

HOUSE BILL NO. 29
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES BRICE, Menard, Sitton

Introduced: 1/11/93

Referred: Labor & Commerce, State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to food and housing for construction workers at remote
2 construction sites on certain state construction projects; and providing for an
3 effective date."

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

5 * Section 1. AS 36.90 is amended by adding a new section to read:

6 Sec. 36.90.110. FOOD AND HOUSING AT REMOTE STATE
7 CONSTRUCTION SITES. (a) Except as provided in (b) and (c) of this section, the
8 state shall require that a contractor provide food and housing to an employee of the
9 contractor working on a state construction project at a remote construction site. The
10 contractor may not consider the cost of the food and housing in setting wages for the
11 employee or in meeting wage requirements under AS 23.10.065 or AS 36.05.

12 (b) Before the award of a state construction contract, the state shall estimate
13 the length of active, on-site workdays required to complete the project, and the number
14 of contractor employees required at peak employment periods. If the estimate

1 indicates that the project will require fewer than 60 continuous calendar days of active
2 on-site work or fewer than 15 contractor employees at peak employment periods, the
3 project is exempt from the requirement to provide food and housing set out in (a) of
4 this section.

5 (c) A contractor who provides adequate transportation to employees is exempt
6 from the requirement to provide food and housing set out in (a) of this section for
7 those employees for whom the transportation is provided. Transportation is adequate
8 under this subsection if it

9 (1) transports the employee from the departure point to the work site
10 in 60 minutes or less or if the employer pays wages to the employee for time spent
11 travelling to the work site in excess of 60 minutes; return transportation shall be
12 provided on the same basis;

13 (2) is available each workday at times reasonably close to the beginning
14 and ending of each work shift;

15 (3) begins from and returns to a departure point that is central to either
16 a location where commercially available food and lodging establishments exist or
17 which is the domicile of the employee; and

18 (4) meets applicable transportation safety standards.

19 (d) Unless a state construction contract is exempt under (b) or (c) of this
20 section, the specifications for the contract must contain a provision setting out the
21 requirement for providing food and housing at remote construction sites and the
22 optional provision for transportation services. When these provisions are required in
23 a contract, the contract must designate the site and include relevant permits for the
24 housing.

25 (e) The Department of Transportation and Public Facilities shall implement this
26 section by regulation.

27 (f) In this section,

28 (1) "domicile" means the principal place of residence of an individual
29 during the 90 days before employment on the state construction project;

30 (2) "remote" means a work site that is either more than 50 road miles
31 from or inaccessible by two-wheel drive vehicles from a location that has commercial

1 food and lodging establishments adequate to accommodate the work force of the state
2 construction project;

3 (3) "state construction" means the on-site field surveying, erection,
4 rehabilitation, alteration, extension, or repair, including painting or redecorating, of
5 buildings, highways, or other improvements to real property, under contract for the
6 state.

7 * Sec. 2. This Act does not apply to a contract for a state construction project that was
8 entered into before September 1, 1993.

9 * Sec. 3. This Act takes effect September 1, 1993.