



LAWS OF ALASKA

1996

Source

SCS CSHB 226(JUD)

Chapter No.

16

AN ACT

Permitting the provision of different retirement and health benefits to certain employees by differentiating between benefits provided to employees with spouses or children and to other employees.

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

THE ACT FOLLOWS ON PAGE 1

Approved by the Governor: April 29, 1996

Actual Effective Date: July 28, 1996

AN ACT

1 Permitting the provision of different retirement and health benefits to certain employees by
2 differentiating between benefits provided to employees with spouses or children and to other
3 employees.

4

5 * Section 1. AS 18.80.220(a) is amended to read:

6 (a) Except as provided in (c) of this section, it [IT] is unlawful for

7 (1) an employer to refuse employment to a person, or to bar a person
8 from employment, or to discriminate against a person in compensation or in a term
9 condition, or privilege of employment because of the person's race, religion, color, or
10 national origin, or because of the person's age, physical or mental disability, sex, marital
11 status, changes in marital status, pregnancy, or parenthood when the reasonable demands
12 of the position do not require distinction on the basis of age, physical or mental
13 disability, sex, marital status, changes in marital status, pregnancy, or parenthood;

14 (2) a labor organization, because of a person's sex, marital status, changes
15 in marital status, pregnancy, parenthood, age, race, religion, physical or mental disability,

Chapter 16

1 color, or national origin, to exclude or to expel a person from its membership, or to
2 discriminate in any way against one of its members or an employer or an employee;

3 (3) an employer or employment agency to print or circulate or cause to
4 be printed or circulated a statement, advertisement, or publication, or to use a form of
5 application for employment or to make an inquiry in connection with prospective
6 employment, that expresses, directly or indirectly, a limitation, specification, or
7 discrimination as to sex, physical or mental disability, marital status, changes in marital
8 status, pregnancy, parenthood, age, race, creed, color, or national origin, or an intent to
9 make the limitation, unless based upon a bona fide occupational qualification;

10 (4) an employer, labor organization, or employment agency to discharge,
11 expel, or otherwise discriminate against a person because the person has opposed any
12 practices forbidden under AS 18.80.200 - 18.80.280 or because the person has filed a
13 complaint, testified, or assisted in a proceeding under this chapter;

14 (5) an employer to discriminate in the payment of wages as between the
15 sexes, or to employ a female in an occupation in this state at a salary or wage rate less
16 than that paid to a male employee for work of comparable character or work in the same
17 operation, business, or type of work in the same locality; or

18 (6) a person to print, publish, broadcast, or otherwise circulate a
19 statement, inquiry, or advertisement in connection with prospective employment that
20 expresses directly a limitation, specification, or discrimination as to sex, physical or
21 mental disability, marital status, changes in marital status, pregnancy, parenthood, age,
22 race, religion, color, or national origin, unless based upon a bona fide occupational
23 qualification.

24 * Sec. 2. AS 18.80.220 is amended by adding new subsections to read:

25 (c) Notwithstanding the prohibition against employment discrimination on the
26 basis of marital status or parenthood under (a) of this section,

27 (1) an employer may, without violating this chapter, provide greater
28 health and retirement benefits to employees who have a spouse or dependent children
29 than are provided to other employees;

30 (2) a labor organization may, without violating this chapter, negotiate
31 greater health and retirement benefits for employees of an employer who have a spouse

1 or dependent children than are provided to other employees of the employer.

2 (d) In this section, "dependent child" means an unmarried child, including an
3 adopted child, who is dependent upon a parent for support and who is either

4 (1) less than 19 years old;

5 (2) less than 23 years old and registered at and attending on a full-time
6 basis an accredited educational or technical institution recognized by the Department of
7 Education; or

8 (3) of any age and totally and permanently disabled.