

ALASKA DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
GRANT OF PERMANENT VARIANCE
VAR 24-01

1. BACKGROUND

North Pacific Seafoods, Inc. 329 Katlian Street, Sitka, AK 99835 made an application under AS 18.60.077 for a permanent variance from the safety and health standard prescribed in 8 AAC 61.1040(a) regarding size of room used for sleeping purposes, and 29 CFR 1910.142(b)(7) regarding size of living quarter windows in the Offsite Employee Bunkhouse located at 713 Katlian Street, Sitka, AK 99835.

2. FACTS

North Pacific Seafoods, Inc. is seek relief from the 60-feet per occupant threshold, and the 10% of the total room size for windows requirement. This is because the building was constructed in the late 1960's, and was acquired in 2001.

The applicant certifies that all affected employees have been informed of this application. Any new employees will be informed of conditions relating to the permit. Employees have been advised of their rights to request a hearing and copies of the application.

The Department of Labor and Workforce Development initiated a public comment period on June 3rd, 2024, which ended at close of business on July 8th, 2024. The "Application for Permanent Variance" was published in the Anchorage Daily News on June 3rd, 2024, and the State of Alaska's On-line Public Notice website from June 3rd through July 8th, 2024. No comments were received, and no requests were made for public hearings.

The Department of Labor and Workforce Development reviewed the application and is satisfied that North Pacific Seafoods, Inc. has proposed alternative procedures to ensure worker protection that are at least as safe and healthful as those required by the standard.

3. ORDER

It is ordered under the authority of AS 18.60.077 that North Pacific Seafoods, Inc. is granted a permanent variance to allow them to house their employees into the sleeping units, with regard to their modified request dated 5/2/24. The time period for this variance will begin on August 1, 2024 and will end upon remodel of the living quarters, or once they are no longer doing business at the site.

An employer, employee or an employee's authorized representative may apply in writing to the Commissioner of the Department of Labor and Workforce Development, P. O. Box 21149, Juneau, AK 99802-1149, for modification or revocation of a permanent varianc issued pursuant to AS 18.60.077. Such an application may be considered after the variance has been in effect for at least six months.

4. EFFECTIVE DATE

The order is signed and effective on this 1st day of August 2024.


Cathy Munoz, Commissioner

Department of Labor and Workforce Development

Grant of Permanent Variance