

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

HOUSE BILL 1741

5 By: Representative Eaves
6 By: Senator J. Cooper
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE HIGHER EDUCATION UNIFORM
10 CLASSIFICATION AND COMPENSATION ACT; TO DECLARE AN
11 EMERGENCY; AND FOR OTHER PURPOSES.
12
13

Subtitle

15 TO AMEND THE HIGHER EDUCATION UNIFORM
16 CLASSIFICATION AND COMPENSATION ACT; AND
17 TO DECLARE AN EMERGENCY.
18
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. Arkansas Code § 21-5-1402 is amended to read as follows:

23 21-5-1402. Definitions.

24 As used in this subchapter:

25 ~~(1) "Base pay level" means the maximum entry pay level for~~
26 ~~classifications assigned to the career service pay plan;~~

27 ~~(2) "Base range" means the range of pay between the entry pay~~
28 ~~level and the base pay level of the appropriate grade for classifications~~
29 ~~assigned to the career service pay plan;~~

30 ~~(3) "Career pay level" means the pay level established on the~~
31 ~~career service compensation plan at a grade that is authorized only for~~
32 ~~current employees who meet established eligibility criteria;~~

33 ~~(4)~~(1) "Class" or "classification" means a group of positions
34 sufficiently similar as to duties performed, scope of discretion and
35 responsibility, minimum requirements of education or training, skill,
36 experience, and other characteristics that the same class title, the same



1 test of fitness, and the same grade have been or may be applied to each
2 position in the group;

3 ~~(5)~~(2) "Classified employee" means a person regularly appointed
4 or employed in a position of state service by an institution of higher
5 education for which:

6 (A) He or she is compensated on a full-time basis or on a
7 pro rata basis; and

8 (B) A class title and grade are established in the
9 appropriation act for the institution in accordance with the classification
10 and compensation plan enacted in this subchapter;

11 ~~(6)~~(3) "Class specification" means a written document that
12 identifies a group of positions that require the same type of work and
13 responsibility and sets out the general components of the job description for
14 each position in the category by providing a class title, class code,
15 distinguishing features and examples of work, knowledge, skills, and
16 abilities, and the necessary minimum education and experience requirements to
17 perform the assigned duties;

18 ~~(7)~~(A)~~(4)~~(A) "Crossgrade" means a temporary reclassification of
19 a position during the fiscal year.

20 (B) The Department of Higher Education may authorize a
21 temporary crossgrade through a change in the classification of a position
22 from the classification authorized in an institution's appropriation act
23 between legislative sessions to assure correct classification and for other
24 purposes with the following restrictions:

25 (i) A position shall not be crossgraded to a
26 classification at a grade higher than the grade originally authorized for the
27 position by the General Assembly in the institution's appropriation act;

28 (ii) A position may be crossgraded to a
29 classification at the same or lower grade than the position as originally
30 authorized for the position by the General Assembly in the institution's
31 appropriation act;

32 (iii) Positions that have been crossgraded may be
33 restored to the original authorized class during the fiscal year with the
34 approval of the department for those positions within the same occupational
35 group;

36 (iv) Position classifications may be crossgraded or

1 restored to their original classifications only after the review and approval
2 of the department;

3 (v) Positions established under the ~~career service~~
4 ~~compensation pay~~ plan may not be crossgraded to positions having an
5 authorized line item maximum salary established by the General Assembly in
6 the institution of higher education's appropriation act; and

7 (vi) Positions having an authorized line item
8 maximum salary by the General Assembly in the institution's appropriation act
9 may not be crossgraded from line-item status to classified status;

10 ~~(8)(5)~~ "Demotion" means the change in duty assignment of an
11 employee from a position in one classification to a position in another
12 classification of a lower grade;

13 ~~(9)~~ "Entry pay level" means the minimum entry level pay rate for
14 ~~classifications assigned to the compensation plan;~~

15 ~~(10)(A)(6)~~ "Grade" means an authorized pay range for
16 classifications assigned to the pay plan having an entrance a minimum salary
17 rate pay level, intermediate midpoint rate pay level, and a maximum ~~rate of~~
18 pay level as provided in this subchapter.

19 ~~(B)~~ The determination of lower or higher grade in relation
20 to another grade is determined by comparing the base pay levels assigned to
21 each grade;

22 ~~(11)(7)~~ "Head of the institution" means the executive head of an
23 institution of higher education;

24 ~~(12)(8)~~ "Institution of higher education" or "institution" means
25 a public institution of higher education supported, in whole or in part, by
26 appropriation of state funds;

27 ~~(13)(A)(i)(9)(A)(i)~~ "Job sharing" means a form of employment in
28 which the hours of work of two (2) or more persons are arranged in such a way
29 as to cover one (1) regular full-time position.

30 (ii) The department may authorize job sharing for
31 any regular full-time position.

32 (B) The Director of the Department of Higher Education or
33 his or her designee shall promulgate necessary rules to carry out this
34 subdivision ~~(13)(9)~~;

35 ~~(14)(10)~~ "Maximum pay level" means the highest authorized level
36 of pay for a grade for normal compensation administration purposes;

1 ~~(15)~~(11) "Midpoint pay level" means the rate of pay midway
2 between the ~~base~~ minimum pay level and the maximum pay level established for
3 each grade;

4 (12) "Minimum pay level" means the entry level pay rate for
5 classifications assigned to the compensation plan;

6 ~~(16)~~(A)~~(13)~~(A) "Occupational group" means a collection of
7 classes having similar job description components and sharing a primary
8 function.

9 (B) In determining the occupational group to which a class
10 is assigned, consideration shall be given to the type of work performed, the
11 education or experience required, job elements or tasks, and the purpose of
12 the job;

13 ~~(17)~~(14) "Pay level" means any single rate of pay in a grade,
14 including the ~~entrance rate~~ minimum pay level, ~~intermediate rate~~ midpoint pay
15 level, and ~~the maximum rate of pay level~~;

16 ~~(18)~~(15) "Position" means an office or employment that is
17 legislatively authorized in an institution of higher education, occupied or
18 vacant, requiring the services of one (1) full-time equivalent employee;

19 ~~(19)~~(16) "Promotion" means the change in duty assignment of an
20 employee from a position in one classification to a position in another
21 classification of a higher grade; and

22 ~~(20)~~(A)~~(17)~~(A) "Reclassification" means a change in the
23 assignment of a position from one classification title to another
24 classification title of either a higher or lower grade when material and
25 permanent changes in the duties and responsibilities of the position being
26 recommended for reclassification have occurred or when it is necessary to
27 establish a new classification title to meet federal standards as a
28 prerequisite for federal programs.

29 (B) Positions eligible for reclassification within an
30 institution of higher education are only those positions assigned a specific
31 classification title and grade.

32 (C) Positions having a line-item maximum salary are exempt
33 from the provisions in this section and may not be reclassified from line-
34 item status to a classified designation bearing a salary grade.

35 (D) Positions within an institution of higher education
36 designated within a classification title and grade shall not be reclassified

1 to a classification title for which a line-item maximum annual salary has
 2 been established.

3 (E) Interim reclassifications approved by the department
 4 shall be implemented through the crossgrading of existing positions within an
 5 institution of higher education or through the acquisition of pool positions
 6 as authorized in § ~~21-5-1414(a)(1)~~ 21-5-1415(a)(1).

7
 8 SECTION 2. Arkansas Code § 21-5-1406(b), concerning classifications
 9 under the Higher Education Uniform Classification and Compensation Act, is
 10 amended to read as follows:

11 (b) The following classification titles with their assigned grades are
 12 approved for the classification and compensation plan under this subchapter,
 13 subject to the appropriation acts for the institutions:

15 Class			
16 Code	Title		Grade
17 D010G	DATA WAREHOUSE LEAD		C128
18 Q149G	FISCAL OFFICER		C128
19 D008G	GIS LEAD		C128
20 G241G	HEALTH INFO TECH OPER & TECH OFFICER		C128
21 D007C	INFORMATION SYSTEMS MANAGER		C128
22 X005G	PROPERTY & CASUALTY MANAGER		C128
23 G008G	RISK MANAGEMENT ASSISTANT DIRECTOR		C128
24 D006G	SOFTWARE ENGINEER LEAD		C128
25 Q026G	APPLICATIONS PROGRAMMER		C127
26 Q023G	DATABASE PROGRAMMER		C127
27 D012G	DATABASE SPECIALIST		C127
28 A014G	FISCAL DIVISION MANAGER		C127
29 Q025G	NETWORK SPECIALIST		C127
30 Q027G	NETWORK/WEB PROGRAMMER		C127
31 Q024G	PC SUPPORT MANAGER		C127
32 B015C	ENGINEER SUPERVISOR		C126
33 R006G	HUMAN RESOURCES ADMINISTRATOR		C126
34 D017G	INFORMATION SYSTEMS SECURITY SPECIALIST		C126
35 D016C	SENIOR TECHNOLOGY ANALYST		C126
36 D114C	UAF SYSTEMS ADMINISTRATOR		C126

1	A027C	ACCOUNTING OPERATIONS MANAGER	C125
2	D020C	INST INFORMATION TECHNOLOGY COORD	C125
3	M004C	RESIDENTIAL OPERATIONS MANAGER	C125
4	B018C	SENIOR BROADCAST ENGINEER	C125
5	E009C	TECHNICAL INSTITUTE ASSISTANT DIRECTOR	C125
6	G076C	ADMINISTRATIVE SERVICES MANAGER	C124
7	A031C	ASSISTANT CONTROLLER	C124
8	D035C	COMPUTER SUPPORT MANAGER	C124
9	D034C	DATABASE ADMINISTRATOR	C124
10	D031C	DISASTER RECOVERY ANALYST	C124
11	E013C	EDUCATION PROGRAM MANAGER	C124
12	D030C	INFORMATION SYSTEMS COORDINATOR	C124
13	Q051C	NETWORK ADMINISTRATOR	C124
14	D029C	SENIOR GIS ANALYST	C124
15	D028C	SENIOR SOFTWARE SUPPORT SPECIALIST	C124
16	D027C	SOFTWARE ENGINEER	C124
17	D022C	SYSTEMS SPECIALIST	C124
18	E011C	VOCATIONAL EDUCATION COORDINATOR	C124
19	A038C	FISCAL SUPPORT MANAGER	C123
20	D040C	GIS ANALYST	C123
21	D039C	NETWORK SUPPORT SPECIALIST	C123
22	P004C	PUBLIC INFORMATION MANAGER	C123
23	D038C	SENIOR SOFTWARE SUPPORT ANALYST	C123
24	Q151C	ADMINISTRATIVE ASSISTANT	C122
25	G103C	ASSOCIATE REGISTRAR	C122
26	A116C	BUSINESS OPERATIONS MANAGER	C122
27	T019C	DIRECTOR OF PUBLIC SAFETY I	C122
28	S003C	FOOD & BEVERAGE DIRECTOR	C122
29	T018C	HE PUBLIC SAFETY COMMANDER III	C122
30	D047C	INFORMATION SYSTEMS BUSINESS ANALYST	C122
31	G095C	LODGE MANAGER	C122
32	B034C	MICROBIOLOGIST SUPERVISOR	C122
33	L027C	REGISTERED NURSE SUPERVISOR	C122
34	D050C	SECURITY ANALYST	C122
35	E018C	SPECIALIZED TECHNICAL FACULTY	C122
36	D044C	SYSTEMS ANALYST	C122

