

HB

122

COMMITTEE REPORT

HOUSE

2/5/81

FURTHER: FINANCE

(5)

Date: _____

Mr. Speaker:

The Committee on STATE AFFAIRS has had HB 122

"An Act providing retirement benefits for certain seasonal employees."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title

and recommends _____

AND attaches a "Letter of Intent" New Fiscal Note

reports it back without recommendation

referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

ALASKA STATE LEGISLATURE

TWENTY-THIRD Legislature FIRST Session

HOUSE BILL NO. 122

By MILLER AND DUNCAN

"An Act providing retirement benefits for certain seasonal employees."

Retirement benefits - seasonal employees

Introduced in the House ... 2/5/... 19..81

HISTORY IN THE HOUSE

19 81	Read first time and referred to Committee on State Affairs and Finance										
Feb 5	Reported back with recommendation that										
	Read second time and										
	Read third time and										
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
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	Reconsideration										
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PASS	Effective Date										
Yeas	Yeas										
Nays	Nays										
Absent	Absent										
Excused	Excused										
	Reported correctly engrossed										
	Signed by Speaker										
	Sent to Senate										
	CHIEF CLERK OF THE HOUSE										

HISTORY IN THE SENATE

19	Read first time and referred to Committee on										
	Reported back with recommendation that										
	Read second time and										
	Read third time and										
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Nays	Nays										
Absent	Absent										
Excused	Excused										
	Reported correctly engrossed										
	Signed by President										
	Returned to House										
	SECRETARY OF THE SENATE										

HISTORY IN THE HOUSE

19	Received from Senate
	Concurred in Senate amendment thus adopting: VOTE
	Failed to concur in Senate amendment; asked Senate to recede VOTE
	Senate receded from amendment: VOTE
	Senate failed to recede from amendment VOTE
	CC appointed by House
	CC appointed by Senate
	CC adopted by House VOTE
	CC adopted by Senate VOTE
	To enrolling
	Reported correctly enrolled
	Sent to Governor
 by Governor
	Filed with Lt. Governor
	Chapter No.



JUNEAU, ALASKA

Alaska State Legislature

BLUE RIBBON COMMISSION ON THE
STATE PERSONNEL ACT
Pouch AG/Mail Stop 0123
Juneau, Alaska 99811
(907) 465-4442

Senator Bill Ray
Chairman

M E M O R A N D U M

March 27, 1981

TO: Senator Bill Ray, Chairman

FROM: Teresa B. Cramer *TBC*
Administrative Assistant

SUBJECT: Marianne Sheridan -- Retirement Credit for Temporary Service

I talked with Marianne Sheridan concerning her retirement situation. She is a retired state employee with some years of temporary employment in addition to her permanent employment. She applied for credit for the periods of temporary employment and has been informed by the Division of Retirement and Benefits that it would cost her more to pay for credit for her temporary time than she would gain in increased benefits for that time. This happens because the law requires that in order to receive credit for temporary service, the employee must pay the full actuarial cost to the system for the benefits. Employees of the Division of Retirement & Benefits have advised me that their experience indicates that Ms. Sheridan's case is typical of what is happening to almost all retired state employees who have applied for credit for temporary employment.

The law provides in AS 39.35.345(a) that:

A vested employee is entitled to credited service for periods in which he regularly rendered full-time personal service to an employer but was not qualified to participate in the system because of the exclusion of temporary workers as described in AS 39.35.680(21)(C)(iii). Benefits are not payable on this credited service unless the employee makes retroactive contributions to the system for the period of time that credited service is claimed. The retroactive contribution is the full actuarial cost of providing benefits for the credited service claimed.

I spoke with Chuck Elrod from the Division of Retirement. He pointed out that this is one of only two programs which require that the employee pay the full actuarial cost of the benefit in order to be

Senator Bill Ray
March 27, 1981
Page Two

eligible for credit for the service. The other program is for teachers who want credit for years of employment in the Lower 48. For receiving credit for prior military service, for credit for temporary legislative service, for credit for employment as a permanent employee of the Territory or for the various peace officer or correctional officer service periods, employees are required to pay less than the full actuarial cost.

