

Your Employee Rights Under the Family and Medical Leave Act

What is FMLA leave?

The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with job-protected leave for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employers.

Eligible employees can take up to **12 workweeks** of FMLA leave in a 12-month period for:

- The birth, adoption or foster placement of a child with you.
- Your own serious medical or physical health condition that makes you unable to work.
- To care for your spouse, child or parent with a serious mental or physical health condition, and
- Certain qualifying reasons related to the serious deployment of your spouse, child or parent who is a military member.

An eligible employee who is the spouse, child, parent or next of kin of a covered service member with a serious injury or illness may take up to **26 workweeks** of FMLA leave in a single 12-month period to care for the service member.

You have the right to use FMLA leave in one block of time. When it is medically necessary or otherwise permitted, you may take FMLA leave **intermittently in separate blocks of time**, or on a **reduced schedule** by working less hours each day or week. Read Fact Sheet #28(1)(c) for more information.

FMLA leave is **not paid** leave, but you may choose, or be required by your employer, to use accrued paid leave if your employer's paid leave policy covers the reason for which you need FMLA leave.

Am I eligible to take FMLA leave?

You are an eligible employee if all of the following apply:

- You work for a covered employer.
- You have worked for your employer at least 12 months.
- You have worked at least 1,250 hours of service for your employer during the 12 months before your leave, and
- Your workplace has at least 50 employees within 75 miles of your workplace.

Ref.: 29 CFR 825.200

Airline flight crew employees have different "hours of service" requirements.

You work for a covered employer if one of the following applies:

- You work for a private employer that had at least 50 employees during at least 12 workweeks in the current or previous calendar year.
- You work for an elementary or public or private secondary school.
- You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel Management.

How do I request FMLA leave?

Generally, to request FMLA leave you must:

- Follow your employer's normal policies for requesting leave.
- Give notice at least 30 days before your need for FMLA leave, or if advance notice is not possible, give notice as soon as possible.

You do not have to share a medical diagnosis but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You **must also inform your employer if FMLA leave was previously taken** or approved for the same reason when requesting additional leave.

Your employer may request certification from a health care provider to verify medical leave and may request certification of a qualifying exigency.

The FMLA does not affect any federal or state law prohibiting discrimination or adverse any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional employees are also covered by the FMLA but are not subject to the jurisdiction of the Department of Labor.

UNITED STATES DEPARTMENT OF LABOR

WHD 1420 REV 04/23

What does my employer need to do?

If you are eligible for FMLA leave, your employer must:

- Allow you to take job-protected time off work for a qualifying reason.
- Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and
- Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your leave.

Your employer **cannot interfere** with your FMLA rights or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation.

After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your employer must confirm whether you are eligible or not eligible for FMLA leave. If your employer determines that you are eligible, your employer must notify you in writing.

- About your FMLA rights and responsibilities, and
- How much of your requested leave, if any, will be FMLA-protected leave.

Where can I find more information?

Call 1-866-487-9243 or visit dol.gov/fmla to learn more.

If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. **Scan the QR code to learn about our WHD complaint process.**



UNITED STATES DEPARTMENT OF LABOR

WHD 1420 REV 04/23

Notice to Employees

As an employee of this company, you are covered by Employment Insurance (UI). The UI program is administered by the Division of Employment and Training Services of the Alaska Department of Labor and Workforce Development.

The purpose of UI is to provide partial replacement of wages between jobs. If a business has to reduce wages or hours, or temporarily lay off workers, UI gives workers financial security and temporary buying power so they can remain in the community. This, in turn, helps employees keep their trained work force. UI payments protect the economy in Alaska communities until unemployed workers are reemployed. UI helps to reduce the family and community problems caused by layoffs or a lack of jobs.

You and your employer both pay your UI premiums (taxes). You pay about 27 percent and your employer pays 73 percent. Generally speaking, if you receive one week of UI benefits, you receive as much or more than you paid into the program for the year. Your employer may withhold from your earnings the employer portion of the UI tax. Wages in excess of the maximum annual taxable wage set for the calendar year are non-taxable. Current and past years' maximum annual taxable wage base and the employer portion of the UI tax rate are posted on the Employment Security Tax website at: labor.alaska.gov/estax/toc_wd.htm.