1	B033C	UAF CONSTRUCTION COORDINATOR	C122
2	A052C	ACCOUNTING COORDINATOR	C121
3	D054C	COMPUTER SUPPORT COORDINATOR	C121
4	E022C	EDUCATION & INSTRUCTION MANAGER	C121
5	A047C	FINANCIAL ANALYST II	C121
6	G109C	GRANTS MANAGER	C121
7	T023C	HE PUBLIC SAFETY COMMANDER II	C121
8	M009C	LICENSED CERTIFIED SOCIAL WORKER	C121
9	S004C	MAINTENANCE MANAGER	C121
10	L036C	NURSE INSTRUCTOR	C121
11	R014C	PERSONNEL MANAGER	C121
12	V004C	PROCUREMENT MANAGER	C121
13	D052C	SOFTWARE SUPPORT ANALYST	C121
14	D051C	SYSTEMS APPLICATIONS SUPERVISOR	C121
15	P008C	TELEVISION PROGRAM MANAGER	C121
16	D060C	ASST DIR COMPUTER SVCS	C120
17	S006C	ASU ASSOC DIR PHYSICAL PLANT	C120
18	B056C	ASU CONSTRUCTION COORDINATOR	C120
19	G136C	ASU DIRECTOR OF HOUSING	C120
20	D059C	ASU ENGINEERING COMM FACILITIES DIR	C120
21	R019C	BUDGET MANAGER	C120
22	B054C	CAMPUS CONSTRUCTION COORDINATOR	C120
23	E027C	CAREER & TECHNICAL FACULTY	C120
24	D058C	COMPUTER OPERATIONS COORDINATOR	C120
25	G135C	COORD DESEGREGATION & AFFIRM ACTN	C120
26	Q075C	DESKTOP APPLICATIONS SUPPORT	C120
27	E026C	EDUCATION & INSTRUCTION COORDINATOR	C120
28	D057C	INFORMATION TECHNOLOGY MANAGER	C120
29	Q084C	MANAGEMENT PROJECT ANALYST	C120
30	P014C	MUSEUM MANAGER	C120
31	Q078C	PC SUPPORT SPECIALIST	C120
32	P013C	PUBLIC INFORMATION COORDINATOR	C120
33	T030C	PUBLIC SAFETY COMMANDER I	C120
34	P068C	RADIO PRODUCER	C120
35	L038C	REGISTERED NURSE	C120
36	D056C	SYSTEMS COORDINATION ANALYST	C120

1	P012C	TELEVISION PRODUCER	C120
2	G118C	UAF ASSOC DIR OF AR UNION	C120
3	A053C	AF ASST BUSINESS MANAGER	C120
4	P011C	UAF SPORTS INFORMATION COORDINATOR	C120
5	B064C	ASU DIRECTOR OF FARMING	C119
6	R022C	BENEFITS COORDINATOR	C119
7	R021C	BUDGET ANALYST	C119
8	V008C	BUYER SUPERVISOR	C119
9	S008C	CAMPUS MAINTENANCE SUPERVISOR	C119
10	D063C	COMPUTER SUPPORT SPECIALIST	C119
11	P016C	CURATOR	C119
12	D062C	DATABASE ANALYST	C119
13	G159C	DEPARTMENT BUSINESS COORDINATOR	C119
14	P065C	DEVELOPMENT SPECIALIST	C119
15	E032C	EDUCATION COUNSELOR	C119
16	E031C	EDUCATION PROGRAM COORDINATOR	C119
17	G147C	GRANTS COORDINATOR	C119
18	D061C	INFORMATION SYSTEMS COORDINATION SPEC	C119
19	A066C	INTERNAL AUDITOR	C119
20	E030C	LIBRARY COORDINATOR	C119
21	A065C	PAYROLL SERVICES COORDINATOR	C119
22	V007C	PROCUREMENT COORDINATOR	C119
23	B061C	RESEARCH TECHNOLOGIST	C119
24	G144C	TECHNICAL INSTITUTE PROGRAM COORDINATOR	C119
25	R024C	ASSISTANT PERSONNEL MANAGER	C118
26	S015C	ASST LODGE MANAGER	C118
27	S012C	ASU ASST DIRECTOR OF PHYSICAL PLANT	C118
28	G172C	CAREER PLANNING & PLAC COORDINATOR	C118
29	M030C	CHILD CARE DIRECTOR	C118
30	D066C	DIGITAL BROADCAST SPECIALIST	C118
31	G169C	DIRECTOR OF STUDENT UNION	C118
32	E038C	EDUCATION & INSTRUCTION ANALYST	C118
33	E037C	EDUCATION PROGRAM SPECIALIST	C118
34	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	C118
35	A075C	FINANCIAL ANALYST I	C118
36	A074C	FISCAL SUPPORT SUPERVISOR	C118

1	R023C	INSTITUTION PERSONNEL SVCS MANAGER	C118
2	L047C	MEDICAL TECHNOLOGIST SUPERVISOR	C118
3	D065C	NETWORK SUPPORT ANALYST	C118
4	A072C	RESEARCH & STATISTICS MANAGER	C118
5	S014C	RESTAURANT MANAGER	C118
6	M022C	UAPB DIRECTOR OF HOUSING	C118
7	D064C	WEBSITE DEVELOPER	C118
8	M026C	LICENSED SOCIAL WORKER	C118
9	A082C	ACCOUNTANT II	C117
10	G190C	ASST DIR FINANCIAL AID	C117
11	G189C	ATU DIRECTOR OF HOUSING	C117
12	S020C	AVIATION TECHNICIAN	C117
13	P023C	BROADCAST PROMOTION SPECIALIST	C117
14	R027C	BUDGET SPECIALIST	C117
15	G188C	BUSINESS & INDUSTRIAL ENERGY SPECIALIST	C117
16	C019C	CLINIC BUSINESS SVCS MANAGER	C117
17	D071C	COMPUTER SUPPORT ANALYST	C117
18	P022C	COORDINATOR OF SPORTS INFORMATION	C117
19	L055C	DIETICIAN	C117
20	S019C	DIRECTOR MAINTENANCE	C117
21	P021C	EDITOR	C117
22	G180C	GRANTS ANALYST	C117
23	R025C	HUMAN RESOURCES ANALYST	C117
24	D068C	INFORMATION SYSTEMS ANALYST	C117
25	D067C	INFORMATION SYSTEMS SECURITY ANALYST	C117
26	G179C	LEGAL SERVICES SPECIALIST	C117
27	S017C	MAINTENANCE COORDINATOR	C117
28	V011C	MEDICAL BUYER	C117
29	B077C	MICROBIOLOGIST	C117
30	P020C	PRODUCTION ARTIST	C117
31	M038C	PROGRAM ELIGIBILITY ANALYST	C117
32	T051C	PUBLIC SAFETY SUPERVISOR	C117
33	B076C	RESEARCH PROJECT ANALYST	C117
34	E041C	SENIOR LIBRARIAN	C117
35	S016C	SKILLED TRADES FOREMAN	C117
36	E040C	STAFF DEVELOPMENT COORDINATOR	C117

1	M035C	UALR DIRECTOR OF HOUSING	C117
2	M034C	UAM DIRECTOR OF HOUSING	C117
3	M033C	UCA ASSISTANT DIRECTOR OF HOUSING	C117
4	A089C	ACCOUNTANT I	C116
5	A088C	ASSETS COORDINATOR	C116
6	<u>B072C</u>	<u>AGRICULTURE PROGRAM COORDINATOR</u>	<u>C116</u>
7	<u>B091C</u>	<u>ASSISTANT DIRECTOR OF FARMING</u>	<u>C116</u>
8	C023C	ASSOCIATE BOOKSTORE MANAGER	C116
9	B089C	ASU ASST DIRECTOR OF FARMING	C116
10	S029C	ASU DIRECTOR OF HOUSEKEEPING	C116
11	A087C	ASU PAYROLL SERVICES MANAGER	C116
12	S092C	ATHLETIC TICKET SALES COORDINATOR	C116
13	S025C	BUILDING AND GROUNDS COORDINATOR	C116
14	C022C	BUSINESS OPERATIONS SPECIALIST	C116
15	V014C	BUYER	C116
16	M053C	CHILD CARE SERVICE SPECIALIST	C116
17	X129C	CONSTRUCTION INSPECTOR	C116
18	S098C	CONSTRUCTION SUPERVISOR	C116
19	S024C	CONSTRUCTION/MAINTENANCE COORD	C116
20	P032C	DESIGN CONSULTANT	C116
21	G197C	DIRECTOR OF ALUMNI	C116
22	E048C	EDUCATION & INSTRUCTION SPECIALIST	C116
23	R030C	EEO/GRIEVANCE OFFICER	C116
24	B087C	ENERGY CONSERVATION COORD	C116
25	B090C	ENGINEER TECHNICIAN	C116
26	G195C	HIGHER ED INSTITUTION PROG COORD	C116
27	R029C	HUMAN RESOURCES RECRUITER	C116
28	P031C	MEDIA SPECIALIST	C116
29	P030C	MUSEUM EXHIBIT PROGRAM SPECIALIST	C116
30	P029C	MUSEUM PROGRAMS SPECIALIST	C116
31	X119C	OCCUPATIONAL SAFETY COORDINATOR	C116
32	S023C	PRINT SHOP MANAGER	C116
33	P027C	PUBLIC INFORMATION SPECIALIST	C116
34	T055C	PUBLIC SAFETY OFFICER	C116
35	P066C	RADIO NEWS DIRECTOR	C116
36	P026C	RADIO PROGRAM DIRECTOR	C116

1	Q153C	RECEPTIONIST	C116
2	S022C	SKILLED TRADES SUPERVISOR	C116
3	D075C	SOFTWARE SUPPORT SPECIALIST	C116
4	C020C	STUDENT APPLICATIONS SPECIALIST	C116
5	D074C	TELECOMMUNICATIONS SUPERVISOR	C116
6	E046C	TRAINING INSTRUCTOR	C116
7	C037C	ADMINISTRATIVE ANALYST	C115
8	Q123C	ADMINISTRATIVE ASSISTANT	C115
9	G212C	ASST DIR STUDENT UNION	C115
10	C035C	ASST REGISTRAR	C115
11	G211C	ASU ASST DIRECTOR OF HOUSING	C115
12	S036C	AUTO/DIESEL MECHANIC SUPERVISOR	C115
13	R033C	BENEFITS ANALYST	C115
14	C034C	BOOKSTORE MANAGER	C115
15	C033C	CLINIC BUSINESS SVCS SUPERVISOR	C115
16	V016C	COMMODITY SPECIALIST	C115
17	D079C	COMPUTER SUPPORT TECHNICIAN	C115
18	S097C	CONSTRUCTION SPECIALIST	C115
19	S035C	FABRICATION SHOP MANAGER	C115
20	L063C	FAMILY CONSUMER SCIENCE SPECIALIST	C115
21	G207C	FINANCIAL AID ANALYST	C115
22	X188C	FIRE MARSHAL INSPECTOR	C115
23	A091C	FISCAL SUPPORT ANALYST	C115
24	D078C	GIS TECHNICIAN	C115
25	D077C	HELP DESK SPECIALIST	C115
26	R032C	HUMAN RESOURCES PROGRAM REPRESENTATIVE	C115
27	R031C	INSTITUTION HUMAN RESOURCES COORDINATOR	C115
28	E050C	LIBRARY SUPERVISOR	C115
29	Q124C	LIBRARY TECHNICAL ASSISTANT	C115
30	L062C	LICENSED PRACTICAL NURSE SUPERVISOR	C115
31	S033C	MAINTENANCE SUPERVISOR	C115
32	C028C	MEDICAL RECORDS SUPERVISOR	C115
33	L061C	MEDICAL TECHNOLOGIST	C115
34	A090C	PAYROLL SERVICES SPECIALIST	C115
35	S032C	PRINT SHOP SUPERVISOR	C115
36	V015C	PURCHASING SPECIALIST	C115

