



WORKER RIGHTS · ALASKA

Know Your Rights in Alaska

What every hospitality worker should know, in plain language.
No legal jargon.

Read this first — Alaska plays by different rules than the Lower 48. The minimum wage is \$14.00, there is NO tip credit at all, overtime is daily as well as weekly, and since July 1, 2025 every worker in Alaska earns paid sick leave. If your employer brought you to Alaska, it may also owe your way back.

General information only — not legal advice.

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The Minimum Wage

- Alaska's minimum wage is \$14.00 per hour, in effect since July 1, 2026 (a Ballot Measure 1 step). It rises to \$15.00 on July 1, 2027; after that, it is adjusted annually for inflation starting January 1, 2028 (Anchorage CPI-U). The wage applies to all hours worked in a pay period, however you are paid — time, piece, or commission — unless a specific exemption clearly applies.
- Salaried exempt threshold: executive, administrative, and professional exempt employees must earn a salary of at least twice the minimum wage for the first 40 hours — two times the hourly rate times 40, per week. The rule is a formula; it is stated here as the formula.

Tips — No Tip Credit

TRAP — there is NO tip credit in Alaska. Your employer may never apply your tips toward the minimum wage; the statute says so outright. You must be paid the full \$14.00 before tips. The federal \$2.13 tipped wage does not exist here.

Overtime

- Daily AND weekly overtime: more than 8 hours in a day OR more than 40 hours in a week means one and a half times your regular rate for the excess hours. Alaska's daily trigger is stricter than federal law.
- Small-employer exception: the overtime premium is owed only if your employer has four or more employees in total. With three or fewer, straight time may be paid for all hours.
- Flexible work hour plans — the one daily-overtime exception: under a Department-approved, written Voluntary Flexible Work Hour Plan, you may work up to 10 hours a day without daily overtime to compress a 35-to-40-hour week. The plan must be approved by the Department BEFORE use, you must sign and date your copy, participation must be voluntary and never a condition of employment, and a plan meant to dodge overtime will be denied. Substantial deviations can void it.
- No comp time: giving you comp time instead of overtime wages is not lawful in Alaska — overtime must be paid on the paycheck and shown on the pay stub. Being paid a salary does not by itself make you exempt; your duties and pay method decide.

Pay Rules

- Pay frequency — your election: monthly or semi-monthly pay periods at the employee's election, unless you and your employer agree in an annual initial contract to monthly periods.
- Pay stub: every pay period, your stub must show straight-time and overtime hours actually worked, rate of pay, gross wages, tax and other authorized deductions, and the pay period's beginning and ending dates.

TRAP — deductions are tightly limited. Cash or register shortages, or lost or stolen property, may be deducted ONLY if you admitted willingly and in writing to personally taking the specific amount. Loan repayments need your written authorization — a blanket authorization signed at hire is not valid. Deductions cannot pull your pay below minimum wage or cut into overtime.

- Rate changes: your employer may change your rate of pay only with written notice no later than the payday before the change takes effect. Work after that payday is at the new rate.

Final Pay

- **Fired:** your wages are due within 3 working days after termination, whatever the cause — the count excludes weekends and holidays. Pay is due where you are usually paid, or at a place you both agree on.
- **Quit:** your wages are due on the next regular payday that is at least 3 days after your employer received your notice of termination.
- **Late pay penalty:** an employer that misses the deadline may owe your regular wages from the time of demand to the time of payment, or for 90 working days, whichever is less. In an action the Department brings, the penalty is mandatory, figured on your straight-time rate for an 8-hour day.

Breaks

- **Adults (18 and older):** Alaska does not require breaks. **Minors 14 to 17:** a break of at least 30 minutes if you work 5 or more consecutive hours and will continue working. If breaks are given: a break under 20 minutes must be PAID; a meal period over 20 minutes may be unpaid only if you do no work during it.

Paid Sick Leave

- Paid sick leave — every employer, since July 1, 2025 (Ballot Measure 1). Accrual: 1 hour for every 30 hours worked, from your first day. You may use leave as it accrues — there is no waiting period. Only actual hours worked count; overtime-exempt employees are assumed to work 40 hours a week (or their normal week, if less).

TRAP — the caps split at 15 employees. Employers with 15 or more employees: you accrue and may use up to 56 hours a year. Fewer than 15: 40 hours a year. An employer may set higher limits. Size is figured by a prior-calendar-year count of full-time-equivalent hours that includes part-time, full-time, AND seasonal hours.

