

State of Arizona
Senate
Fiftieth Legislature
Second Regular Session
2012

SENATE BILL 1054

AN ACT

AMENDING SECTION 23-282, ARIZONA REVISED STATUTES; RELATING TO HOURS OF LABOR.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 23-282, Arizona Revised Statutes, is amended to
3 read:

4 23-282. Underground mine employees and hoisting engineers:
5 twelve hour day: exceptions: violation:
6 classification

7 ~~A. Employment in mining activities in underground mines and~~
8 ~~underground workings is declared injurious to health and dangerous to life~~
9 ~~and limb of those employed therein.~~

10 ~~B.~~ A. The period of employment for all persons employed or engaged in
11 mining activities in underground mines or underground workings or as hoisting
12 engineers at underground mines shall not exceed ~~eight~~ TWELVE hours within any
13 twenty-four hour period and the ~~eight~~ TWELVE hours shall include the time
14 used in descending to and ascending from the point or place of work in an
15 underground mine or underground workings place of work.

16 ~~C.~~ B. The period of employment prescribed in subsection B may be
17 deviated from in the following instances:

18 1. In an emergency, where life or property is in imminent danger, the
19 period of labor prescribed in subsection B may be prolonged during the
20 continuance of the emergency.

21 2. The hours of employment may be changed from one part of the day to
22 another at stated periods, the change not to occur more than once in any two
23 weeks, and the employment may be for more than ~~eight~~ TWELVE hours during the
24 day in which the change is made.

25 3. If the employer has adopted a policy of longer periods of
26 employment based on a collective bargaining agreement between the employer
27 and one or more labor organizations representing one or more affected
28 employees that expressly authorizes longer periods of employment, but in no
29 event longer than twelve hours in any twenty-four hour period, subject to
30 compliance with the terms and conditions for implementing periods of
31 employment in excess of eight hours as set forth in the collective bargaining
32 agreement. For purposes of this paragraph, "affected employees" means all or
33 any group of employees of the employer, regardless of whether or not the
34 employees are members of a labor organization, whose periods of employment
35 are limited pursuant to subsection B of this section.

36 ~~D.~~ C. Any person violating any provision of this section, and any
37 person who, as foreman, manager, superintendent, director, or officer of a
38 corporation, or as employer or superior officer of any person, knowingly
39 commands, persuades, or allows any person to violate any provision of this
40 section is guilty of a class 2 misdemeanor.

41 ~~E.~~ D. Each day this section is violated constitutes a separate
42 offense.