1	M055C	SAU DIRECTOR OF HOUSEKEEPING	C115
2	S031C	SKILLED TRADESMAN	C115
3	P033C	SPECIAL EVENTS MANAGER	C115
4	C025C	STUDENT ACCOUNTS OFFICER	C115
5	S038C	TRANSIT OPERATIONS SUPERVISOR	C115
6	E049C	VOCATIONAL INSTRUCTOR	C115
7	B100C	ARCHITECTURAL DRAFTSMAN	C114
8	P043C	ARCHIVAL ASSISTANT	C114
9	S042C	ATU COLISEUM MANAGER	C114
10	S041C	BOILER OPERATOR	C114
11	P042C	BROADCAST PRODUCTION SPECIALIST	C114
12	S040C	CALIBRATION TECHNICIAN	C114
13	G215C	CAREER PLANNING & PLACEMENT SPECIALIST	C114
14	P041C	COMMERCIAL GRAPHIC ARTIST	C114
15	D085C	COMMUNICATIONS SUPERVISOR	C114
16	D084C	COMPUTER OPERATOR	C114
17	D083C	DIGITAL BROADCAST TECHNICIAN	C114
18	S044C	FOOD PREPARATION MANAGER	C114
19	G214C	GRANTS SPECIALIST	C114
20	Q127C	HELP DESK COORDINATOR	C114
21	P040C	HISTORICAL RESEARCHER	C114
22	P039C	INSTITUTIONAL PRINTER	C114
23	E052C	LIBRARIAN	C114
24	D082C	NETWORK ANALYST	C114
25	M066C	PROGRAM ELIGIBILITY SPECIALIST	C114
26	T067C	PUBLIC SAFETY OFFICER II	C114
27	L064C	RADIOLOGY TECHNICIAN	C114
28	X151C	SAFETY SUPERVISOR	C114
29	E051C	STAFF DEVELOPMENT SPECIALIST	C114
30	S099C	STATIONARY ENGINEER	C114
31	A093C	STATISTICIAN	C114
32	M062C	STUDENT UNION NIGHT MANAGER	C114
33	G213C	TECHNICAL INSTITUTE PROGRAM SPECIALIST	C114
34	D081C	TELECOMMUNICATIONS SPECIALIST	C114
35	S039C	TELEVISION PROGRAM SPECIALIST	C114
36	V018C	WAREHOUSE MANAGER	C114

1	C050C	ADMINISTRATIVE SUPPORT SUPERVISOR	C113
2	S048C	ASST RESTAURANT MANAGER	C113
3	E053C	AUDIOVISUAL AIDS SUPV	C113
4	A096C	COLLECTION OFFICER	C113
5	P049C	COMMERCIAL ARTIST I/GRAPHIC ART I	C113
6	<u>P084C</u>	<u>MULTIMEDIA SPECIALIST</u>	<u>C113</u>
7	T079C	FACILITY MANAGER II	C113
8	C051C	FINANCIAL AID SPECIALIST	C113
9	R036C	HUMAN RESOURCES SPECIALIST	C113
10	V020C	INVENTORY CONTROL MANAGER	C113
11	S047C	LANDSCAPE SUPERVISOR	C113
12	C046C	LEGAL SUPPORT SPECIALIST	C113
13	L069C	LICENSED PRACTICAL NURSE	C113
14	S049C	LODGE HOUSEKEEPING SUPERVISOR	C113
15	G219C	LOGISTICS MANAGER	C113
16	S046C	MAINTENANCE TECHNICIAN	C113
17	C044C	MEDICAL BILLING SPECIALIST	C113
18	L068C	MEDICAL DIAGNOSTIC ANALYST	C113
19	P048C	MULTI-MEDIA SPECIALIST	C113
20	P047C	MUSEUM REGISTRAR	C113
21	R035C	PERSONNEL ASSISTANT II - INST	C113
22	P046C	PHOTOGRAPHER	C113
23	S045C	PRINTING ESTIMATOR/PLANNER	C113
24	P045C	PUBLIC INFORMATION TECHNICIAN	C113
25	C043C	RECORDS MANAGEMENT ANALYST	C113
26	T072C	SECURITY OFFICER SUPERVISOR	C113
27	G218C	STUDENT RECRUITMENT SPECIALIST	C113
28	V019C	SURPLUS PROPERTY SPECIALIST	C113
29	C057C	ADMINISTRATION SUPPORT SPECIALIST	C112
30	C056C	ADMINISTRATIVE SPECIALIST III	C112
31	C055C	ASSISTANT BOOKSTORE MANAGER	C112
32	P054C	ASST LODGE SALES DIRECTOR	C112
33	S053C	AUTO/DIESEL MECHANIC	C112
34	R037C	BENEFITS TECHNICIAN	C112
35	A099C	CREDIT & COLLECTIONS SUPV	C112
36	E055C	DAY CARE TEACHER	C112

1	T080C	DIRECTOR TRANSIT & PARKING	C112
2	B105C	FARM FOREMAN – INST	C112
3	A098C	FISCAL SUPPORT SPECIALIST	C112
4	S052C	HEAVY EQUIPMENT SPECIALIST	C112
5	S051C	INSTRUMENTATION TECHNICIAN	C112
6	S050C	MAINTENANCE SPECIALIST	C112
7	C053C	MEDICAL RECORDS TECHNICIAN	C112
8	A097C	PAYROLL TECHNICIAN	C112
9	X173C	PEST CONTROL TECHNICIAN SUPERVISOR	C112
10	V022C	PURCHASING TECHNICIAN	C112
11	M072C	RECREATION COORDINATOR	C112
12	B106C	RESEARCH ASSISTANT	C112
13	P053C	SPECIAL EVENTS COORDINATOR	C112
14	P052C	SPORTS INFORMATION SPECIALIST	C112
15	V021C	SURPLUS PROPERTY AGENT	C112
16	P051C	THEATER ARTS TECHNICAL SUPERVISOR	C112
17	C060C	ALUMNI AFFAIRS SPECIALIST	C111
18	S055C	ATHLETIC FACILITY SUPV	C111
19	M077C	COORDINATOR OF HOUSEKEEPING	C111
20	T085C	FACILITY MANAGER I	C111
21	S056C	FOOD PREPARATION SUPERVISOR	C111
22	D089C	INFORMATION TECHNOLOGY ASSISTANT	C111
23	B108C	LABORATORY COORDINATOR	C111
24	E058C	LIBRARY SPECIALIST	C111
25	X177C	PEST CONTROL TECHNICIAN	C111
26	S054C	PRINTER	C111
27	M075C	RESIDENT HALL SPECIALIST	C111
28	M074C	RESIDENTIAL ADVISOR	C111
29	V023C	STOREROOM SUPERVISOR	C111
30	M078C	VOLUNTEER SERVICES COORDINATOR	C111
31	C065C	ADMISSIONS ANALYST SUPERVISOR	C110
32	L092C	ATHLETIC TRAINER	C110
33	R039C	BENEFITS SPECIALIST	C110
34	C064C	BOOKSTORE OFFICE MANAGER	C110
35	D092C	CALL CENTER SPECIALIST	C110
36	C063C	CAMPUS POSTMASTER	C110

1	X181C	COLLECTOR	C110
2	D091C	COMPUTER LAB TECHNICIAN	C110
3	S058C	EQUIPMENT MECHANIC	C110
4	B120C	FARM MAINTENANCE MECHANIC	C110
5	L077C	HEALTH SERVICES SPECIALIST II	C110
6	L076C	HOSPITAL PROGRAM SERVICES ASSISTANT	C110
7	R038C	HUMAN RESOURCES ASSISTANT	C110
8	B111C	LABORATORY TECHNICIAN	C110
9	S057C	LANDSCAPE SPECIALIST	C110
10	P057C	LIVESTOCK NEWS REPORTER	C110
11	A100C	PAYROLL OFFICER	C110
12	T084C	PUBLIC SAFETY SECURITY OFFICER	C110
13	P055C	SPECIAL EVENTS SUPERVISOR	C110
14	C061C	STUDENT ACCOUNT SPECIALIST	C110
15	G221C	VEHICLE FACILITIES COORD	C110
16	V025C	WAREHOUSE SPECIALIST	C110
17	A101C	ACCOUNTING TECHNICIAN	C109 <u>C110</u>
18	C073C	ADMINISTRATIVE SPECIALIST II	C109
19	C072C	ADMINISTRATIVE SUPPORT SPECIALIST	C109
20	C071C	ADMISSIONS ANALYST	C109
21	P059C	BROADCAST ANNOUNCER	C109
22	L082C	CERTIFIED NURSING ASSISTANT	C109
23	L081C	DENTAL ASSISTANT	C109
24	L080C	DIETETIC TECHNICIAN	C109
25	C070C	DUPLICATION ASSISTANT	C109
26	B112C	GREENHOUSE TECHNICIAN	C109
27	S060C	HEAVY EQUIPMENT OPERATOR	C109
28	L079C	HOSPITAL TECHNICIAN	C109
29	S063C	INNKEEPER SPECIALIST	C109
30	S062C	INSTITUTIONAL BUS DRIVER	C109
31	C069C	LIBRARY TECHNICIAN	C109
32	C066C	PATIENT ACCOUNT SPECIALIST	C109
33	B113C	RESEARCH TECHNICIAN	C109
34	C068C	RETAIL SPECIALIST	C109
35	M080C	STUDENT UNION SECTION MANAGER	C109
36	E056C	TEACHER ASSISTANT	C109

1	M079C	WORK STUDY COORD	C109
2	C079C	ADMISSIONS SPECIALIST	C108
3	C078C	CASHIER	C108
4	C077C	COOP EXTENSION SRV PRG ASST	C108
5	A102C	FISCAL SUPPORT TECHNICIAN	C108
6	S068C	FOOD PREPARATION COORDINATOR	C108
7	S067C	HOUSEKEEPER SUPERVISOR	C108
8	V027C	INVENTORY CONTROL TECHNICIAN	C108
9	S066C	LANDSCAPE TECHNICIAN	C108
10	S065C	MAINTENANCE ASSISTANT	C108
11	C074C	MEDICAL RECORDS ASSISTANT	C108
12	P060C	MULTI-MEDIA TECHNICIAN	C108
13	B114C	RESEARCH FIELD TECHNICIAN	C108
14	S064C	SKILLED TRADES HELPER	C108
15	S070C	EQUIPMENT TECHNICIAN	C107
16	T086C	FIRE & SAFETY COORDINATOR	C107
17	S073C	HOUSEKEEPER	C107
18	S071C	INSTITUTIONAL SERVICES SHIFT SUPVT	C107
19	C085C	LIBRARY SUPPORT ASSISTANT	C107
20	C083C	MAIL SERVICES COORDINATOR	C107
21	C084C	MAIL SERVICES SPECIALIST	C107
22	S069C	RADIO DISPATCH OPERATOR	C107
23	C082C	REGISTRAR'S ASSISTANT	C107
24	S074C	RESIDENT HALL MANAGER I	C107
25	C087C	ADMINISTRATIVE SPECIALIST I	C106
26	B115C	AGRI FARM TECHNICIAN	C106
27	B116C	AGRI LABORATORY TECHNICIAN	C106
28	S075C	ATHLETIC EQUIPMENT SUPV	C106
29	E057C	AUDIOVISUAL LABORATORY ASSISTANT	C106
30	T089C	HE PUBLIC SAFETY DISPATCHER	C106
31	S077C	INNKEEPER ASSISTANT	C106
32	T088C	PARKING CONTROL SUPV	C106
33	V029C	PURCHASING ASSISTANT	C106
34	M089C	RESIDENTIAL CARE ASSISTANT	C106
35	T087C	SECURITY OFFICER	C106
36	P063C	SPECIAL EVENTS WORKER	C106

