



## Division of Higher Education

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Johnny Key  
Secretary

Maria Markham, Ph.D.  
Director

June 2, 2021

The Honorable David Wallace, Chair  
The Honorable David Hillman, Chair  
Arkansas Legislative Council-Personnel Subcommittee  
State Capitol Building  
Little Rock, AR 72201

Dear Senator Wallace and Representative Hillman:

The Arkansas Division of Higher Education (ADHE) submits a request from University of Arkansas at Fort Smith (UAFS). UAFS has requested the shift differential to provide differential pay for employees who will work the evening and overnight shift. The differential pay request is based upon ACA §21-5-1411 which states:

*(1) Upon the approval of the Division of Higher Education, an employee whose working hours do not conform to normal state business hours shall be eligible for additional compensation up to twelve percent (12%) of the hourly rate for which he or she is eligible under this subchapter as a shift differential if:*

*(A) The institution of higher education routinely schedules more than one (1) work shift per day;*

*(B) The shift to which the employee is assigned is a full work shift; and*

*(C) The employee is regularly assigned to the late shift or is assigned to the shift on a regularly scheduled rotating basis.*

*(2) An employee assigned to an evening shift shall not receive additional compensation that exceeds six percent (6%) above that for which he or she is eligible under this subchapter.*

*(3) An employee assigned to a night shift shall not receive additional compensation that exceeds twelve percent (12%) above that for which he or she is eligible under this subchapter.*

*(4)*

*(A) An employee at or near the maximum authorized salary level for the grade assigned to his or her classification may be compensated at an additional rate not to exceed twelve percent (12%) of his or her eligible salary under this subchapter.*

*(B) When granting additional compensation has the effect of temporarily exceeding the highest pay level for the grade assigned to the employee's classification, the additional compensation shall not be construed as exceeding the highest pay level for that grade.*

*(2) Designated weekend hours begin no earlier than 2:30 p.m. on Friday and end no later than 8:00 a.m. on the following Monday.*

*(c)*

*(1) If a facility uses shifts other than traditional eight-hour shifts, a shift differential may be paid for those shifts exceeding the normal day shift of the facility.*

*(2) If shift and weekend differentials are provided to an employee, the total compensation may exceed the highest pay level for the grade for those positions included in this subchapter.*

*(3)*

(A) The institution shall identify the shifts, job classifications, and positions to be eligible for the shift differential and the differential percentage for which each classification is eligible within each shift.

(B) The shift schedule, classifications, positions, and the percentage of shift differential for which the class titles are eligible shall be submitted to the division for approval by the Director of the Division of Higher Education.

(C) Subsequent changes to the shift schedule, classifications, grades, positions, and shift differential percentages shall receive prior approval by the director.

The proposed differential amounts are within the 12% limit per the Higher Education Uniform Classification and Compensation Act. The institution has submitted the following differential schedule for this request:

Shift	Sunday-Saturday
Evening	4:00pm-12:00am
Overnight	12:00am-8:00am

As required, the employee is assigned to a complete work shift and is regularly scheduled for the late shift or on a regularly scheduled rotating basis.

**JUSTIFICATION:**

University of Arkansas at Fort Smith (UAFS) requests a differential of 6% for the following classified position(s):

Number of Positions	Class Code	Grade	Title	Current Salary	Proposed Salary	Shift Differential	Variance
2	T089C	C106	HE Public Safety Dispatcher	\$22,433	\$23,778.95	6.00%	\$1,345.98

The institution is requesting this shift differential to aid in the retention of employees to a position that is difficult to fill. The estimated total annual cost of \$2,691.96.

**RECOMMENDATION:**

The Arkansas Division of Higher Education has reviewed the submitted documentation by the University of Arkansas at Fort Smith (UAFS) and recommends the institution's request for approval of the shift differential plan for the above mentioned classifications and grades.

Your consideration of this request is appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Maria Markham".

Maria Markham  
Director

# UAFS | UNIVERSITY OF ARKANSAS FORT SMITH

June 1, 2021

Ms. Pamela Anderson  
ADHE Program Coordinator  
Arkansas Department of Higher Education  
423 Main, Suite 400  
Little Rock, AR 72201

RE: Shift Differential under A.C.A. § 21-5-1411

Dear Ms. Anderson,

We are requesting shift differentials for the following positions:

Title: Dispatcher, University Police Department, Grade C106  
Class Code: T089C  
Entry Pay: \$22,433  
Differential: 6% or \$1,345.98  
Shift: 4:00 p.m. – 12:00 a.m., Sunday – Saturday  
Number of Employees: 1  
Justification: At this pay rate, it is difficult hire and retain an employee for this shift which includes weekend work. The employee is responsible providing central dispatch services for the University Police Department (UPD).

Title: Dispatcher, University Police Department, Grade C106  
Class Code: T089C  
Entry Pay: \$22,433  
Differential: 6% or \$1,345.98  
Shift: 12:00 a.m. – 8:00 a.m., Sunday – Saturday  
Number of Employees: 1  
Justification: At this pay rate, it is difficult hire and retain an employee for this shift which includes weekend work. The employee is responsible providing central dispatch services for the University Police Department (UPD).

If you need additional information, please let us know.

Sincerely,



Mandy Keyes  
Director of Human Resources