

Introduced: 3/10/88
Referred: Transportation and Finance

5-1915A

1 IN THE SENATE

BY THE TRANSPORTATION COMMITTEE

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SENATE BILL NO. 486

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act establishing an employment preference for
7 certain employees of the Alaska marine highway sys-
8 tem."

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

10 * Section 1. AS 19.65 is amended by adding a new section to read:

11 Sec. 19.65.030. EMPLOYEE PREFERENCE. (a) When the Alaska
12 marine highway system is hiring to fill a vacancy in a licensed,
13 entry-level position, the system shall offer the position to the most
14 senior employee who is qualified for a preference under (b) of this
15 section. If the qualified employee with the most seniority refuses
16 the position, the system shall offer the position to the remaining
17 qualified employees in order of seniority until the vacancy is filled.
18 The system may not offer the position to a person who is not entitled
19 to a preference unless each person entitled to a preference has re-
20 fused the position.

21 (b) A person is entitled to a preference under this section if
22 the person

23 (1) has at least three years employment on a vessel
24 operated by the system;

25 (2) is currently licensed as required by the vacant posi-
26 tion; and

27 (3) is employed on a vessel operated by the system in a
28 position that does not require the employee to be licensed.

29 (c) A collective bargaining agreement entered into between the

1 system and an employee bargaining organization under AS 23.40 must be
2 consistent with this section.

3 (d) In this section, "license" means a license issued by the
4 United States Coast Guard or another governmental agency that is
5 required to work as an engineer, master, mate, or pilot on a vessel
6 operated by the Alaska marine highway system.

7 * Sec. 2. AS 23.40.210 is amended by adding a new subsection to read:

8 (b) Notwithstanding any provision of AS 23.40.070 - 23.40.260 to
9 the contrary, an agreement entered into between the state and an
10 employee bargaining organization representing employees of the Alaska
11 marine highway system that conflicts with AS 19.65.030, concerning
12 hiring for entry-level, licensed positions in the Alaska marine high-
13 way system, is void.

14 * Sec. 3. Notwithstanding AS 19.65.030(c), enacted by sec. 1 of this
15 Act, and AS 23.40.210(b), enacted by sec. 2 of this Act, a collective
16 bargaining agreement in effect on the effective date of this Act that
17 contains terms that conflict with AS 19.65.030 remains valid until it
18 expires. However, the agreement may not be renewed or extended on or after
19 the effective date of this Act unless it complies with this Act.