- Carryover: unused leave carries to the next year and your balance may grow past the cap — but your employer need not let you USE more than 56 or 40 hours in a year. The Department adds: an employer that front-loads the full annual amount at the start of the year need not carry over unused leave.
- What you can use it for: your own illness, injury, health condition, diagnosis, care, treatment, or preventive care; caring for a family member — defined broadly: immediate family, a domestic partner, foster or legal-ward relationships, in loco parentis, or anyone whose close association is the equivalent of family — for the same needs; and absences needed because of domestic violence, sexual assault, or stalking: medical or psychological attention, victim's-aid services, relocation or securing your home, or legal services and proceedings.

- Notice and paperwork: for foreseeable leave, make a good-faith effort to notify in advance and schedule so as not to unduly disrupt operations. Documentation can be required ONLY for leave of more than three consecutive workdays, and it can never have to explain the nature or details of the illness. For violence, assault, or stalking leave, you choose the proof: a police report, a witness advocate's statement, a court document, or your own written statement. Leave may be used in hourly increments (or your payroll system's smallest increment, if smaller).
- Your employer can NEVER make you find your own replacement as a condition of taking paid sick leave, cannot count statutory sick leave against you in an absence-control policy, and cannot retaliate against you for using or trying to use it. Interference with the right is prohibited.
- Separation and rehire: unused sick leave is NOT paid out when you leave (unless another law requires it), and an employer may not force a cash-out. If you are rehired within six months, your accrued unused leave comes back immediately (unless you took a voluntary cash-out). Transfers within the same employer and moves to a successor employer keep your leave. Your rights cannot be waived by any agreement, policy, or form — except an express waiver in a bona fide collective bargaining agreement. An existing PTO plan can satisfy the law only if it meets the same accrual and use standards AND employees are notified the plan is being used that way. Employers must give written notice of the sick-leave right (amount, terms, anti-retaliation) at hire — a handbook notice counts.

- Who is covered: the exemptions are narrow — subminimum-wage categories, work therapy, prisoner employment, and most of the Wage and Hour Act's exemption list (agriculture, domestic service in a private home, government employees, newspaper delivery, minors under 18 working 30 hours a week or less, taxicab drivers on flat contracts, among others). Executive, administrative, professional, outside-sales, and straight-commission employees ARE covered — the statute says so expressly. Seasonal hospitality workers are covered: there is no general seasonal exemption; the only seasonal exemption is for seasonal staff of a nonprofit residential summer camp. A lodge, hotel, or tour operator that treats summer hires as exempt is misreading the law.

TRAP — the minor 30-hour line. A minor under 18 working 30 hours a week or less is exempt from sick leave — but in any week the minor works MORE than 30 hours, sick leave must be earned for ALL hours worked that week.

- Sick leave must be paid at your regular rate of pay, and your sick leave used and balance must appear on your statement of earnings. An employer found in violation is liable for lost wages or damages.

Captive-Audience Meetings

- You cannot be punished for skipping a political or religious pitch meeting. Your employer may not take or threaten adverse action because you refuse to attend an employer-sponsored meeting whose primary purpose is the employer's opinion on religious or political matters — "political matters" expressly includes whether to join or support a labor organization — or refuse to listen to such communications. A violating employer is liable for your lost wages. Exceptions: communications the law requires, information you need to do your job, higher-education coursework, executives being required to listen to business communications, and a religious organization's own religious meetings.

Family and Medical Leave

- Private-sector workers: the federal FMLA floor — employers with 50 or more employees; eligibility after 12 months and 1,250 hours; up to 12 workweeks of unpaid, job-protected leave.
- The Alaska Family Leave Act is **PUBLIC EMPLOYERS ONLY**: up to 18 weeks of job-protected leave in a 12- or 24-month period for qualifying family and medical reasons (eligibility: 35 or more hours a week for 6 consecutive months, or 17.5 or more hours a week for 12 consecutive months, and 21 or more employees within 50 road miles). It is "paid" only by using your own accrued leave — down to a five-day balance for state employees — not by any state fund. A private-sector hospitality worker is not covered by the Alaska Family Leave Act.