Ms. Sheridan is concerned about why the legislature amended the law to apparently provide benefits for temporary service when, in fact, it is no benefit at all to presently retired Alaskans.

TBC:lmk



State of Alaska

LABOR RELATIONS AGENCY

P. O. BOX 6701 • ANCHORAGE, ALASKA 99502
TELEPHONE (907) 248-2630

C. R. "STEVE" HAFLING
CHAIRMAN
RONALD M. HENRY
MORGAN REED

WM. J. PAUZAUSKIE
CONSULTANT

TO: C.R. "Steve" Hafling, Chairman
ALASKA LABOR RELATIONS AGENCY

FROM: Ann Schwarz, Assistant to the Board

DATE: March 12, 1981

I. SUMMARY OF 1980 BUSINESS1
Unfair Labor Practice Charges.	.1
Unit Clarifications.3
Unit Authorizations.4
Other Petitions.5
II. SUMMARY OF PENDING CASES6

I. SUMMARY OF 1980 BUSINESS

Unfair Labor Practice Charges:

ULPC-80-1 PUBLIC EMPLOYEES LOCAL 71 vs. STATE OF ALASKA (1-23-80)

Issue: Local 71 claimed the State was refusing to arbitrate a per diem labor dispute in Valdez.

Action: After the LRA scheduled a hearing, the parties settled their differences and Local 71 withdrew the charge

ULPC-80-2 PUBLIC EMPLOYEES LOCAL 71 vs. STATE OF ALASKA (1-4-80)

Issue: The Union alleged that the State violated Alaska statutes by making unilateral changes in health benefits available to bargaining unit members.

Action: In hearing the case, the LRA found that the parties did bargain on the scope of health benefits but were unable to agree. As the State can make unilateral changes in the terms and conditions of employment after a contract expires (LRA Order and Decision #54), and the changes in question were indeed made after the expiration of the contract between the Union and the State, the Agency concluded that the State had bargained in good faith. In Order and Decision #57, the Agency dismissed the charge.

ULPC-80-3 PUBLIC EMPLOYEES LOCAL 71 vs. STATE OF ALASKA (1-11-80)

Issue: The Union alleged that the State made certain changes in job classifications without consulting the Union.

Action: In hearing the case, the Agency concluded that the Union had failed to meet the burden of proof that the State had violated the law. In Order and Decision #58, it dismissed the case.

ULPC-80-4 PUBLIC EMPLOYEES LOCAL 71 vs. STATE OF ALASKA (1-11-80)

Issue: The Union alleged that the State acted unilaterally in reducing the benefits of the mechanical inspection division.

Action: Following a LRA hearing on March 3, the parties settled their differences.

ULPC-80-5 INLANDBOATMENS UNION-SEAFARERS vs. INLANDBOATMENS UNION OF THE PACIFIC (2-29-80)

Issue: The IBU-Seafarers accused IBU-Pacific of interfering with employees PERA (Public Employees Relations Act) rights.

Action: The first hearing scheduled by the Agency was postponed at the request of IBU-Seafarers. One week before the second scheduled hearing, the IBU-Seafarers withdrew the charge.

ULPC-80-6 IBEW FOR PUBLIC SERVICE EMPLOYEES ASSN vs. STATE OF ALASKA (3-21-80)

Issue: The Union accused the State of failing to bargain in good faith and interfering with employee PERA rights, specifically by unilaterally changing appearance standards of the Trooper dress code.

Action: The Agency asked the State to respond to this charge, and found the State had taken no action to alter appearance standards, and if it were to do so in the future, "such action will be accomplished in accordance with our labor agreement."

ULPC-80-7 PUBLIC EMPLOYEES LOCAL 71 vs. STATE OF ALASKA (3-7-80)

Issue: The Union alleged that the State committed an unfair labor practice by refusing to arbitrate a dispute in Kodiak, Alaska. The State wanted to arbitrate in Anchorage.

Action: Upon hearing the case, the Agency issued Order and Decision #60, which 1)set forth the appropriate considerations to determine the proper venue of arbitration hearings; and 2)ordered the parties to conduct this specific arbitration hearing in Anchorage.

ULPC-80-8 PUBLIC EMPLOYEES LOCAL 71 vs. STATE OF ALASKA (6-5-80)

Issue: The Union claimed the State was failing to enforce an arbitrator's decision.