1	V028C	WAREHOUSE WORKER	C106
2	B117C	ACADEMIC LABORATORY ASSISTANT	C105
3	S081C	APPRENTICE TRADESMAN	C105
4	M086C	CHILD CARE TECHNICIAN	C105
5	S080C	EQUIPMENT OPERATOR	C105
6	C089C	LIBRARY TECHNICAL ASSISTANT	C105
7	C088C	MAIL SERVICES ASSISTANT	C105
8	T090C	PARKING CONTROL OFFICER	C105
9	S079C	REPROD EQUIPMENT OPERATOR	C105
10	V030C	SHIPPING & RECEIVING CLERK	C105
11	S078C	STADIUM MAINTENANCE SUPV	C105
12	S083C	BAKER	C104
13	M085C	CAREGIVER	C104
14	S086C	COOK	C104
15	B118C	FARM WORKER	C104
16	S085C	FOOD PREPARATION SPECIALIST	C104
17	S084C	INSTITUTIONAL SERVICES SUPERVISOR	C104
18	S087C	INSTITUTIONAL SERVICES ASSISTANT	C103
19	B119C	LAB ASSISTANT	C103
20	S089C	FOOD PREPARATION TECHNICIAN	C102
21	S088C	KITCHEN ASSISTANT	C102
22	V031C	STOCK CLERK	C102
23	C093C	EXTRA HELP ASSISTANT	C101
24	T091C	WATCHMAN	C101

25

26

27 SECTION 3. Arkansas Code § 21-5-1407(e)(1), concerning the
 28 compensation plan for institutions of higher education, is amended to read as
 29 follows:

30 (e)(1) The following grades and pay levels are the authorized ~~career~~
 31 ~~service~~ pay plan, effective July 1, ~~2017~~ 2019, and thereafter, for the state
 32 service for all positions of institutions covered by this subchapter to which
 33 a classification title and ~~career-service~~ salary grade have been assigned in
 34 accordance with this subchapter and the appropriation act of the institution:

35

36 ~~GRADE ENTRY BASE MIDPOINT MAXIMUM CAREER~~

1	C101	\$15,080	\$15,683	\$18,663	\$21,643	\$23,374
2	C102	\$15,512	\$16,467	\$19,761	\$23,054	\$24,899
3	C103	\$16,288	\$17,291	\$20,922	\$24,553	\$26,517
4	C104	\$17,102	\$18,155	\$22,149	\$26,144	\$28,235
5	C105	\$17,957	\$19,063	\$23,448	\$27,832	\$30,059
6	C106	\$18,855	\$20,016	\$24,820	\$29,624	\$31,994
7	C107	\$19,798	\$21,017	\$26,271	\$31,525	\$34,048
8	C108	\$20,788	\$22,068	\$27,805	\$33,543	\$36,227
9	C109	\$21,827	\$23,171	\$29,427	\$35,684	\$38,538
10	C110	\$22,919	\$24,330	\$31,142	\$37,954	\$40,991
11	C111	\$24,065	\$25,546	\$32,955	\$40,363	\$43,592
12	C112	\$25,268	\$26,824	\$34,871	\$42,918	\$46,351
13	C113	\$26,531	\$28,165	\$36,614	\$45,064	\$48,669
14	C114	\$27,858	\$29,573	\$38,445	\$47,317	\$51,102
15	C115	\$29,251	\$31,052	\$40,367	\$49,683	\$53,657
16	C116	\$30,713	\$32,604	\$42,386	\$52,167	\$56,340
17	C117	\$32,249	\$34,234	\$44,505	\$54,775	\$59,157
18	C118	\$33,861	\$35,946	\$46,730	\$57,514	\$62,115
19	C119	\$35,554	\$37,743	\$49,067	\$60,390	\$65,221
20	C120	\$37,332	\$39,631	\$51,124	\$62,616	\$67,626
21	C121	\$39,199	\$41,612	\$53,264	\$64,915	\$70,108
22	C122	\$41,159	\$43,693	\$55,490	\$67,287	\$72,670
23	C123	\$43,217	\$45,877	\$57,806	\$69,734	\$75,312
24	C124	\$45,377	\$48,171	\$60,214	\$72,257	\$78,038
25	C125	\$47,646	\$50,580	\$62,719	\$74,858	\$80,847
26	C126	\$50,029	\$53,109	\$65,324	\$77,539	\$83,742
27	C127	\$52,530	\$55,764	\$68,032	\$80,301	\$86,725
28	C128	\$55,156	\$58,553	\$70,849	\$83,145	\$89,796
29	C129	\$57,914	\$61,480	\$73,776	\$86,072	\$92,958
30	C130	\$60,810	\$64,554	\$76,819	\$89,085	\$96,212

31

	<u>Grade</u>	<u>Minimum</u>	<u>15% Above Minimum</u>	<u>Midpoint</u>	<u>30% Above Minimum</u>	<u>Maximum</u>
32	<u>C101</u>	<u>\$20,800</u>	<u>\$23,920</u>	<u>\$26,520</u>	<u>\$27,040</u>	<u>\$32,240</u>
33	<u>C102</u>	<u>\$21,127</u>	<u>\$24,295</u>	<u>\$27,328</u>	<u>\$27,464</u>	<u>\$33,530</u>
34	<u>C103</u>	<u>\$21,453</u>	<u>\$24,671</u>	<u>\$28,162</u>	<u>\$27,889</u>	<u>\$34,871</u>
35	<u>C104</u>	<u>\$21,780</u>	<u>\$25,046</u>	<u>\$29,023</u>	<u>\$28,313</u>	<u>\$36,266</u>

1	<u>C105</u>	<u>\$22,106</u>	<u>\$25,422</u>	<u>\$29,911</u>	<u>\$28,738</u>	<u>\$37,716</u>
2	<u>C106</u>	<u>\$22,433</u>	<u>\$25,797</u>	<u>\$30,829</u>	<u>\$29,162</u>	<u>\$39,225</u>
3	<u>C107</u>	<u>\$22,759</u>	<u>\$26,173</u>	<u>\$31,776</u>	<u>\$29,587</u>	<u>\$40,794</u>
4	<u>C108</u>	<u>\$23,086</u>	<u>\$26,548</u>	<u>\$32,756</u>	<u>\$30,011</u>	<u>\$42,426</u>
5	<u>C109</u>	<u>\$23,412</u>	<u>\$26,924</u>	<u>\$33,767</u>	<u>\$30,436</u>	<u>\$44,123</u>
6	<u>C110</u>	<u>\$23,739</u>	<u>\$27,299</u>	<u>\$34,813</u>	<u>\$30,860</u>	<u>\$45,888</u>
7	<u>C111</u>	<u>\$24,065</u>	<u>\$27,675</u>	<u>\$35,894</u>	<u>\$31,285</u>	<u>\$47,723</u>
8	<u>C112</u>	<u>\$25,268</u>	<u>\$29,058</u>	<u>\$37,450</u>	<u>\$32,848</u>	<u>\$49,632</u>
9	<u>C113</u>	<u>\$26,531</u>	<u>\$30,511</u>	<u>\$39,074</u>	<u>\$34,490</u>	<u>\$51,617</u>
10	<u>C114</u>	<u>\$27,858</u>	<u>\$32,037</u>	<u>\$40,770</u>	<u>\$36,215</u>	<u>\$53,682</u>
11	<u>C115</u>	<u>\$29,251</u>	<u>\$33,639</u>	<u>\$42,540</u>	<u>\$38,026</u>	<u>\$55,829</u>
12	<u>C116</u>	<u>\$30,713</u>	<u>\$35,320</u>	<u>\$44,388</u>	<u>\$39,927</u>	<u>\$58,062</u>
13	<u>C117</u>	<u>\$32,249</u>	<u>\$37,086</u>	<u>\$46,317</u>	<u>\$41,924</u>	<u>\$60,385</u>
14	<u>C118</u>	<u>\$33,861</u>	<u>\$38,940</u>	<u>\$48,331</u>	<u>\$44,019</u>	<u>\$62,800</u>
15	<u>C119</u>	<u>\$35,554</u>	<u>\$40,887</u>	<u>\$50,433</u>	<u>\$46,220</u>	<u>\$65,312</u>
16	<u>C120</u>	<u>\$37,332</u>	<u>\$42,932</u>	<u>\$52,628</u>	<u>\$48,532</u>	<u>\$67,925</u>
17	<u>C121</u>	<u>\$39,199</u>	<u>\$45,079</u>	<u>\$54,920</u>	<u>\$50,959</u>	<u>\$70,642</u>
18	<u>C122</u>	<u>\$41,159</u>	<u>\$47,333</u>	<u>\$57,313</u>	<u>\$53,507</u>	<u>\$73,467</u>
19	<u>C123</u>	<u>\$43,217</u>	<u>\$49,700</u>	<u>\$59,812</u>	<u>\$56,182</u>	<u>\$76,406</u>
20	<u>C124</u>	<u>\$45,377</u>	<u>\$52,184</u>	<u>\$62,420</u>	<u>\$58,990</u>	<u>\$79,462</u>
21	<u>C125</u>	<u>\$47,646</u>	<u>\$54,793</u>	<u>\$65,143</u>	<u>\$61,940</u>	<u>\$82,641</u>
22	<u>C126</u>	<u>\$50,029</u>	<u>\$57,533</u>	<u>\$67,988</u>	<u>\$65,038</u>	<u>\$85,947</u>
23	<u>C127</u>	<u>\$52,530</u>	<u>\$60,410</u>	<u>\$70,957</u>	<u>\$68,289</u>	<u>\$89,384</u>
24	<u>C128</u>	<u>\$55,156</u>	<u>\$63,429</u>	<u>\$74,058</u>	<u>\$71,703</u>	<u>\$92,960</u>
25	<u>C129</u>	<u>\$57,914</u>	<u>\$66,601</u>	<u>\$77,296</u>	<u>\$75,288</u>	<u>\$96,678</u>
26	<u>C130</u>	<u>\$60,810</u>	<u>\$69,932</u>	<u>\$80,678</u>	<u>\$79,053</u>	<u>\$100,545</u>

27

28 SECTION 4. Arkansas Code § 21-5-1407, concerning the compensation plan
 29 for institutions of higher education, is amended to add an additional
 30 subsection to read as follows:

31 (g) With the approval of the Legislative Council or, if the General
 32 Assembly is in session, the Joint Budget Committee, salaries established by
 33 this section may exceed the maximum pay level for the grade assigned by the
 34 classification by no more than twenty-five percent (25%) for no more than ten
 35 percent (10%) of the positions authorized in the institution's appropriation
 36 act.