As with any insurance, you must meet certain qualifications to be eligible for benefits. You must have earned wages in jobs that are covered by the law, file your claim for UI, and register for work with the Alaska Employment Service or your union. You must also be ready, willing and able to accept suitable work. If you quit or are fired from your last job, or if anything is keeping you from accepting UI-time work, you may not immediately be eligible for benefits.

To file a **NEW claim** or **REDPEN** an existing Alaska claim for UI benefits on the Internet, go to labor.alaska.gov and click on "The Unemployment Benefits Online."

To file for UI by telephone and for all other UI assistance, contact your local UI claim center. The phone numbers are listed below. If you do not reside in one of the cities below, use the toll free number.

Anchorage: (907) 269-4700 Juneau/outside Alaska: (907) 465-5522
Fairbanks: (907) 451-2871 All other areas in Alaska: (888) 252-2527

The toll-free telephone number to connect to Alaska Relay is (800) 770-8973 or voice (800) 779-8255.

You may be entitled to a refund of excess employee contributions to the UI Trust Fund if you had two or more employees in a calendar year, your withholdings exceeded the maximum annual employee tax and your employer paid \$5 or greater. For the year you are claiming a refund, the filing deadline for your application is Dec. 31 of the following calendar year. If you had more than the legal maximum employee deduction withheld by any one employer, your employer is responsible for refunding this excess deduction to you.

To obtain an Employment Application for Refund, write the Alaska Department of Labor and Workforce Development, P.O. Box 11559, Juneau, AK 99811-5599 or email tax: estax@alaska.gov or download the form labor.alaska.gov/estax/forms/toc_forms.htm.

Alaska's Unemployment Insurance Program is 100 percent funded by U.S. Department of Labor. Alaska employees are required through a grant award totaling \$25.3 million. We are an equal opportunity employer/program. See page 10 of this notice. Auxiliary aids and services are available upon request to individuals with disabilities. File no. 11-012 (Rev. 1/2014)

SUMMARY OF ALASKA CHILD LABOR LAW

HOURS OF WORK RESTRICTIONS:
NO MINOR UNDER 18 MAY WORK MORE THAN 6 DAYS IN ANY WORK WEEK

ALASKA YOUTH UNDER THE AGE OF 14 MAY WORK ONLY IN THE FOLLOWING OCCUPATIONS:

1. Newspaper sales and delivery.
2. Baby-sitting, handwork and domestic employment in or about private homes.
3. The entertainment industry, with an approved work permit from the Alaska Wage & Hour Administration.

14 & 15 YEAR OLDS:

WHEN SCHOOL IS IN SESSION. Hours will be limited to a total of nine hours of school attendance plus employment in any one day; work will be performed only between the hours of 5 a.m. and 9 p.m. and total hours worked will be limited to 23 in any week.

DURING SCHOOL VACATIONS. Work hours will be limited to 40 hours per week between the hours of 5 a.m. and 9 p.m.

MINORS 17 AND UNDER CANNOT BE EMPLOYED IN:

1. Occupations in manufacturing, handling or use of explosives.
2. Occupations of motor vehicle driver or helper (some limited restrictions).
3. Mining operations including coal.
4. Logging or occupations in the operations of any sawmill, lathe mill, shingle mill or cooperage.
5. Operation of power-driven woodworking machines.
6. Occupations with exposure to radioactive substances and to ionizing radiation.
7. Operation of elevators or other power-driven hoisting apparatus.
8. Operation of power-driven metal forming, punching and shearing machines.
9. Occupations involving slaughtering, meat packing, processing or rendering.
10. Occupations involved in the operation and cleaning of power-driven bakery machines.
11. Occupations involved in the operation of power-driven paper products machines.
12. Occupations involved in the manufacture of brick, tile and kindred products.
13. Occupations involved in the operation and cleaning of circular saws, band saws, and guillotine shears.
14. Occupations involved in wrecking, demolition and shipwrecking operations.
15. Occupations involved in roofing operations.
16. Occupations involved with excavation operations.
17. Electrical work with voltages exceeding 220, or outside erection or repair and meter testing including telegraph and telephone lines.
18. Occupations involving exposure to bloodborne pathogens.
19. Occupations involved in canvassing, peddling, solicitation of door-to-door contributions, or acting as an outside salesman.

