

Nancy Dahlstrom
Lieutenant Governor
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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

M E M O R A N D U M

TO: Theric Austin
Department of Labor and Workforce Development

FROM: April Simpson, Office of the Lieutenant Governor 
465.4081

DATE: June 23, 2023

RE: Filed Permanent Regulations: Department of Labor and Workforce Development

Department of Labor & Workforce Development regulations re: Commissioner Review period (8 AAC 61.530)

Attorney General File:	2022200610
Regulation Filed:	6/23/2023
Effective Date:	7/23/2023
Print:	247, October 2023

cc with enclosures: Colleen Bailey, Department of Law
Judy Herndon, LexisNexis



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Law

CIVIL DIVISION

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June 13, 2023

The Honorable Nancy Dahlstrom
Lieutenant Governor
State of Alaska
P.O. Box 110015
Juneau, AK 99811-0015

Re: 2022200610 - 8 AAC 61.530: Dept. of Labor &
Workforce Development - Commissioner
Review period

Dear Lieutenant Governor Dahlstrom:

The Department of Law has reviewed the attached regulations of the Department of Labor and Workforce Development against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This memorandum constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations.

The Department of Labor and Workforce Development adopted the regulations after the close of the public comment period. The regulations increase the time period from 10 days to 15 days for an employee to seek review by the Commissioner of the Department of Labor and Workforce Development of a no-merit determination by the Director of Labor Standards and Safety of the employee's complaint for discrimination against an employer under AS 18.60.089.

Both the December 23, 2022 public notice and the May 12, 2023 order adopting changes to the regulations state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

To: The Honorable Nancy Dahlstrom
Our file: 2022200610

June 13, 2023
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In accordance with AS 44.62.060, we have made some technical corrections to the regulations. The corrections are incorporated into the attached copy of the regulations.

Sincerely,

TREG R. TAYLOR
ATTORNEY GENERAL

By: Rebecca C. Polizzotto
Rebecca C. Polizzotto
Chief Assistant Attorney General
Legislation, Regulations, and
Legislative Research Section

Digitally signed by
Rebecca C. Polizzotto
Date: 2023.06.13
12:10:18 -08'00'

RCP:ehp

CC w/enclosure: Theric Austin, Regulations Contact
Department of Labor and Workforce Development

Charles E. Brasington, Assistant Attorney General
Department of Law

Parker W. Patterson, Assistant Attorney General
Department of Law

Steven C. Weaver, Assistant Attorney General
Department of Law

ORDER ADOPTING CHANGES TO REGULATIONS
OF DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT


The attached page of a regulation, dealing with the review procedures for the number of days to get a review of determination, is adopted and certified to be a correct copy of the regulation changes that the Department of Labor and Workforce Development adopts under the authority of AS 18.60.020, AS 18.60.030, and AS 18.60.089 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

Although no public comments were received, the Department of Labor and Workforce Development paid special attention to the cost to private persons of the regulatory action being taken.¹

The regulation changes adopted under this order take effect on the 30th day after they have been filed by the lieutenant governor as provided in AS 44.62.180.

Date: 05/12/2023


Catherine Munoz, Acting Commissioner

April Simpson for

FILING CERTIFICATION

I, Nancy Dahlstrom, Lieutenant Governor for the State of Alaska, certify that on

June 23, 2023, at 12:34 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.


for Lieutenant Governor Nancy Dahlstrom

Effective: July 23, 2023.

Register: 247, October 2023

¹ For Department of Environmental Conservation regulations related to control, prevention, and abatement of air, water, or land or subsurface land pollution, the Department of Law recommends the addition of the following sentence: "The Department of Environmental Conservation also gave special attention to alternate practical methods in this regulatory action as required by AS 46.03.024."

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

I, NANCY DAHLSTROM, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employees to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:

April Simpson, Regulations and Initiatives Specialist

**IN TESTIMONY WHEREOF, I have
signed and affixed the Seal of the State of
Alaska, in Juneau, on May 15th, 2023.**



A handwritten signature in blue ink, reading "Nancy Dahlstrom", is written over a horizontal dotted line.

**NANCY DAHLSTROM
LIEUTENANT GOVERNOR**

Register 247, October 2023 LABOR AND WORKFORCE DEV.

8 AAC 61.530(b) is amended to read:

(b) If the director determines that the complaint does not have merit, the complainant may obtain a review of the determination by submitting a written request to the commissioner not later than 15 [10] days after receiving notification of the director's determination. The commissioner will inform the complainant of the results of the review not later than 15 days after receipt of the request for review of the director's determination. (Eff. 9/21/85, Register 95; am

7 / 23 / 2023 Register 247)

Authority: AS 18.60.020 AS 18.60.030 AS 18.60.089