1
2 SECTION 5. Arkansas Code § 21-5-1409(b) and (c), concerning the
3 procedure for salary adjustments at institutions of higher education, are
4 amended to read as follows:

5 (b)(1) The rate of compensation an employee shall receive on July 1,
6 2019 is an increase of one percent (1%) above the employee's current salary.

7 (2) An employee whose adjusted annual salary falls below the
8 entry pay level for the grade assigned to his or her classification shall be
9 further adjusted to the entry pay level.

10 (3) The salary increase authorized by subdivision (b)(1) of this
11 section may allow an employee's compensation to exceed the maximum pay level
12 amount set out for the position.

13 ~~(b)(c)(1)(A) The In addition to the compensation increase under~~
14 ~~subsection (b) of this section, the maximum annual salary for which an~~
15 ~~employee covered by this subchapter is eligible on July 1, 2017 2019, shall~~
16 ~~may be increased: determined by increasing the salary of the employee as it~~
17 ~~existed on June 30, 2017.~~

18 ~~(i)(A) By a percentage up to two percent (2%) with written~~
19 ~~approval by the Director of the Department of Higher Education; or~~

20 ~~(ii)(B) More than two percent (2%) only with written~~
21 ~~approval of the director after review by the Legislative Council or, if the~~
22 ~~General Assembly is in session, the Joint Budget Committee.~~

23 ~~(B)(2) The salary increase may be established as an increase to~~
24 ~~the employee's salary or as a lump sum.~~

25 ~~(2) The salary increase authorized by subdivision (b)(1) of this~~
26 ~~section shall not allow an employee's compensation to exceed the maximum pay~~
27 ~~level amount set out for the position unless the employee is eligible for the~~
28 ~~career pay level as established in § 21-5-1410.~~

29 ~~(3) If an employee does not meet the service requirements in §~~
30 ~~21-5-1410, the increase shall be paid as a lump sum on the last pay period of~~
31 ~~the fiscal year of the year in which the increase is to occur.~~

32 ~~(4)(A) An employee compensated at the highest pay level~~
33 ~~authorized for the grade assigned to his or her classification may receive~~
34 ~~the July 1, 2017, salary increase authorized in this section as a lump sum~~
35 ~~payment.~~

36 ~~(B) However, the salary increase shall be paid as a lump~~

1 ~~sum on the last pay period of the 2018 fiscal year, and the payment shall not~~
 2 ~~be construed as exceeding the maximum pay level described in subdivision~~
 3 ~~(b)(2) of this section.~~

4 (3) An employee compensated at the highest pay level rate
 5 authorized for his or her classification is eligible to receive the salary
 6 increase authorized in this section as a lump sum payment.

7 ~~(c)(1) An employee covered by this subchapter is eligible for an~~
 8 ~~additional salary increase or lump sum payment of two percent (2%) each~~
 9 ~~fiscal year upon approval by the director if:~~

10 ~~(A) The director determines that sufficient revenues~~
 11 ~~become available; and~~

12 ~~(B) The additional salary increase of two percent (2%)~~
 13 ~~does not result in an employee's compensation exceeding the maximum pay level~~
 14 ~~amount set out for the position unless the employee is eligible for the~~
 15 ~~career pay level on the career service pay plan as established in § 21-5-~~
 16 ~~1410.~~

17 ~~(2)(A) An employee compensated at the highest pay level rate~~
 18 ~~authorized for his or her classification is eligible to receive the salary~~
 19 ~~increase of two percent (2%) authorized in this section as a lump sum~~
 20 ~~payment.~~

21 ~~(B) However, the increase shall be paid as a lump sum on~~
 22 ~~the last pay period of the fiscal year of the year in which the increase is~~
 23 ~~to occur, and the payment shall not be construed as exceeding the maximum~~
 24 ~~salary under subdivision (b)(2) of this section.~~

25
 26 SECTION 6. Arkansas Code § 21-5-1410 is amended to read as follows:

27 21-5-1410. New appointments - Other compensation plan provisions.

28 ~~(a) A new appointment to a position in an institution of higher~~
 29 ~~education covered by this subchapter shall not be compensated at a rate of~~
 30 ~~pay greater than the base pay level established for the grade of the position~~
 31 ~~unless a special rate of pay is requested and approved as follows:~~

32 ~~(1)(A) An institution may request a special rate of pay for~~
 33 ~~either a current or prospective employee within the institution if:~~

34 ~~(i) Prevailing market rates of pay for a specific~~
 35 ~~classification title are such that the institution is unable to competitively~~
 36 ~~recruit at the base pay level for the grade assigned to that classification;~~

1 ~~(ii) An acute shortage of qualified applicants for a~~
2 ~~position within a specific classification exists;~~

3 ~~(iii) The institution desires to obtain the services~~
4 ~~of an exceptionally well-qualified applicant for a specific position;~~

5 ~~(iv) The institution desires to retain trained,~~
6 ~~competent employees; or~~

7 ~~(v) It enables the institution to meet any~~
8 ~~requirements of state or federal laws.~~

9 ~~(B)(i) An institution may request a special rate of pay~~
10 ~~for a specific classification due to prevailing market rates of pay to hire a~~
11 ~~new employee up to the midpoint pay level of the appropriate grade of a~~
12 ~~classification on the appropriate pay plan with the written approval of the~~
13 ~~Director of the Department of Higher Education.~~

14 ~~(ii) An institution may request a special rate of~~
15 ~~pay for a specific classification due to prevailing market rates of pay to~~
16 ~~hire a new employee up to the maximum pay level annual rate authorized for~~
17 ~~the grade assigned to a classification only with the approval of the director~~
18 ~~after review by the Legislative Council or, if the General Assembly is in~~
19 ~~session, the Joint Budget Committee.~~

20 ~~(iii) A special rate of pay shall not be approved~~
21 ~~under this section unless the classification is properly reviewed and the~~
22 ~~special rate of pay is approved as a market rate classification for the grade~~
23 ~~and listed on a register of such pay levels by classification maintained by~~
24 ~~the Department of Higher Education.~~

25 ~~(iv) The department shall file a report of all such~~
26 ~~classifications with the Legislative Council, or if the General Assembly is~~
27 ~~in session, the Joint Budget Committee, within the month following the~~
28 ~~approval.~~

29 ~~(C)(i) If a special rate of pay has been approved for a~~
30 ~~position within a specific classification due to prevailing market rates of~~
31 ~~pay or an acute shortage of qualified applicants, current employees within~~
32 ~~the institution assigned to the affected classification may be compensated at~~
33 ~~the new approved rate of pay by the institution upon written approval by the~~
34 ~~director.~~

35 ~~(ii) The department shall file a report of all the~~
36 ~~employee salary adjustments under subdivision (a)(1)(C)(i) of this section~~

1 with the Legislative Council or, if the General Assembly is in session, the
2 Joint Budget Committee, within the month following the approval; or

3 ~~(2)(A) An institution may request a special rate of pay for a
4 specific individual applicant due to exceptional qualifications to hire a new
5 employee at a salary level up to and including the midpoint pay level of the
6 appropriate pay grade of a specific position with the written approval of the
7 director and up to the maximum pay level of the appropriate grade with the
8 approval of the director after review by the Legislative Council or, if the
9 General Assembly is in session, the Joint Budget Committee.~~

10 ~~(B) An institution may request a special rate of pay to
11 retain a trained, competent employee at a salary level up to and including
12 the midpoint pay level of the appropriate pay grade of a specific position
13 with the written approval of the director and up to the maximum pay level of
14 the appropriate grade with the approval of the director after review by the
15 Legislative Council or, if the General Assembly is in session, the Joint
16 Budget Committee.~~

17 ~~(C) This subdivision (a)(2) applies only for the:~~

18 ~~(i) Hiring of an exceptionally well-qualified
19 applicant whose background and experience qualify the applicant to perform
20 the job with very little or substantially less orientation and training than
21 would be the case for another qualified applicant; or~~

22 ~~(ii) Retention of a trained, competent employee.~~

23 ~~(D) Requests by an institution for a special rate of pay
24 for a position based on the exceptional qualifications of a prospective
25 employee may be approved if the:~~

26 ~~(i) Institution has documented to the satisfaction
27 of the director that no current employee of the affected institution applied
28 for the position and who was determined by the institution to not be an
29 equivalent alternative to the exceptionally well-qualified applicant. The
30 director shall supply upon request any supporting documentation to the
31 Legislative Council or, if the General Assembly is in session, the Joint
32 Budget Committee; and~~

33 ~~(ii) Prospective employee possesses a level of
34 experience or educational credentials that would permit him or her to perform
35 the duties and responsibilities of the position for which the special rate is
36 requested with significantly less training and orientation than all other~~

1 ~~qualified applicants.~~

2 ~~(E) The hiring of a new employee under this subdivision~~
3 ~~(a)(2) shall not affect the salary level or salary eligibility of any current~~
4 ~~employee within the institution.~~

5 ~~(F)(i) This section applies to both prospective and~~
6 ~~current employees of institutions.~~

7 ~~(ii) Except as provided in subdivision (a)(2)(B) of~~
8 ~~this section, this section applies only to current employees in positions in~~
9 ~~which the position has been advertised and the employee has competitively~~
10 ~~applied for the position by submitting an application with an institution for~~
11 ~~consideration for the position. Otherwise, employees shall be compensated in~~
12 ~~accordance with subsection (d) of this section.~~

13 ~~(b) If approval has been granted to a requesting institution for a~~
14 ~~special rate of pay at or below the midpoint pay level under this section,~~
15 ~~the director shall report all approvals monthly to the Legislative Council~~
16 ~~or, if the General Assembly is in session, the Joint Budget Committee.~~

17 ~~(c) An employee who is compensated at the maximum pay level in a~~
18 ~~position assigned to the career service pay plan is eligible for salary~~
19 ~~adjustments authorized in this subchapter as an addition to his or her base~~
20 ~~salary up to the career pay level if the:~~

21 ~~(1) Employee meets or exceeds the eligibility requirements~~
22 ~~approved by the department after review by the Legislative Council or, if the~~
23 ~~General Assembly is in session, the Joint Budget Committee, which shall~~
24 ~~include at a minimum:~~

25 ~~(A) Fifteen (15) cumulative years of full-time equivalent~~
26 ~~state service that may be in either classified or nonclassified regular~~
27 ~~positions but not in extra help positions; and~~

28 ~~(B) A performance evaluation rating at or above the~~
29 ~~satisfactory level for the preceding rating period; and~~

30 ~~(2) Additional salary increase does not result in the employee's~~
31 ~~annual salary's exceeding the career pay level for the grade by~~
32 ~~classification of the employee's position.~~

33 ~~(d)(1) An employee promoted on or after July 1, 2017, to a position of~~
34 ~~a higher grade, may receive a maximum annual salary increase of up to ten~~
35 ~~percent (10%).~~

36 ~~(2)(A) An employee who upon promotion receives an annual salary~~

1 below the lowest entry pay level established for the new grade may be
2 adjusted to that lowest entry pay level for that grade.