Filing a Wage Claim

- File with the Department of Labor and Workforce Development, Wage and Hour. Use the wage claim packet (claim form, calculation sheet, statement, and an assignment that lets the Department pursue the claim for you). Ground rules: you should already have asked your employer for the wages; the claim must be more than \$50 and less than \$20,000; public-employer claims are not taken; you carry the initial burden of proof. After acceptance, the Department demands payment and the employer has 20 days to respond. Claims under \$20,000 may also go to Small Claims Court.
- Deadlines — do not sit on a claim. Minimum-wage and overtime claims must be filed within 2 years of the work; straight-time or promised-benefit claims within 3 years. In court, an action for unpaid minimum wages, overtime, or liquidated damages is forever barred unless started within two years after it accrues.
- What you can recover: unpaid minimum wages or overtime plus an equal amount in liquidated damages. For overtime only, a court may reduce the damages if the employer proves good faith by clear and convincing evidence — and failure to inquire into Alaska law is not good faith. A private settlement of an overtime claim is not valid unless the Department reviews it, and waiving liquidated damages can never be a condition of employment. You may sue yourself (and for similarly situated coworkers) or assign your claim to the commissioner.

- **Contacts: Wage and Hour** — (907) 269-4900, statewide.wagehour@alaska.gov. Offices in Anchorage (1251 Muldoon Road, Suite 113), Fairbanks (675 7th Avenue, Station J1), and Juneau (1111 West 8th Street, Suite 302). Hours 8:30 a.m. to 4:30 p.m., closed 12:00 to 1:00 p.m.

Discrimination

- The Alaska Human Rights Law is broader than federal law. Illegal bases: race, religion, color, national origin, sex, physical or mental disability — and in employment also age, marital status, changes in marital status, pregnancy, and parenthood. Retaliation for opposing a forbidden practice or taking part in a proceeding is illegal. Coverage: an "employer" is anyone with ONE OR MORE employees in Alaska — far below the federal threshold. (Domestic service in a private home is outside the "employee" definition, and exclusively social, fraternal, charitable, educational, or religious non-profit clubs and associations are outside "employer.")

TRAP — the deadline prints at 300 days, and file early anyway. The Alaska State Commission for Human Rights' current rule: contact the Commission within 300 days of the alleged act; staff help you draft the complaint, and it must be notarized and filed within 300 days. The caution, in the same breath: some official materials still say 180 days (an older Commission poster and the EEOC's Alaska page). Do not wait — contact the Commission as soon as you can, well inside either count. The Commission can award make-whole relief only, not punitive-type damages. Contacts: 800 A Street, Suite 204, Anchorage, AK 99501; (907) 274-4692; toll-free 1-800-478-4692; TTY/TDD 1-800-478-3177.

- EEOC — also 300 days for Alaska (a deferral state): against employers with 15 or more employees (race, color, national origin, sex, religion, disability) or 20 or more for age. If your employer is smaller than the federal thresholds, the state Commission above is your route.
- Anchorage workers may also file with the Anchorage Equal Rights Commission, whose own FAQ sets the limit at 180 calendar days from the last discriminatory act.

Return Transportation — The Seasonal Trap

TRAP — if your employer brought you, your employer owes your way back. If the employer provided, paid for, or loaned you the cost of transportation from your place of hire to a place inside or outside Alaska, it must pay your way back (or provide transportation) to the place of hire, or another place you both agree, after employment ends. Exceptions: no duty if you were terminated for fighting, intoxication, lying on the job application, or unexcused absences of more than three consecutive scheduled work days; and if you quit, no duty — UNLESS you quit because the employer misrepresented wages, lodging, or working conditions, or you quit for health or safety reasons. Return transportation can itself be a wage claim — the claim packet has a line for it.

Sources

Alaska Department of Labor and Workforce Development, Wage and Hour — labor.alaska.gov/lss/whhome.htm; FAQ: labor.alaska.gov/lss/whfaq.htm; flexible work hour plans: labor.alaska.gov/lss/flex.htm; paid sick leave FAQ: labor.alaska.gov/lss/sick-leave-faq.html; wage claim packet: akdol.us/lss/forms/wageclaim.PDF; minimum wage news release: labor.alaska.gov/news/2025/news25-11.htm. Alaska Statutes — AS 23.05.140 (pay and final pay), AS 23.10.065 (minimum wage; no tip credit), AS 23.10.066-.069 (paid sick leave), AS 23.10.110 and AS 23.10.130 (recovery; two-year bar), AS 23.10.380 (return transportation), AS 23.10.490 (captive-audience meetings), AS 39.20.500-.550 (Alaska Family Leave Act): akleg.gov. Alaska State Commission for Human Rights — complaints: humanrights.alaska.gov/services/complaints/. Anchorage Equal Rights Commission FAQ: muni.org/Departments/AERC/Pages/FAQ.aspx. U.S. Department of Labor, state minimum wage laws: dol.gov/agencies/whd/minimum-wage/state; U.S. EEOC, San Francisco District timeliness: eeoc.gov/field-office/sanfrancisco/timeliness.