Action: The complaintant withdrew the charge.

ULPC-80-9 APEA vs. STATE OF ALASKA (9-19-80)

Case still pending - see Page 6.

ULPC-80-10 PUBLIC EMPLOYEES LOCAL 71 vs. STATE OF ALASKA (12-15-80)

Case still pending - see Page 6.

Unit Clarifications

At issue in Unit Clarification cases is the proper bargaining unit classification of a particular job position. Following is a list of the petitions for Unit Clarifications received by the Agency last year, including the particular job position in question and the action taken on each case.

		<u>Position</u>	<u>Action</u>
UC-80-1	2-7-80	Airport Maintenance Supt.	Parties agreed to reclassification.
UC-80-2	4-9-80	Asst Correctional Supt.	LRA determined Supervisors is appropriate unit.
UC-80-3		Natural Resources Cartographer	Hearing scheduled and postponed. Parties settled.
UC-80-4	5-16-80	Retirement Benefit Specialist II	APEA withdrew its objection to General Govt classification.
UC-80-5	5-6-80	Clerk IV	APEA withdrew objection to Confidential classification
UC-80-6	5-6-80	Accounting Clerk II	Position vacant, so LRA took no action.
UC-80-7	6-12-80	Division of Labor Relations Employees Petition to Withdraw from Collective Bargaining	Petition withdrawn prior to scheduled hearing
UC-80-8	5-22-80	Clerk Typist II	Objections to reclassification withdrawn.
UC-80-9	7-8-80	Clerk IV	APEA withdrew objection to reclassification
UC-80-10	8-7-80	Clerk Typist II	APEA withdrew objection to reclassification
UC-80-11	8-6-80	Supervisory bargaining unit	APEA withdrew request for unit clarification.
UC-80-12	9-8-80	Clerk Typist II	After LRA hearing, Board found General Govt unit appropriate (O&D #62)
UC-80-13	9-25-80	Vehicle-Operator-Firefighter	Pending
UC-80-14	12-9-80	Civil Engineer II	Petition withdrawn.
UC-80-15	12-11-80	Airport Safety Officers V	Pending.

Unit Authorizations:

UA-80-1 ADJUNCT FACULTY, UNIVERSITY OF ALASKA (10-27-80)

Issue: ACCFT petitioned the Agency to recognize all regular or permanent part-time employees engaged in teaching and/or counseling at ACC throughout Alaska as a bargaining unit.

Action: The Agency has investigated the petition and is scheduled to hear the case March 20, 1981.

DISMISSED 3/22/81

UA-80-2 ASSOCIATED FACULTY, UNIVERSITY OF ALASKA (12-3-80)

Issue: NEA petitioned the Agency to recognize as a bargaining unit all probationary, permanent, or visiting employees having academic rank in the University of Alaska system who are not members of another recognized bargaining units.

Action: The Agency has investigated the petition, including checking the signatures of employees requesting representation and conducting a hearing on the case in January. Further hearings are scheduled for March 19 and 23, 1981.

Other Petitions:

PET-80-1 INLANDBOATMEN'S UNION-SEAFARERS PETITION FOR DECERTIFICATION OF PRESENT BARGAINING UNIT REPRESENTATIVE, INLANDBOATMEN'S UNION OF THE PACIFIC (3-3-80)

Issue: To determine the bargaining unit representative of employees of the Alaska Marine Highway System.

Action: The LRA investigated the petition and found the required 30% of affected employees wanted an election to determine a bargaining unit representative.

The Agency then conducted a secret ballot election by mail of the 676 bargaining unit members on May 23, 1980. IBU-Union of the Pacific won the election, and the Agency certified it as the bargaining unit representative.

PET-80-1 PUBLIC EMPLOYEES LOCAL 71 REQUEST FOR STRIKE VOTE ELECTION (2-80)

Issue: Petitioner believed a deadlock in collective bargaining with the State had been reached and asked the Agency to conduct a Strike Vote.

Action: The LRA appointed a mediator to help the parties reach agreement. Parties are still negotiating and to date a settlement has not been reached.