3 (B) ~~However, an employee's annual salary upon promotion~~
4 ~~shall not exceed the highest pay level of the grade assigned to the~~
5 ~~classification, unless the employee is eligible for career pay level on the~~
6 ~~career service pay plan as established in subdivision (c)(1) of this section.~~

7 (c)(1) ~~When an employee is demoted for cause or voluntarily solicits a~~
8 ~~demotion, his or her rate of pay shall be fixed in the lower graded position~~
9 ~~at a rate equal to ten percent (10%) less than the employee's rate of pay at~~
10 ~~the time of demotion for demotions of one (1) or more grades on the career~~
11 ~~service pay plan or on the professional and executive pay plan.~~

12 (2) ~~If the employee's salary falls below the lowest entry pay~~
13 ~~level of the new grade upon demotion, his or her annual salary may be~~
14 ~~adjusted to that lowest entry level for that grade.~~

15 (3) ~~An employee's annual salary upon a demotion shall not exceed~~
16 ~~the highest pay level within the grade assigned to the classification, unless~~
17 ~~the employee is eligible for the career pay level on the career pay service~~
18 ~~pay plan under this section.~~

19 (f)(1) ~~An employee who returns to a position within a classification~~
20 ~~the employee formerly occupied within a twelve-month period after promotion~~
21 ~~from the classification is eligible for an annual salary no greater than that~~
22 ~~for which the employee would have been eligible had the employee remained in~~
23 ~~the lower graded classification.~~

24 (2) ~~An employee who is placed in a lower graded position on~~
25 ~~either compensation plan because the original position has expired due to~~
26 ~~lack of funding, program changes, or withdrawal of federal grant funds may~~
27 ~~continue to be paid at the same rate as the employee was being paid in the~~
28 ~~higher graded position upon approval of the department after seeking the~~
29 ~~review of the Legislative Council or, if the General Assembly is in session,~~
30 ~~the Joint Budget Committee.~~

31 (g)(1) ~~If an employee who has been terminated for more than thirty~~
32 ~~(30) working days returns to a position within the institution, the~~
33 ~~institution may offer up to the employee's last annual salary not to exceed~~
34 ~~the maximum pay level established for the grade.~~

35 (2) ~~A former institution employee may return as a new employee~~
36 ~~should this section provide a lower annual salary than he or she could~~

1 ~~otherwise receive upon entering state service.~~

2 ~~(h) Upon transfer of employment from one institution to another, an~~
3 ~~employee shall receive a lump sum payment from the original institution for~~
4 ~~any overtime that has been accrued and not paid and for any compensatory time~~
5 ~~accrued that has not been used at the final regular rate of pay received by~~
6 ~~the employee.~~

7 (a) A new appointment to a position in an institution of higher
8 education covered by this subchapter shall be paid at the minimum pay level
9 for the grade assigned to the classification unless otherwise authorized by
10 law.

11 (b) Special rates of pay may be established for either classifications
12 or positions for the following reasons:

13 (1) Prevailing labor market conditions;

14 (2) An extraordinarily well-qualified candidate;

15 (3) The need to retain trained, competent employees;

16 (4) An employee assigned additional duties as a result of the
17 elimination of a position by an institution; or

18 (5) To meet the requirements of state or federal laws.

19 (c)(1) An institution may request a special rate of pay for a specific
20 classification or position due to prevailing market rates of pay up to the
21 midpoint pay level of the appropriate grade of a classification on the
22 appropriate pay table for the assigned grade with the written approval of the
23 Director of the Department of Higher Education.

24 (2) An institution may request a special rate of pay for a
25 specific classification or position due to prevailing market rates of pay up
26 to the maximum pay level for the assigned grade only with the approval of the
27 director after review by the Legislative Council or, if the General Assembly
28 is in session, the Joint Budget Committee.

29 (3) The Department of Higher Education shall maintain a register
30 of classifications or positions for which special rates of pay have been
31 established due to prevailing market rates of pay.

32 (4) The department shall file a report of special rates of pay
33 established due to prevailing market rates of pay with the Legislative
34 Council or, if the General Assembly is in session, the Joint Budget
35 Committee, at the next regularly scheduled meeting following the approval.

36 (d)(1) A special rate of pay may be established for an exceptionally

1 well-qualified applicant whose educational background or experience qualifies
2 the applicant to perform the job with little or substantially less
3 orientation and training than would be required for another qualified
4 applicant.

5 (2)(A) The head of the institution may approve a special rate of
6 pay under subdivision (d)(1) of this section up to fifteen percent (15%)
7 above the minimum pay level for the grade assigned to the classification and
8 shall report all actions under the department's procedures.

9 (B) The director may approve a special rate of pay under
10 subdivision (d)(1) of this section above fifteen percent (15%) up to thirty
11 percent (30%) above the minimum pay level for the grade assigned to the
12 classification.

13 (C) The department may approve a special rate of pay under
14 subdivision (d)(1) of this section above thirty percent (30%) up to the
15 maximum pay level for the grade assigned to the classification after review
16 by the Legislative Council or, if the General Assembly is in session, the
17 Joint Budget Committee.

18 (3) The department shall file a report of special rates of pay
19 established under this subsection with the Legislative Council or, if the
20 General Assembly is in session, the Joint Budget Committee, at the next
21 regularly scheduled meeting following the approval.

22 (e)(1) The head of the institution may approve special rates of pay to
23 retain a trained, competent employee or due to the assignment of additional
24 duties as a result of the elimination of positions by the institution,
25 subject to the following:

26 (A) The assignment of additional duties is permanent and
27 the duties assigned are beyond the scope of work currently being performed by
28 the employee;

29 (B) The same employee may not receive a special rate of
30 pay under this subdivision (e)(1) more than one (1) time during a biennium;
31 and

32 (C) All increases up to ten percent (10%) approved under
33 this subdivision (e)(1) shall be reported by the institution to the
34 department, and increases above ten percent (10%) shall be approved by the
35 department.

36 (2) The department shall file a report of all salary increases

1 established under this subsection with the Legislative Council or, if the
2 General Assembly is in session, the Joint Budget Committee, at the next
3 regularly scheduled meeting following the approval for review.

4 (f)(1)(A) An employee promoted on or after July 1, 2019, shall receive
5 a salary increase up to ten percent (10%).

6 (B) However, an employee's rate of pay upon promotion
7 shall not exceed the maximum pay level of the grade assigned to the
8 classification.

9 (2) An employee who upon promotion is receiving a rate of pay
10 below the minimum pay level established for the new grade shall be adjusted
11 to the minimum pay level for that grade.

12 (3) An employee who returns to a position in a classification
13 the employee formerly occupied within a twelve-month period after promotion
14 from the classification is eligible for a rate of pay no greater than that
15 for which the employee would have been eligible had the employee remained in
16 the lower-graded classification.

17 (g)(1)(A) Upon demotion, an employee's pay shall be decreased by up to
18 ten percent (10%).

19 (B) However, an employee's rate of pay upon demotion shall
20 not exceed the maximum pay level of the grade assigned to the classification.

21 (2) If the employee's salary falls below the lowest minimum pay
22 level of the new grade upon demotion, his or her salary shall be adjusted to
23 the minimum pay level for the grade.

24 (h)(1) If an employee accepts a new position that is a transfer, the
25 employee may receive a change in pay, as follows:

26 (A) If the employee's salary falls below the minimum pay
27 level of the new grade, then his or her salary shall be adjusted to the
28 minimum pay level for the grade; or

29 (B) If a special rate of pay has been established under
30 this section, then his or her salary shall be appropriately adjusted.

31 (2) A transferring employee's rate of pay shall not exceed the
32 maximum pay level of the grade assigned to the new position unless otherwise
33 authorized.

34 (i) An employee who is placed in a lower-graded position on the same
35 pay table because the original position has expired due to lack of funding,
36 program changes, or withdrawal of federal grant funds may continue to be paid

1 at the same rate as the employee was being paid in the higher-graded position
 2 upon approval of the department after seeking the review of the Legislative
 3 Council or, if the General Assembly is in session, the Joint Budget
 4 Committee.

5 (j) If an employee who has been terminated for more than thirty (30)
 6 working days returns to service at the institution, the institution may offer
 7 up to the employee's last rate of pay not to exceed the maximum pay level
 8 established for the grade.

9 (k) Upon transfer of employment between institutions, an employee
 10 shall receive a lump-sum payment from the original institution for any
 11 overtime that has been accrued and not been paid and for any compensatory
 12 time accrued that has not been used at the higher rate of either the:

13 (1) Average regular rate of pay received by the employee during
 14 the last three (3) years of his or her employment; or

15 (2) Final regular rate of pay received by the employee.

16 (l) Any special rate of pay established under this section shall not
 17 affect the salary level or salary eligibility of any existing employee within
 18 the institution.

19 (m)(1) A special rate of pay is subject to the institution's ability
 20 to certify funding for a special rate of pay established under this section.

21 (2) An institution shall not use merit adjustment funds for a
 22 special rate of pay established under this section.

23
 24 SECTION 7. Arkansas Code § 21-5-1412 is amended to read as follows:

25 21-5-1412. Compensation differentials.

26 ~~(a) To address specific employee compensation needs not otherwise~~
 27 ~~provided for in this subchapter, an institution of higher education may pay~~
 28 ~~additional compensation for current employees in specific positions or for~~
 29 ~~classifications of positions assigned to a compensation plan authorized by~~
 30 ~~the General Assembly for one (1) or more compensation differentials.~~

31 ~~(b)(1) Authorization for one (1) or more compensation differentials~~
 32 ~~may be approved if the:~~

33 ~~(A) Institution has documented the need for a compensation~~
 34 ~~differential for specified positions or classifications;~~

35 ~~(B) Institution submits a plan of the terms and conditions~~
 36 ~~for eligibility that directly address the needs of the targeted positions or~~

1 ~~classifications for any requested compensation differential;~~

2 ~~(C) Cost of implementing and maintaining a compensation~~
3 ~~differential is within the institution's existing appropriation and shall not~~
4 ~~be implemented using funds specifically set aside for other programs within~~
5 ~~the institution; and~~

6 ~~(D) Compensation differential plan has been approved by~~
7 ~~the Department of Higher Education after review by the Legislative Council~~
8 ~~or, if the General Assembly is in session, the Joint Budget Committee.~~

9 ~~(2) Any compensation differential authorized under this section~~
10 ~~shall be renewed each fiscal year.~~

11 ~~(3) The cumulative total of any compensation differentials paid~~
12 ~~to an employee shall not exceed twenty-five percent (25%) of the employee's~~
13 ~~base pay level.~~

14 ~~(c)(1) Hazardous duty differential of up to six percent (6%) may be~~
15 ~~authorized for the increased risk of personal physical injury for an employee~~
16 ~~occupying a certain identified high-risk position if the:~~

17 ~~(A) Position classification is determined to be physically~~
18 ~~hazardous or dangerous due to location, facility or unit, services provided,~~
19 ~~or other factors directly related to the duty assignment of the position; and~~

20 ~~(B) Employee's regularly assigned work schedule exposes~~
21 ~~him or her to clear, direct, and unavoidable hazards during at least fifty~~
22 ~~percent (50%) of the work time and the employee is not compensated for the~~
23 ~~hazardous exposure.~~

24 ~~(2)(A) The head of the requesting institution shall identify the~~
25 ~~facility or unit, location, and eligible positions and classifications within~~
26 ~~the facility that are identified as high-risk.~~

27 ~~(B) The positions shall be certified by the head of the~~
28 ~~institution as having been assigned to a work environment that poses an~~
29 ~~increased risk of personal injury and shall be submitted as part of the plan~~
30 ~~for payment of hazardous duty differential to the department for approval by~~
31 ~~the Director of the Department of Higher Education after review and approval~~
32 ~~of the Legislative Council or, if the General Assembly is in session, the~~
33 ~~Joint Budget Committee.~~

34 ~~(C) Subsequent changes to the facility or unit, location,~~
35 ~~and eligible positions or classifications within the facility or unit on file~~
36 ~~with the department shall receive prior approval by the director after review~~

1 and approval of the Legislative Council or, if the General Assembly is in
2 session, the Joint Budget Committee.