FEDERAL STATUTES ARE IN SOME CASES STRICTER THAN STATE STATUTES

FOR FEDERAL INFORMATION, CONTACT THE U.S. DEPARTMENT OF LABOR AT 1-866-487-9243

ADDITIONAL RESTRICTIONS FOR 14 & 15 YEAR OLDS:

1. Occupations in manufacturing, mining or processing, including workrooms or places where goods are manufactured, mined or otherwise processed.
2. Occupations involved in operation of power-driven machinery other than office machines.
3. Occupations in construction (including demolition and repair) except office work.
4. Any work in an establishment that serves alcoholic beverages.
5. Public messenger service.
6. Occupations in or about canneries, except office work.
7. Work performed in or about boilers, engine rooms and retorts.
8. Work involved with maintenance or repair of the establishment's machines or equipment.
9. Occupations that involve working from windowsills, ladders, scaffolds or their substitutes.
10. Occupations handling or operation of power-driven food slicers, grinders, choppers, cutters and bakery type mixers.
11. Work in freezers, meat coolers, or preparation of meat for sale.
12. Loading/unloading to or from trucks, railroad cars or conveyors.
13. Occupations in warehouses and storage except office and clerical work.
14. Occupations involving use of sharpened tools.
15. Occupations in transportation of persons or property except office or sales work.

BREAKS:

A minor under 18 years of age who is scheduled to work six consecutive hours is entitled to a 30-minute break during the workday.

A minor under 18 who works five consecutive hours is entitled to a 30-minute break before continuing to work.

ALCOHOL:

All minors 16 and under must have a work permit on file with the Department. If the employer has a restaurant designation and is licensed to sell alcohol, then all minors 17 years of age must also have an approved work permit.

TOBACCO & PULL-TABS:

AS 11.76.106 restricts access to areas where tobacco and tobacco products are sold. Minors under 19 may not sell tobacco or tobacco products in the course of their employment. 15 AAC 160.480 (b) prohibits the sale of pull-tabs by anyone under the age of 21.

MARIJUANA & CANNABIS INDUSTRY:

AS 17.38.070 restricts the employment of persons under the age of 21 from working in any and all branches of the cannabis/marijuana industry, including but not limited to planting, cultivating, harvesting, processing, packaging, transporting or selling.

FOR FURTHER INFORMATION CONTACT: ALASKA WAGE AND HOUR ADMINISTRATION

1251 Muldoon Road, Suite 113 Anchorage, AK 99504 (907) 269-4900
1111 W. 6th Street, Suite 302 Juneau, AK 99802-1149 (907) 465-4855
675 7th Avenue, Station J-1 Fairbanks, AK 99701-4596 (907) 451-2886

Under The Alaska Human Rights Law and (AS 18.80.220)

Title VII of the Federal Civil Rights Act, SEXUAL HARASSMENT IS ILLEGAL.

If you have experienced:

- Unwelcome Sexual Advances;
- Requests for Sexual Favors;
- Sexual comments or conduct that interferes with your work or creates a hostile work environment; or
- Your employer has made decisions about your job based on whether you accepted or rejected sexual advances, comments, or conduct.

You may be the victim of sexual harassment. If you believe you may have been sexually harassed, contact the Alaska Human Rights Commission. Statutes of limitation apply.

Retaliation for Complaining About Sexual Harassment is UNLAWFUL. It is illegal for your employer to fire you or to take other actions against you because you report or oppose sexual harassment.