PET-80-3 INLANDBOATMEN'S UNION OF THE PACIFIC PETITION FOR STRIKE VOTE (6-5-80)

Issue: Petitioner asserted a deadlock had occurred in bargaining negotiations with the State. The State refused to admit that either negotiations were at impasse or that mediation over disputed issues was necessary. Petitioner therefore asked the LRA to conduct a secret strike vote.

Action: IBU withdrew the petition upon resolution of the collective bargaining dispute.

PET-80-4 MASTERS, MATES, & PILOTS STRIKE VOTE PETITION (6-17-80)

Issue: Petitioner believed a deadlock in collective bargaining with the State had been reached and asked the Agency to conduct a Strike Vote.

Action: The Agency investigated the petition and determined that all efforts to negotiate the dispute had not been exhausted; thus the petition was premature. It appointed a mediator, and the parties are still negotiating.

II. SUMMARY OF PENDING CASES

ULPC-80-9 APEA vs. STATE OF ALASKA UNFAIR LABOR PRACTICE CHARGE (9-19-80)

Issue: The Union accused the State of refusing to hear overtime disputes; the State countersued that the Union was refusing to establish procedures for the orderly conduct of overtime hearings; both thus claimed the other was refusing to bargain collectively in good faith.

Action: Following an informal hearing the Board issued a Preliminary Order pending a final hearing which ordered both parties to contact an arbitrator immediately and proceed to arbitration.

At a subsequent hearing, the charge was amended to include that the State was using evidence from overtime hearings to reclassify job positions, a "chilling effect" on employees exercising their PERA rights.

Parties are still negotiating.

ULPC-80-10 PUBLIC EMPLOYEES LOCAL 71 vs. STATE OF ALASKA (12-15-80)

Issue: The Union claimed the State has refused to comply with an arbitrators Valdez per diem arbitration award.

Action: This case is still pending, with a hearing scheduled for March 20, 1981.

Hearings 3/24/81

UC-80-13 UNIT CLARIFICATION: VEHICLE-OPERATOR-FIREFIGHTER (9-25-80)
UC-80-15 UNIT CLARIFICATION: AIRPORT SAFETY OFFICERS V (12-11-80)

Issue: In both cases, the issue is the proper bargaining unit classification for each job position.

Action: The LRA is hearing both cases the last week of March, 1981.

UA-79-2 UNIT AUTHORIZATION: CORRESPONDENCE STUDY TEACHERS

Issue: The petition sought the recognition of the Correspondence Study Teachers as a separate bargaining unit and the election of a bargaining unit representative for the unit.

Action: After many hearings and investigations, the LRA authorized the unit and is ready to conduct an election this spring for the bargaining unit representative.

UA-80-1 UNIT AUTHORIZATION: ADJUNCT FACULTY, UNIVERSITY OF ALASKA

See Page 4 for Issues and Action.

DISMISSED 3/20/81

UA-80-2 UNIT AUTHORIZATION: ASSOCIATED FACULTY, UNIVERSITY OF ALASKA

See Page 4 for Issues and Action.

ULPC-81-1 PUBLIC EMPLOYEES LOCAL 71 vs. STATE OF ALASKA UNFAIR
LABOR PRACTICE CHARGE (3-10-81)
PET-81-1 PUBLIC EMPLOYEES LOCAL 71 STRIKE VOTE PETITION (3-10-81)

Issue: The Union claimed the State is failing to bargain in good faith, and that an impasse in negotiations exists; thus it has petitioned the Agency to conduct a Strike Vote.

Action: The Agency just received these petitions and has not taken action on them as yet.

*TO MEDIATION
4/1/81*

8
MSG 81-00013656 PRTY 1 04/23/81 10:12:58 ORIG: LM00 IN= 0002 OUT= 0019
FROM: MARY/MATSU TO: JUNEAU INFORMATION PAGE 0004
TARGET: LJH2 SUBJ: P.O.M.

TO: SENATOR KERTTULA
REF. CARNEY
HOUSE STATE AFFAIRS COMMITTEE
REF. MILLER, REP. FULLER, REP. BROWN, REP. ABOOD, REF. CUDDY

FR: MARTY FINE, BOX 801, WASILLA 99687

I URGE YOUR SUPPORT AND PASSAGE OF HR 122. THIS DEFINITELY AFFECTS ME
FROM MY PAST STATE SEASONAL EMPLOYMENT. IT WILL ALSO BENEFIT MANY OTHERS
IN THIS AREA WHO HAVE WORKED ON A SEASONAL BASIS. THANK YOU, IN ADVANCE,
FOR YOUR EFFORTS.