3 ~~(d) It is the intent of this subsection that hazardous duty~~
4 ~~compensation shall be awarded at the discretion of the director and the head~~
5 ~~of the institution and shall not be paid using funds specifically set aside~~
6 ~~for other programs within the institution.~~

7 ~~(e) An employee who is receiving additional compensation for hazardous~~
8 ~~duty and then is reassigned to normal duty shall revert on the day of the~~
9 ~~reassignment to the rate of pay for which he or she is eligible under this~~
10 ~~subchapter.~~

11 ~~(f)(1) A professional certification differential of up to six percent~~
12 ~~(6%) for job-related professional certifications for individual positions or~~
13 ~~for specific classifications within an institution may be authorized if the~~
14 ~~certification is:~~

15 ~~(A) From a recognized professional certifying organization~~
16 ~~and is determined to be directly related to the predominant purpose and use~~
17 ~~of the position or classification; and~~

18 ~~(B) Not included as a minimum qualification established or~~
19 ~~as a special requirement for the classification by the official class~~
20 ~~specification.~~

21 ~~(2)(A) A professional certification differential may be paid~~
22 ~~only while the certification is current and maintained by the employee and~~
23 ~~while the employee is employed in a position or a classification covered by~~
24 ~~the plan.~~

25 ~~(B) Documentation of continuation or renewal of the~~
26 ~~certification of the employee is required for continuation of the~~
27 ~~certification differential.~~

28 ~~(g)(1) An education differential of up to six percent (6%) for job-~~
29 ~~related education for individual positions or for specific classifications~~
30 ~~within an institution may be authorized if:~~

31 ~~(A) Attainment of additional education is from an~~
32 ~~accredited institution of higher education, documented by official~~
33 ~~transcript, certificate, or degree award, and directly related to the~~
34 ~~predominant purpose and use of the position or classification; and~~

35 ~~(B) The education to be compensated is not included as a~~
36 ~~special requirement or minimum qualification established for the~~

1 ~~classification by the official class specification.~~

2 ~~(2) The education differential may be established as an increase~~
3 ~~to the employee's salary or as a lump sum.~~

4 ~~(h) A geographic area differential of up to six percent (6%) may be~~
5 ~~authorized to address the documented inability to recruit and retain certain~~
6 ~~employees in a specific geographic area of the state if the additional~~
7 ~~geographic area differential is based on documented recruitment, turnover, or~~
8 ~~other competitive pay issue in a specific geographic area but that does not~~
9 ~~justify a statewide labor market special entry rate.~~

10 ~~(i)(1) A second language differential of up to ten percent (10%) may~~
11 ~~be authorized for an employee who has the demonstrated ability and skill to~~
12 ~~communicate in a language other than English, including American Sign~~
13 ~~Language, and that skill is determined by the institution to be directly~~
14 ~~related to the effective performance of the job duties for the position~~
15 ~~occupied by the employee.~~

16 ~~(2) An employee who receives additional compensation under this~~
17 ~~section and who moves into a position that does not need the skill to~~
18 ~~communicate in a language other than English shall revert on the effective~~
19 ~~date of the change to the rate of pay that the employee would otherwise~~
20 ~~receive.~~

21 ~~(j)(1) An on-call duty or standby duty differential may be authorized~~
22 ~~for an employee whose job requires him or her to provide services on nights,~~
23 ~~weekends, or holidays or other situations when the institution does not have~~
24 ~~regularly scheduled staff coverage.~~

25 ~~(2) An on-call duty or standby duty differential shall be used~~
26 ~~for officially scheduled duty outside of regular work hours during which an~~
27 ~~employee is required to be accessible by telephone, pager, or other means and~~
28 ~~is required to return to the designated work site upon notification of need~~
29 ~~within a specified response time.~~

30 ~~(3)(A) An employee who is required to be available for duty on~~
31 ~~nights, weekends, and holidays shall be eligible to receive an on-call duty~~
32 ~~or standby duty pay equivalent of an hourly rate not to exceed twenty percent~~
33 ~~(20%) of his or her base hourly pay rate for each on-call or standby hour for~~
34 ~~not more than forty-eight (48) hours during any seven-day work period.~~

35 ~~(B)(i) Compensation shall not be paid to any employee~~
36 ~~required to be on-call and standby who fails to respond after the second~~

1 notification that his or her services are needed.

2 (ii) ~~If the equipment or paging device malfunctions,~~
3 ~~the penalty shall not apply.~~

4 (C)(i) ~~An employee on on-call duty or standby duty who is~~
5 ~~called in to work shall be compensated for the actual hours worked at the~~
6 ~~appropriate rate of pay with a minimum of two (2) hours for each call back.~~

7 (ii) ~~The employee shall not be paid on-call or~~
8 ~~standby pay for hours actually worked during a call back.~~

9 (k) ~~If granting additional compensation would have the effect of~~
10 ~~exceeding the maximum or the career pay level for the grade assigned to the~~
11 ~~employee's classification, the additional compensation shall not be construed~~
12 ~~as exceeding the maximum annual salary for that grade.~~

13 (a) To address specific employee compensation needs not otherwise
14 provided for in this subchapter, an institution of higher education may pay
15 additional compensation for current employees in specific positions or for
16 classifications of positions assigned to a compensation plan authorized by
17 the General Assembly for one (1) or more compensation differentials.

18 (b)(1) Authorization for one (1) or more compensation differentials
19 may be approved if the:

20 (A) Institution has documented the need for a compensation
21 differential for specified positions or classifications;

22 (B) Institution submits to the Department of Higher
23 Education a plan of the terms and conditions for eligibility that must
24 directly address the needs of the targeted positions or classifications for
25 any requested compensation differential;

26 (C) Cost of implementing and maintaining a compensation
27 differential is within the institution's existing appropriation and shall not
28 be implemented using funds specifically set aside for other programs within
29 the institution; and

30 (D) Compensation differential has been approved by the
31 department after review by the Legislative Council or, if the General
32 Assembly is in session, the Joint Budget Committee.

33 (2) Any compensation differential authorized under this section
34 shall be renewed each fiscal year.

35 (3) The cumulative total of any compensation differentials paid
36 to an employee shall not exceed twenty-five percent (25%) of the employee's

1 base salary.

2 (c)(1) A hazardous duty differential of up to ten percent (10%) may be
3 authorized for the increased risk of personal physical injury for an employee
4 occupying a certain identified high-risk position if the:

5 (A) Position classification is determined to be physically
6 hazardous or dangerous due to location, facility, services provided, or other
7 factors directly related to the duty assignment of the position; and

8 (B) Employee's regularly assigned work schedule exposes
9 him or her to clear, direct, and unavoidable hazards during at least fifty
10 percent (50%) of the work time and the employee is not compensated for the
11 hazardous exposure.

12 (2)(A) The institution shall identify the facility or unit,
13 location, and eligible positions and classifications within the facility or
14 unit that are identified as high-risk.

15 (B) The positions shall be certified by the institution as
16 having been assigned to a work environment that poses an increased risk of
17 personal injury and shall be submitted as part of the plan for payment of a
18 hazardous duty differential to the department for approval by the Director of
19 the Department of Higher Education after review and approval of the
20 Legislative Council or, if the General Assembly is in session, the Joint
21 Budget Committee.

22 (C) Subsequent changes to the facility or unit, location,
23 and eligible positions or classifications within the facility or unit on file
24 with the department shall receive prior approval by the director after review
25 and approval by the Legislative Council or, if the General Assembly is in
26 session, the Joint Budget Committee.

27 (3) It is the intent of this subsection that a hazardous duty
28 differential shall be at the discretion of the director and the institution
29 and shall not be implemented using funds specifically set aside for other
30 programs within the institution.

31 (4) An employee who is receiving additional compensation for
32 hazardous duty and then is reassigned to normal duty shall revert on the day
33 of the reassignment to the rate of pay for which he or she is eligible under
34 this subchapter.

35 (d)(1) A professional certification differential of up to ten percent
36 (10%) for job-related professional certifications for individual positions or

1 for specific classifications within an institution may be authorized if the
2 certification is:

3 (A) From a recognized professional certifying organization
4 and is determined to be directly related to the predominant purpose and use
5 of the position or classification; and

6 (B) Not included as a minimum qualification established or
7 as a special requirement for the classification by the official class
8 specification.

9 (2)(A) A professional certification differential may be paid
10 only while the certification is current and maintained by the employee and
11 while the employee is employed in a position or classification covered by the
12 compensation plan.

13 (B) Documentation of continuation or renewal of the
14 certification of the employee is required for continuation of the
15 professional certification differential.

16 (e) An education differential of up to ten percent (10%) for job-
17 related education for individual positions or for specific classifications
18 within an institution may be authorized if:

19 (1) Attainment of additional education is from an accredited
20 institution of higher education, documented by official transcript,
21 certificate, or degree award, and directly related to the predominant purpose
22 and use of the position or classification; and

23 (2) The education to be compensated is not included as a special
24 requirement or minimum qualification established for the classification by
25 the official class specification.

26 (f) A geographic area differential of up to ten percent (10%) may be
27 authorized to address the documented inability to recruit and retain certain
28 employees in a specific geographic area of the state if the additional
29 geographic area differential is based on documented recruitment, turnover, or
30 other competitive pay issue in a specific geographic area but that does not
31 justify a statewide labor market special entry rate.

32 (g)(1) A second-language differential of up to ten percent (10%) may
33 be authorized for an employee who has the demonstrated ability and skill to
34 communicate in a language other than English, including American Sign
35 Language, and that skill is determined by the institution to be directly
36 related to the effective performance of the job duties for the position

1 occupied by the employee.

2 (2) An employee who receives additional compensation under this
3 subsection and who moves into a position that does not need the skill to
4 communicate in a language other than English shall revert on the effective
5 date of the change to the rate of pay that the employee would otherwise
6 receive.

7 (h)(1) An on-call duty or standby-duty differential may be authorized
8 for an employee whose job requires him or her to provide services on nights,
9 weekends, or holidays or at other times or in other situations when the
10 institution does not have regularly scheduled staff coverage.

11 (2) An on-call duty or standby-duty differential is to be used
12 for officially scheduled duty outside regular work hours during which time an
13 employee is required to be accessible by telephone, pager, or other means and
14 is required to return to the designated work site upon notification of need
15 within a specified response time.

16 (3)(A) An employee who is required to be available for duty on
17 nights, weekends, or holidays or at other times or in other situations when
18 the institution does not have regularly scheduled staff coverage is eligible
19 to receive an on-call or standby-duty pay equivalent of an hourly rate not to
20 exceed twenty percent (20%) of his or her base hourly pay rate for each on-
21 call or standby hour for not more than forty-eight (48) hours during any
22 seven-day work period.

23 (B)(i) Compensation shall not be paid to an employee
24 required to be on on-call or standby duty who fails to respond after the
25 second notification that his or her services are needed.

