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COMMITTEE REPORT

HOUSE

LABOR & COMMERCE

FURTHER:

(7)

4/3/83

Date: 5-4-83

Mr. Speaker:

The Committee on JUDICIARY has had HB 333

An Act relating to the payment for overtime; and providing for an effective date.

under consideration and reports it back as follows:

- 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 Zero Fiscal Note Attached
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

[Signature]

[Signature]

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Signature]

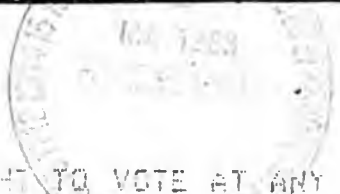
[Signature]

[Signature]

CHAIRMAN

FR: LEONARD HOFFITT
P O BOX 748
PALMER 99645

DR



QUOTING FROM THE U.S. CONSTITUTION, "BUT, WHEN THE RIGHT TO VOTE AT ANY ELECTION FOR THE CHOICE OF ELECTORS FOR PRESIDENT AND VICE PRESIDENT OF THE U.S., REPRESENTATIVES IN CONGRESS, THE EXECUTIVE AND JUDICIAL OFFICERS OF A STATE, OR THE MEMBERS OF A LEGISLAURE THEREOF, IS DENIED..." PLAINLY THAT INTENTION IN THIS SECTION IS TO FORCE AN OPEN CHOICE OF ABOVE MENTIONED CANDIDATES IN ALL STATES. CAN WE AS CITIZENS OF THE U.S. IGNORE THE CONSTITUTION AND FEEL MORALLY CONTENT? PLEASE PROVIDE FOR ELECTION OF THE JUDICIAL OFFICERS. THANK YOU.

MEMO

TO: Rep. Bussell, Chmn.; Rep. Liska, Vice Chmn.; Reps. Barnes,
Clocksin, Hayes, Malone & Wendte

FROM: Staff Counsel

TOPIC: HB 338--by Rep. Fritz--"An Act relating to the payment
of overtime and providing for an effective date."

- 1--The bill would add an exemption to existing overtime payment law, (AS 23.10.060) relative to overtime...The letter from Al Gay of Seair in Committee files explains it would be intended to be used as "trade days" only, without the necessity of filing with the Dept. of Labor.
- 2--The Deputy Director, Monty Henninger, Div. of Labor Relations, Dept. of Administration, was to have a position paper here today (Wed., May 4) favoring the bill, but first has to check with Mrs. Rudd, Commissioner and was having hold-ups in the typing pool and paper flow.
- 3--The statute, 23.10.060, was amended in 1980 with subparagraphs (17) and (18)(A) and (B), but that appears to permit the 4-day, 10-hour work week only and refers to nothing else.
Note: The 1980 amendments speak of the "flexible work hour plan" not flexible work week.

(There might even be a good argument that the "flexible work hour plan" language in subparagraph (17), standing alone, could be construed, or stretched, into a flexible work week, but the likely SUPreme Court interpretation would be contra, even though the Court noted in a decision there might be conflict with 23.10.060)
- 4--Note letter from Seair, Al Gay, indicates the "four tens" work week doesn't seem to work.



RECEIVED
MILO H. FRITZ, M. D.

MAR 22 1 04 PM '83

The Spirit of the Sky

March 18, 1983

*David: Can you look into this?
D*

The Honorable Milo Fritz
Alaska State Legislature
Pouch "V"
Juneau, Alaska 99811

Dear Mr. ~~Fritz~~ Milo

After talking to many employees in the airline industry, including other airlines than our own, we would like to have included in the Alaska statutes a "trade day", where employees could trade hours or days of work with another employee without falling under the overtime law now in effect (Section 23.10.060).

It is very difficult for an employee living in Alaska to go anywhere on a trip with only two days off (Saturday and Sunday), whereas if they could trade days with another employee, they could have three, four or more consecutive days off, thus allowing them more free time to travel outside or within Alaska. It is my understanding that the airlines which are presently under a separate bargaining agreement, such as a union, can do this now since they are not under the Alaska statutes. Enclosed is a copy of an employee request for substitution that is presently being used by Western Airlines.

I am told a simple paragraph can be inserted under Section 23.10.060, to read:

- (19) Work performed under a trade day work plan wherein employees may agree to trade time or days worked between themselves.
- (A) (The language necessary, such as the sample form, per attached.)

We have tried the ten-hour day, four-day week, and it simply does not work. The only reasonable and sensible substitute is an amendment to the Alaska statutes such as I have stated above.

Hopefully, you will sponsor a bill like this. I will give you all the support I can.

Best personal regards,

SEAIR

A. E. Gay, President

AEG:afm

Attachments

SEA AIRMOTIVE, INC.

EMPLOYEE REQUEST FOR ^{SHIFT} SUBSTITUTION
HOUR

_____ will substitute for _____

Shift # _____ FROM _____ TO _____ DAY DATE MONTH

_____ will substitute for _____

Shift # _____ FROM _____ TO _____ DAY DATE MONTH

The assigned areas are: _____

SIGNATURE - REQUESTING AGENT

SIGNATURE - SUBSTITUTING AGENT

Approved: _____

Posted: _____
INITIAL

Date: _____

al,

This is a copy of WPL trade-day form.

STATE OF ALASKA
FISCAL NOTE

Revision Date April 25, 1983

I. REQUEST

Bill/Resolution No.: House Bill 338
 Title: "...payment of overtime..."
 Sponsor: Representative Fritz
 Requestor: House Judiciary

II. FISCAL DETAIL

Agency Affected: Labor
 Program Category Affected: Worker Protection
 BRU, Program of Subprogram(s) Affected: Labor Standards & Safety

EXPENDITURES/REVENUES: (Thousands of Dollars)

| | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 | FY 88 |
|-------------------------|-------|-------|-------|-------|-------|-------|
| OPERATING | | | | | | |
| 100 PERSONAL SERVICES | | | | | | |
| 200 TRAVEL | | | | | | |
| 300 CONTRACTUAL | | | | | | |
| 400 COMMODITIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC | | | | | | |
| TOTAL OPERATING | | 0 | 0 | 0 | 0 | 0 |

| | | | | | | |
|---------|--|--|--|--|--|--|
| CAPITAL | | | | | | |
|---------|--|--|--|--|--|--|

| | | | | | | |
|---------|--|--|--|--|--|--|
| REVENUE | | | | | | |
|---------|--|--|--|--|--|--|

FUNDING: (Thousands of Dollars)

| | | | | | | |
|------------------------|--|---|---|---|---|---|
| GENERAL FUND | | 0 | 0 | 0 | 0 | 0 |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify Source) | | | | | | |

POSITIONS:

| | | | | | | |
|-----------|--|--|--|--|--|--|
| FULL-TIME | | | | | | |
| PART-TIME | | | | | | |
| TEMPORARY | | | | | | |

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

Not applicable.

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Robert J. Bacolas, Sr. *R. Bacolas* Phone: 465-4870
 Division: Labor Standards & Safety Date: April 25, 1983

Approved by Commissioner: Jim Robison *J. Robison* Date: April 25, 1983
 Department: Labor

LEG:A:44

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