Alaska State Commission for Human Rights
1901 Bragatz St, Suite 300, Anchorage, AK 99508
Toll Free: 800-478-4692
In Anchorage: 274-4692
<https://alaskahumanrights.alaska.gov>

Ref.: AS 18.80.220

STATE AND FEDERAL LABOR LAW

EMERGENCY INFORMATION

DOCTOR _____

AMBULANCE _____

HOSPITAL _____

POLICE _____

FIRE DEPT. _____

OTHER _____

All fatalities or injuries resulting in hospitalization must be reported immediately (within 8 hours) to the Alaska Department of Labor and Workforce Development, Division of Labor Standards and Safety at 1-800-770-4940 or to the OSHA 24-hour hot line at 1-800-321-6742 (AS 18.80.058(a)).

1111 W. 8th Street, Suite 304 P. O. Box 11149 Juneau, AK 99811-1149 Phone: (907) 465-4855
1251 Muldoon Road, Suite 109 Anchorage, AK 99504 Phone: (907) 269-4940
675 Seventh Avenue, Station J-1 Fairbanks, AK 99701-4596 Phone: (907) 451-2886

ALASKA DEPARTMENT OF LABOR & WORKFORCE DEVELOPMENT

Summary of Alaska Wage and Hour Act

Effective January 1, 2025, the Alaska minimum wage shall be \$11.91 per hour.

Alaska Statute 23.10.050 – 23.10.150 establishes minimum wage and overtime pay standards for employment subject to its provisions. These standards are generally applicable to all employees. School bus drivers, however, shall receive at least two times the Alaska minimum wage. Other exceptions to the minimum wage requirement follow.

Alaska minimum wage and overtime requirements do not apply to any individual employed as follows:

- In agriculture;
- In the taking of aquatic life; or the hand picking of shrimp;
- In domestic service (including babysitting) in or about a private home;
- By U.S., state or local governments (i.e., political subdivisions);
- In voluntary service in the nonprofit activities of a religious, charitable, cemetery, educational or other nonprofit organization which are related only to the organization's nonprofit activities;
- In a bona fide executive, professional or administrative capacity as defined in regulations of the Commissioner of Labor and Workforce Development and in the FLSA; or in certain computer occupations, or as an outside salesman, or as any salesman working on a straight commission basis;
- Youth under age 18 employed part-time for not more than 30 hours in any week;
- An individual who is employed by a motor vehicle dealer and whose primary duty is to (a) receive, analyze or reference requests for service, repair or analysis of motor vehicles; (b) arrange financing for the sale of motor vehicles and related products and services that are part of the sale; or (c) solicit, sell, lease or exchange motor vehicles;
- An individual who provides emergency medical services only on a voluntary basis; serves with a full-time fire department only on a voluntary basis; or provides ski patrol services on a voluntary basis;
- A student participating in a University of Alaska practicum described under AS 14.40.065;
- A person licensed under AS 08.54 and who is employed by a registered guide or master guide licensed under AS 08.54 for the first 60 workdays so employed during a calendar year;
- An independent taxicab driver who establishes the driving area and hours, who contracts on a flat rate basis for use of the cab, permit or dispatch services, and who is compensated solely by the customers service;
- Solely as a watchman or caretaker on a premises out of operation for longer than four months;
- In delivery of newspapers to the consumer;
- In the search for placer or hard rock minerals;
- An individual engaged in activities for a nonprofit religious, charitable, civic, cemetery, recreational or educational organization where the employer-employee relationship does not, in fact, exist, and where services rendered to the organization under a work activity requirement of AS 47.27 (Alaska temporary assistance program);
- By a nonprofit educational or child care facility to serve in place of a parent of children in residence if the employment requires residence at the facility and is compensated on a cash basis exclusive of room and board at an annual rate of not less than \$10,000 for an unmarried person; or \$15,000 for a married couple.