26 (ii) If the equipment or paging device malfunctions,
27 the penalty under subdivision (h)(3)(B)(i) of this section shall not apply.

28 (C)(i) An employee on on-call or standby duty who is
29 called in to work shall be compensated for the actual hours worked at the
30 appropriate rate of pay with a minimum of two (2) hours for each call-back.

31 (ii) The employee shall not be paid on-call or
32 standby pay for hours actually worked during a call-back.

33 (i) If granting additional compensation would have the effect of
34 exceeding the maximum pay level for the grade assigned to the employee's
35 classification, the additional compensation shall not be considered as
36 exceeding the maximum allowable rate for that grade.

1 (j) Other compensation differentials may be administered by the
 2 department after:

3 (1) Approval by the director; and

4 (2) Review by the Legislative Council or, if the General
 5 Assembly is in session, the Joint Budget Committee.

6
 7 SECTION 8. Arkansas Code § 21-5-1413(a)(1), concerning salary
 8 administration grids, is amended to read as follows:

9 (a)(1) An institution of higher education may request that a salary
 10 administration grid be approved for specific classifications of positions
 11 assigned to the ~~career service compensation plan~~ pay plan as established in §
 12 21-5-1410 if the:

13 (A) Institution has documented the need for a salary
 14 administration grid for specified positions or classifications;

15 (B) Terms and conditions of a salary administration grid
 16 proposed by the institution address the needs of the targeted positions;

17 (C) Cost of implementing and maintaining a salary
 18 administration grid is within the institution's existing appropriation and
 19 the implementation does not use funds specifically set aside for other
 20 programs within the institution; and

21 (D) Salary administration grid has been approved by the
 22 Director of the Department of Higher Education after review by the
 23 Legislative Council or, if the General Assembly is in session, the Joint
 24 Budget Committee.

25
 26 SECTION 9. Arkansas Code § 21-5-1414 is amended to read as follows:

27 21-5-1414. Extra help positions.

28 (a)(1) A position authorized as extra help in an institution of higher
 29 education shall be assigned an authorized ~~career service classification or a~~
 30 ~~professional and executive~~ classification by the institution, and any person
 31 hired in an extra help position shall meet the minimum qualifications and any
 32 other requirements set by the class specification of the classification and
 33 grade assigned to the position.

34 (2) The rates of pay for extra help employees shall be set in
 35 accordance with and shall not exceed those provided in this subchapter for
 36 the appropriate classification.

1 (3) Extra help employees of institutions shall not exceed one
2 thousand five hundred (1,500) hours per fiscal year as set out in § 6-63-314.

3 (b) The salary eligibility for an employee transferring or returning
4 from an extra help position to a regular position shall be established at the
5 minimum ~~entry~~ pay level for the grade assigned by classification with the
6 following exceptions:

7 (1) The classification has an established current labor market
8 special entry pay level;

9 (2) The position is approved for shift differential in
10 accordance with this subchapter; or

11 (3) The employee's eligibility is based on prior state service
12 in a regular position; ~~or~~

13 ~~(4) A base range salary has been approved under § 21-5-1410.~~

14 (c) A former employee from a state agency, institution, board, or
15 commission who is rehired in an extra-help position is ineligible for
16 benefits except holiday pay.

17
18 SECTION 10. Arkansas Code § 21-5-1415 is amended to read as follows:
19 21-5-1415. Position pools.

20 (a)(1) The Department of Higher Education shall establish and maintain
21 a central pool of four hundred (400) positions to be used to establish
22 additional positions in an institution of higher education when an
23 institution does not have sufficient positions available to meet
24 unanticipated enrollment growth, industry training demands, or its mandated
25 responsibilities.

26 ~~(b)~~(2) Central pool positions shall be used by the institution
27 if the personnel service needs exceed the number of positions authorized by
28 the General Assembly and were not anticipated at the time of the passage of
29 the institution's operating appropriation act.

30 (b)(1) The department shall establish and maintain a temporary
31 transition pool of fifty (50) positions to be used to establish additional
32 temporary positions of the proper classification and grade in an institution
33 if the institution does not have sufficient positions available with the
34 appropriate classification and grade to address organizational transition
35 issues such as succession planning or other changes involving administration
36 of the institution.

1 (2) An institution shall use temporary transition pool positions
2 only if the personnel service needs exceed the number of positions in a
3 classification authorized by the General Assembly and were not anticipated at
4 the time of the passage of the institution's operating appropriation bill.

5 (3) A position established under this section shall be approved
6 for the same classification as the position occupied by the transitioning
7 full-time employee.

8 (4) A position from the temporary transition pool shall not be
9 authorized for an institution until the specific position is:

10 (A) Requested by the institution;

11 (B) Recommended by the department; and

12 (C) Reviewed by the Legislative Council or, if the General
13 Assembly is in session, the Joint Budget Committee.

14 (5) Temporary transition pool positions shall be authorized for
15 not more than one hundred eighty (180) calendar days in a fiscal year and may
16 not be renewed or extended.

17 (c) A pool position received by an institution under this section is
18 subject to the institution's ability to certify funding.

19 ~~(d)~~ A position established under this section shall not exceed a
20 salary rate of the highest maximum annual salary rate or the highest grade
21 level position authorized by the General Assembly in the requesting
22 institution's appropriation act.

23 ~~(e)~~ The institution shall provide justification to the department
24 for the need to allocate positions from the central pool or temporary
25 transition pool.

26 ~~(f)~~ ~~Titles shall not be assigned to the institution from the~~
27 ~~central pool until specific positions are requested by the institution,~~
28 ~~recommended by the department, and reviewed by the Legislative Council or, if~~
29 ~~the General Assembly is in session, the Joint Budget Committee~~ Titles shall
30 not be assigned to the institution from the central pool or temporary
31 transition pool until specific positions are:

32 (1) Requested by the institution;

33 (2) Recommended by the department; and

34 (3) Reviewed by the Legislative Council or, if the General
35 Assembly is in session, the Joint Budget Committee.

36 ~~(g)~~ If an institution requests any central pool position to be

1 continued during the subsequent fiscal year, the position shall be requested
2 as a new position in the institution's subsequent fiscal year budget request.

3
4 SECTION 11. Arkansas Code § 21-5-1417 is amended to read as follows:

5 21-5-1417. Merit Increase Pay System increase pay system - Definition.

6 ~~(a) The Department of Higher Education may develop and implement a~~
7 ~~merit increase pay system in accordance with the performance evaluation~~
8 ~~process under § 21-5-1001 for the employees of all institutions covered by~~
9 ~~this subchapter.~~

10 ~~(b)(1) Except as provided in subdivision (b)(2) of this section, to be~~
11 ~~eligible to be evaluated under the merit increase pay system an employee~~
12 ~~shall have continuous employment with the state in a regular full-time~~
13 ~~position for twelve (12) months.~~

14 ~~(2) A part-time employee in a regular salary position who has~~
15 ~~had continuous part-time employment with the state for twelve (12) months~~
16 ~~shall be eligible to be evaluated for a pay increase under the merit increase~~
17 ~~pay system and to receive the merit pay increase on a pro-rata basis.~~

18 ~~(c) For the purpose of this subchapter, "merit increase pay system"~~
19 ~~means a merit-based pay system that incorporates pay and performance~~
20 ~~evaluation standards according to § 21-5-1001 and establishes criteria for~~
21 ~~lump-sum payments for employees who meet requisite performance categories.~~

22 ~~(d) Merit payments may be awarded to employees who satisfy performance~~
23 ~~evaluation-based criteria developed by institutions in accordance with rules~~
24 ~~and policies developed and approved by the Department of Higher Education~~
25 ~~after review by the Legislative Council.~~

26 ~~(e) Effective July 1, 2017:~~

27 ~~(1) Employees who receive an overall satisfactory rating under~~
28 ~~an approved performance evaluation system shall be eligible for a merit~~
29 ~~increase of up to one and five tenths percent (1.5%);~~

30 ~~(2) Employees who receive an overall above-average rating under~~
31 ~~an approved performance evaluation system shall be eligible for a merit~~
32 ~~increase of up to three percent (3%); and~~

33 ~~(3) Employees who receive an overall exceeds-standards rating~~
34 ~~under an approved performance evaluation system shall be eligible for a merit~~
35 ~~increase of up to four and five tenths percent (4.5%).~~

36 ~~(f)(1) Employees are eligible for a merit increase to be paid as a~~

1 ~~lump sum on the employee's merit increase date or as an increase in salary,~~
 2 ~~and the payment shall not be construed as exceeding maximum salary.~~

3 ~~(2) The lump sum payments authorized in this section shall be~~
 4 ~~considered as salary for the purposes of retirement eligibility.~~

5 ~~(g) Management or supervisory personnel who fail to complete annual~~
 6 ~~evaluations of employees under their administrative control are not eligible~~
 7 ~~for merit payments.~~

8 (a)(1) The Department of Higher Education may develop and establish a
 9 merit increase pay system for employees of all institutions of higher
 10 education covered by this subchapter.

11 (2)(A) Employees are eligible for a merit increase to be paid as
 12 an increase in salary or a lump sum on the employee's merit increase date,
 13 and the payment shall not be construed as exceeding the maximum pay level for
 14 the grade.

15 (B) The lump-sum payments authorized in this section shall
 16 be considered as salary for the purposes of retirement eligibility.

17 (3) The merit increase pay system shall be reviewed by the
 18 Legislative Council or, if the General Assembly is in session, the Joint
 19 Budget Committee.

20 (b) As used in this section, "merit increase pay system" means a
 21 merit-based pay system that incorporates pay and performance evaluation
 22 standards and establishes criteria for payments for employees who meet
 23 requisite performance categories.

24 (c) Merit payments may be awarded to employees who satisfy performance
 25 evaluation-based criteria developed by institutions in accordance with
 26 procedures and policies developed and approved by the department after review
 27 by the Legislative Council.

28
 29 SECTION 12. Arkansas Code Title 21, Chapter 5, Subchapter 14, is
 30 amended to add an additional section to read as follows:

31 21-5-1418. Information technology labor market rates for recruitment
 32 and retention.

33 (a)(1) In order for an institution of higher education to recruit and
 34 retain information technology professionals in classified positions, the
 35 Department of Higher Education may develop and implement a plan for labor
 36 market rates up to the midpoint allowed for the grade after review by the

1 Legislative Council or, if the General Assembly is in session, the Joint
 2 Budget Committee.

3 (2) The department shall establish the list of applicable
 4 information technology classifications after review by the Legislative
 5 Council or, if the General Assembly is in session, the Joint Budget
 6 Committee.

7 (b) An institution of higher education implementing a labor market
 8 rate under subsection (a) of this section shall report any salary adjustments
 9 made to the:

10 (1) Department; and

11 (2) Legislative Council or, if the General Assembly is in
 12 session, the Joint Budget Committee.

13
 14 SECTION 13. EMERGENCY CLAUSE. It is found and determined by the
 15 General Assembly of the State of Arkansas that this act revises the
 16 compensation plan for institutions of higher education; and that the optimal
 17 time to implement this act is at the beginning of the state's fiscal year and
 18 in concert with the appropriation acts for each institution of higher
 19 education. Therefore, an emergency is declared to exist, and this act being
 20 necessary for the preservation of the public peace, health, and safety shall
 21 become effective on July 1, 2019.

22
 23
 24 APPROVED: 4/5/19
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