salary range may be authorized by the director of the division of  
9 personnel for a position in the classified service, or by the appoint-  
10 ing authority for a position in the partially exempt service. The  
11 higher step or sub-step may only be authorized if

12 (A) the employee is exceptionally qualified;

13 (B) recruitment is extremely difficult for a job class  
14 or particular position; or

15 (C) the salary is authorized by the appointing author-  
16 ity for an employee eligible for noncompetitive rehire, as long  
17 as the salary step or sub-step does not exceed the step or sub-  
18 step formerly earned by the employee.

19 (d) For purposes of personnel rules adopted under AS 39.25.140  
20 and 39.25.150, a sub-step created under (a) of this section is con-  
21 sidered the functional equivalent of a step.

22 (e) This section supersedes any personnel rule to the contrary.

23 \* Sec. 3. Effective January 16 of each year, the lowest remaining  
24 sub-step established under AS 39.27.013(a) is repealed. Any employee being  
25 paid at the rate of a sub-step on the date of its repeal must automatically  
26 be paid at the rate of the next sub-step or step.

27 \* Sec. 4. Section 2 of this Act does not alter rights or obligations  
28 under a collective bargaining agreement in effect on the effective date of  
29 sec. 2 of this Act.

- 1 \* Sec. 5. Sections 1 and 2 of this Act take effect immediately under
- 2 AS 01.10.070(c).
- 3 \* Sec. 6. Section 3 of this Act takes effect January 16, 1989.
- 4 \* Sec. 7. AS 23.40.210(b), enacted in sec. 1 of this Act, and AS 39.-
- 5 27.013, enacted in sec. 2 of this Act, are repealed January 16, 1994.