

HA B

504



Official Business

Alaska State Legislature

Senate

Labor & Commerce Committee

Pouch V
State Capitol
Juneau, Alaska 99811

HB 504:

Section 1:

(a) In a collective bargaining agreement between an employer and a labor organization, a successor clause is binding on a successor employer unless more than three years have lapsed after the effective date contained in the clause.

(b) This section does not apply to a receiver or trustee in bankruptcy of an employer who has gone into bankruptcy or receivership; or an employer who acquires a business from a receiver or trustee in bankruptcy, or an employer who is subject to:

- (1) National Labor Relations Act
- (2) Agricultural Labor Relations Act of 1975
- (3) Railway Labor Act
- (4) Public Employment Relations Act (AS 23.40.070-.260)

(c) "successor clause" means a clause in a collective bargaining agreement which states that the agreement remains in effect in the event of a transfer of the business to a successor employer.

"successor employer" means a purchaser, assignee, or transferee of a business which is operated subject to collective bargaining between a labor organization and a prior employer, if the purchaser conducts substantially the same business, or offers the same service, and uses the same facilities as the employer who entered into the original collective bargaining agreement.



NATIONAL LABOR RELATIONS BOARD

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December 14, 1981

Michael Thill
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This is in response to your letter requesting comments on proposed legislation pending before the Alaska State Legislature.

It appears the proposed legislature would make "successor" clauses binding on the successor employer. It would not be appropriate for me to respond as to whether such legislation would be good for Alaska.

It does not appear that this legislation would have any significant impact as there would be very few Employers covered under the Act after the exclusions. Additionally, the legislation would make the responsibilities for employers not subject to the NLRB somewhat different than those we cover.

I hope this is helpful to you in some way. If you have any questions, do not hesitate to contact me.

Sincerely

A handwritten signature in black ink, appearing to read "Delano D. Eyer", written over the typed name.

Delano D. Eyer
Resident Officer