Overtime Hours
The standard workweek shall not exceed 40 hours per week or eight hours per day. Should an employer find it necessary to employ an employee in excess of these standards, overtime hours shall be compensated at the rate of one and one-half times the regular rate of pay.

Compensation at the overtime rate is not required in the following cases:

- By an employer who employs three or fewer people in the regular course of business;
- An individual employed in handling, packing, storing, pasteurizing, drying, canning, or preparing in their raw or natural state agricultural or horticultural commodities for market, or in making cheese, butter or other dairy products;
- Agricultural employees;
- An employee employed as a seaman;
- Workers engaged in planting or tending trees, cruising, surveying, bucking or felling timber, preparing or transporting logs or other forestry products to the mill, processing plant, railroad or other transportation terminal if the total number of employees in such lumber operations does not exceed 12;
- An individual employed as an outside buyer of poultry, eggs, cream or milk in their raw or natural state;
- An employee whose whose duties include the provision of medical services;
- An employee under a flexible work hour plan which is included as part of a collective bargaining agreement;
- An employee under a voluntary flexible work plan if the employee and employer have signed a written agreement which has been approved by the Department (Overtime rates must be paid for work over 40 hours a week and over the hours specified on the flexible work hour plan not included in a collective bargaining agreement);
- A community health aide employed by a local or regional health organization as those terms are defined in AS 18.28.100;
- Work performed by certain flat-rate mechanics primarily engaged in repairing automobiles, light trucks, and motor homes, subject to certain and specific provisions (see AS 23.10.060(d)(7));
- An employee of a small mining operation where not more than 12 people are employed, as long as the miner is not employed in excess of 12 hours per day or 56 hours per week during a period of not more than 14 workweeks in the aggregate in any calendar year during the mining season;
- An employee employed in connection with publication of a weekly, semi-weekly or daily newspaper with a circulation of less than 1000;
- Casual employees as defined by regulations of the Commissioner of Labor and Workforce Development;
- A line haul truck driver for a trip exceeding 100 road miles one way if the driver's pay includes overtime pay for work in excess of 40 hours per week or eight hours per day, and if the rate of pay is comparable to the minimum wage;
- Work performed by an employee under a voluntary written agreement addressing the trading of work shifts among employees, if employed by an air carrier subject to subchapter II of the Railway Labor Act (45 U.S.C. 181-188), including employment as a customer service representative, subject to certain provisions (see AS 23.10.060(d)(18));
- Work performed by a flight crew member employed by an air carrier subject to 45 U.S.C. 181-188 (subchapter II of the Railway Labor Act);
- A retail/warehouse operator employed in a public telephone exchange facility that has fewer than 750 stations;
- An employee in otherwise exempted employment or a proprietor in a retail or service establishment engaged in handling telegraphic, telephone or radio messages under an agency or contract arrangement with a telegraph or communications company where the telegraph message or communications revenue of the agency does not exceed \$500/month.

NOTE: This is not a complete list of exemptions to minimum wage and overtime provisions. Refer to AS 23.10.055 and AS 23.10.060. The above text is intended for informational purposes only and is not to be construed as having the effect of law.

Inquiries should be made to: Wage and Hour Administration, Alaska Department of Labor and Workforce Development, 1251 Muldoon Road, Suite 113, Anchorage, AK 99504 Email: statedwc@alaska.gov

Recordkeeping
An employer shall keep for a period of at least three years all payroll information and records for each employee at the place of employment.

Post in a Prominent Place

PAY DAY NOTICE

PAY DAY IS ON:

MONDAY FRIDAY
 TUESDAY SATURDAY
 WEDNESDAY SUNDAY
 THURSDAY

PAY SCHEDULE IS:

WEEKLY SEMI MONTHLY
 BIWEEKLY MONTHLY

PAYCHECKS ARE ISSUED ON THE _____ AND _____ OF THE MONTH AT _____ TIME.

Attention Alaska Employers

Re Workers' Compensation poster

In order to be in complete compliance with the posting requirement of the State of Alaska, employers are required to post the Workers' Compensation notice entitled, "Employer's Notice of Insurance."