*In House State Affairs
since 2/5/81, then to Finance
Int's by Miller*

APR 24 RECD

Alaska State Legislature



PAT CARNEY
DISTRICT 6
WASILLA, ALASKA 99687

POUCH V
JUNEAU, ALASKA 99811

COMMITTEES

FINANCE

House of Representatives

May 13, 1981

Marty Fine
Box 801
Wasilla, Alaska

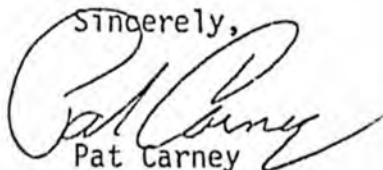
Dear Ms. Fine:

I agree that the passage of HB 122 as it currently reads would benefit many people. The bill does appear to be moving slowly, however. It has been in the House State Affairs Committee since February 5. It then needs to be passed through the Finance Committee before going to Rules and the House floor, not to mention passing the Senate. Although I doubt whether this bill will move much this session, we do have next session in which to work on existing legislation.

I have taken the liberty of sending another copy of your message and my reply to Representative Miller, who introduced HB 122. I am sure he appreciates your support.

Thank you for letting me know your position on this legislation. If I can ever be of further assistance, please don't hesitate to contact my office.

Sincerely,


Pat Carney

JM/lw

TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill 122

Title An Act Providing Retirement Benefits for Certain Seasonal Employees

Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Administration - Division of Retirement and Benefits

Program Category Affected Labor Services

BRU, Program, or Subprogram(s) Affected 02-96-8-01-01-01 (PERS)

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 STATE TRS MATCHING						
100 BENEFITS		1965.8	2162.4	2378.6	2616.5	2878.1
TOTAL		1965.8	2162.4	2378.6	2616.5	2878.1

FUNDING (Thousands of Dollars)

GENERAL FUND		1610.0	1771.0	1948.1	2142.9	2357.1
FEDERAL FUNDS		90.4	99.4	109.3	120.3	132.4
VETERAN'S FUND		3.9	4.3	4.7	5.2	5.7
FISH & GAME FUND		11.8	13.0	14.3	15.7	17.3
HIGHWAY FUND		25.6	28.2	31.0	34.1	37.5
AIRPORT FUND		57.0	62.7	69.0	75.9	83.5
CAPITAL FUND		167.1	183.8	202.2	222.4	244.6
PERS						
TRS						

POSITIONS NONE

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

1. Estimate that approximately 660 employees could potentially qualify for benefits under this Bill.
2. Estimate that the FY 82 State covered payroll for seasonal employees is approximately \$6,095,575.00.
3. Increase in State contribution rate would be 32.25% of the seasonal employee payroll or .66% of the total State PERS payroll.
4. Estimate that covered payroll will increase by 10% annually.
5. Estimate that the average seasonal employee works 5 full months.

IV. DATE 4/29/81

PREPARED BY Paul B. Arnoldt, Director

AGENCY Division of Retirement & Benefits

PHONE 465-4460

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named) Representative Miller.

Office of the Governor (Keith Specking)

MSG 81-00013656 PRTY 1 04/23/81 10:12:58 ORIG: LM00 IN= 0002 OUT= 0019
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TO: SENATOR KERTTULA
REP. CARNEY
HOUSE STATE AFFAIRS COMMITTEE
REP. MILLER, REP. FULLER, REP. BROWN, REP. ABOOD, REP. CUDDY

FR: MARTY FINE, BOX 801, WASILLA 99687

I URGE YOUR SUPPORT AND PASSAGE OF HR 122. THIS DEFINITELY AFFECTS ME
FROM MY PAST STATE SEASONAL EMPLOYMENT. IT WILL ALSO BENEFIT MANY OTHERS
IN THIS AREA WHO HAVE WORKED ON A SEASONAL BASIS. THANK YOU, IN ADVANCE,
FOR YOUR EFFORTS.