



STATE OF ARKANSAS
**Department of Transformation
 and Shared Services**
 Governor Asa Hutchinson
 Secretary Amy Fecher

OFFICE OF PERSONNEL MANAGEMENT
Director Kay Barnhill
 1509 West Seventh Street, Suite 201
 Post Office Box 3278
 Little Rock, Arkansas 72203-3278
 Phone: (501) 682-1823

August 20, 2019

Senator David Wallace, Co-Chairperson
 Representative Jim Wooten, Co-Chairperson
 Uniform Personnel Classification and
 Compensation Plan Subcommittee
 Arkansas Legislative Council
 State Capitol Building, Room 315
 Little Rock, Arkansas 72201

Dear Co-Chairs:

The Office of Personnel Management (OPM) submits a request from the Arkansas Public Defender Commission for your review:

The Arkansas Public Defender Commission is requesting the following labor market rate to pay the maximum of grade GS11, \$90,670 due to the passage of Act 871 of 2019 which established fourteen (14) new extra help positions for part-time attorneys at the Arkansas Public Defender Commission – Parent Counsel.

<u>Class Code</u>	<u>Title</u>	<u>Grade</u>	<u>Salary Range</u>
G047C	Attorney Specialist	GS11	\$62,531 - \$90,670

JUSTIFICATION

The attorneys designated for these positions are existing contract attorneys within the program and are not newly hired employees. Act 871 of 2019 § 14 states: “the total amount of compensation for part-time and extra help work combined cannot exceed the maximum compensation allowed for a Grade GS11 as authorized under the Uniform Classification and Compensation Act.” The agency’s request to pay these attorneys up to the maximum of the pay grade will not exceed the compensation limits prescribed by the Act and is necessary to maintain balance between contractual pay and extra help to perform the workload.

Supreme Court Order #15 requires that all attorneys hired to provide services for Parent Counsel be dependency-neglect qualified through a specialized training. This requirement makes it difficult to attract and retain qualified applicants around the state. If the labor market rate is not approved, some current PC attorneys will experience loss in pay. Losing these employees would result in

Senator David Wallace, Co-Chairperson
Representative Jim Wooten, Co-Chairperson
August 20, 2019
Page 2

serious delays in cases, permanency rulings, and missed statutory deadlines due to the absence of qualified attorneys within statewide jurisdictions. Approval of this request will ensure retention of these attorneys moving into the extra help positions.

RECOMMENDATION

The Office of Personnel Management has reviewed this request from the Arkansas Public Defender Commission and recommends approval of the labor market rate for only the fourteen (14) extra help positions, G047C, Attorney Specialist, GS11 to pay the maximum of the grade. The agency assures there is sufficient funding available for this request.

Your approval of this request is greatly appreciated.

Sincerely,



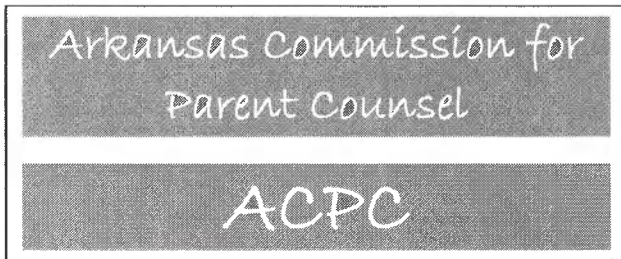
Kay Barnhill
State Personnel Administrator



Secretary of Transformation & Shared Services

08/07/19
Date

KB/se:1-2



Brian Welch, Executive Director

101 East Capitol, Suite 207
Little Rock, Arkansas 72201
Office: 501-683-1882



TO: Kay Barnhill, State Personnel Administrator

FROM: Brian Welch, Executive Director, Arkansas Commission for Parent Counsel

DATE: July 11, 2019

SUBJECT: Special Entry Rate Request – Labor Market Conditions

Per our phone conference earlier this week, please find attached a copy of the Special Entry Rate Request – Labor Market Conditions form. As was discussed, Act 871 of the 2019 Regular Session established fourteen (14) Extra Help positions for Parent Counsel attorneys. The attorneys designated for these positions are not new hires, but rather existing contract attorneys within the program already. Section 14 of the Act states that “the total amount of compensation for part-time and Extra Help work combined cannot exceed the maximum compensation allowed for a Grade GS11 as authorized under the Uniform Classification and Compensation Act.” The request to pay these attorneys at the top rate for a Grade GS 11, \$43.5913 per hour, will not exceed the compensation limits prescribed by the Act. This rate is also necessary to maintain a balance between what a contractor can be paid and what an Extra Help attorney can be paid to perform the same work. All the Extra Help attorneys will work in jurisdictions that also utilize contract attorneys. All attorneys hired to provide services are required under Supreme Court Administrative Order #15 to be Dependency-Neglect qualified through a specialized training so not every attorney in the State would meet the specific qualifications. In addition, several of these attorneys are from difficult to hire areas of the State. We believe that all these factors justify the request for \$43.5913.

If I have not properly filled out the form, you need other information or if you have any questions, please feel free to contact me at 501-683-0132 or brian.welch@arkansas.gov. Thank you for all your assistance in this matter.

Attachment



DEPARTMENT OF FINANCE AND ADMINISTRATION
Office of Personnel Management
Special Entry Rate Request - Labor Market Conditions

Agency Name ARKANSAS COMMISSION FOR PARENT COUNSEL / PUBLIC DEFENDER COMMISSION						
Class Title ATTORNEY SPECIALIST		Grade GS 11		Class Code GS047C		
Current Entry Salary/Pay Level #30.0630	Requested Entry Salary/Pay Level \$90,669	Institutions Only Number of Positions			Agencies Only Number of Positions	
		Authorized	Budgeted	Filled	Authorized	Filled
					14	11

If current employee is to be moved to the requested rate attach OPM form 095.

Filled Positions by Pay Level				
Entry	Base	Mid-Point	Maximum	Career

Agency/Institution Personnel Representative	Date
Agency/Institution Head <i>B. Miller</i>	Date 7/11/19

OFFICE OF PERSONNEL MANAGEMENT - ACTION

Attach Salary Survey:	
Reviewed by:	Reviewed by:
OPM Personnel Representative	Date
Classification and Compensation Manager	Date