This can ONLY be obtained by calling your workers' compensation carrier.

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

FEDERAL MINIMUM WAGE

\$7.25 PER HOUR

BEGINNING JULY 24, 2009

The law requires employers to display this poster where employees can readily see it. At least 15 times the regular rate of pay for all hours worked over 40 in a workweek.

OVERTIME PAY
At least 1 1/2 times the regular rate of pay for all hours worked over 40 in a workweek.

CHILD LABOR
An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment.

TIP CREDIT
Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employer's tip combined with the employer's cash wage of at least \$2.13 per hour does not equal the minimum hourly wage, the employer must make up the difference.

PUMP AT WORK
The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for that nursing child for one year after the child's birth each time the employee needs to express breast milk. Employers must provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.

ENFORCEMENT
The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. Highest civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the FLSA.

- Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions. Certain narrow exemptions also apply to the pump at work requirements.
- Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico.
- Some state laws provide greater employee protections; employers must comply with both.
- Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and correctly classified independent contractors are not.
- Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.

ADDITIONAL INFORMATION

WHD WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR 1-866-487-9243 www.dol.gov/agencies/whd

Ref.: 29 CFR 816.4 WH1402 REV 04/23

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- In agriculture;
- In the taking of aquatic life; or the hand picking of shrimp;
- In domestic service (including babysitting) in or about a private home;
- By U.S., state or local governments (i.e., political subdivisions);
- In voluntary service in the nonprofit activities of a religious, charitable, cemetery, educational or other nonprofit organization which are related only to the organization's nonprofit activities;
- In a bona fide executive, professional or administrative capacity as defined in regulations of the Commissioner of Labor and Workforce Development and in the FLSA; or in certain computer occupations, or as an outside salesman, or as any salesman working on a straight commission basis;
- Youth under age 18 employed part-time for not more than 30 hours in any week;
- An individual who is employed by a motor vehicle dealer and whose primary duty is to (a) receive, analyze or reference requests for service, repair or analysis of motor vehicles; (b) arrange financing for the sale of motor vehicles and related products and services that are part of the sale; or (c) solicit, sell, lease or exchange motor vehicles;
- An individual who provides emergency medical services only on a voluntary basis; serves with a full-time fire department only on a voluntary basis; or provides ski patrol services on a voluntary basis;
- A student participating in a University of Alaska practicum described under AS 14.40.065;
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- An independent taxicab driver who establishes the driving area and hours, who contracts on a flat rate basis for use of the cab, permit or dispatch services, and who is compensated solely by the customers service;
- Solely as a watchman or caretaker on a premises out of operation for longer than four months;
- In delivery of newspapers to the consumer;
- In the search for placer or hard rock minerals;
- An individual engaged in activities for a nonprofit religious, charitable, civic, cemetery, recreational or educational organization where the employer-employee relationship does not, in fact, exist, and where services rendered to the organization under a work activity requirement of AS 47.27 (Alaska temporary assistance program);
- By a nonprofit educational or child care facility to serve in place of a parent of children in residence if the employment requires residence at the facility and is compensated on a cash basis exclusive of room and board at an annual rate of not less than \$10,000 for an unmarried person; or \$15,000 for a married couple.

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- Agricultural employees;
- An employee employed as a seaman;
- Workers engaged in planting or tending trees, cruising, surveying, bucking or felling timber, preparing or transporting logs or other forestry products to the mill, processing plant, railroad or other transportation terminal if the total number of employees in such lumber operations does not exceed 12;
- An individual employed as an outside buyer of poultry, eggs, cream or milk in their raw or natural state;
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Post in a Prominent Place

EMPLOYEE RIGHTS POLYGRAPH PROTECTION ACT

The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the course of employment.

PROHIBITIONS
Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

EXEMPTIONS
Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities.

The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armed car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers.

The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer.

The law does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests.

EXAMINEE RIGHTS
Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons.

ENFORCEMENT
The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employers or job applicants may also bring their own court actions.

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.

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