



STATE OF ARKANSAS  
**Department of Finance  
and Administration**

**OFFICE OF PERSONNEL MANAGEMENT**  
**Administrator's Office**  
1509 West Seventh Street, Suite 201  
Post Office Box 3278  
Little Rock, Arkansas 72203-3278  
Phone: (501) 682-1823  
<http://www.state.ar.us/dfa>

June 15, 2016

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Senator Uvalde Lindsey, Co-Chairperson  
Representative Lanny Fite, Co-Chairperson  
Uniform Personnel Classification and  
Compensation Plan Subcommittee  
Arkansas Legislative Council  
State Capitol Building, Room 315  
Little Rock, Arkansas 72201

Dear Co-Chairs:

Governor Hutchinson directed the Office of Personnel Management to review compensation for attorneys in state government. Specifically, problems with attorney turnover were brought to his attention when the Child Welfare Policy and Practice Group included the following recommendation when it completed its study of the Division of Children and Family Services (DCFS). The recommendation stated "The agency must have the ability to retain experienced attorneys to represent the department in court".

State agencies usually do not have trouble recruiting new law school graduates to state government. The problem is the inability to retain or attract attorneys who have gained significant knowledge and training in their area of practice. For FY 2015, turnover rates averaged 16% for employees leaving state government but are even higher when inter-agency transfers and promotion are included.

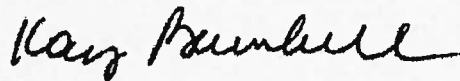
The attached grid plan would allow for higher entry rates that should assist state agencies in recruiting new attorneys and also would provide an aggressive progression through the pay grade for attorneys. Movement to new levels within the grid would be contingent upon performance ratings of above average or exceeds standards. This grid would also ensure consistency among state agencies as most agencies already have specific grids in place or have requested labor market or exceptionally well qualified rates for their legal staff.

Senator Uvalde Lindsey, Co-Chairperson  
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June 15, 2016  
Page 2

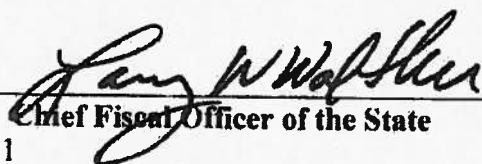
State agencies may elect to utilize the attached grid but are not mandated to do so. No additional funding will be provided.

Your approval of this request is greatly appreciated.

Sincerely,



Kay Barnhill  
State Personnel Administrator

  
\_\_\_\_\_  
Lanny Fite  
Chief Fiscal Officer of the State

JUN 08 2016

Date

KB:1

**STATEWIDE SALARY ADMINISTRATION GRID**  
**FOR ATTORNEY CLASSIFICATIONS**

*Applicability Date*

This grid shall be in full force and effect beginning Fiscal Year 2016-2017 upon approval by the Personnel Subcommittee of the Arkansas Legislative Council, subject to annual renewal.

*Classifications Covered by this Grid*

The following classifications are covered by this salary administration grid:

<b><u>CLASS CODE</u></b>	<b><u>JOB TITLE</u></b>	<b><u>GRADE</u></b>
G073C	Attorney	C124
G065C	Public Defender Attorney I—Full-time and Part-time	C124
G047C	Attorney Specialist	C126
G042C	DHS Administrative Law Judge	C126
G024C	Department Administrative Law Judge	C127
G025C	Attorney Supervisor	C127
G019C	General Counsel	C127
G004C	Managing Attorney	C129
G025N	Public Defender I	N901
G022N	Public Defender II	N902
G012N	Public Defender III	N905
G008N	Chief Public Defender	N907

*Agencies Covered by This Grid*

This salary administration grid is applicable to the above classifications in all agencies covered by the Uniform Compensation & Classification Act. Use of the grid is at the discretion of each agency's director; however, if the agency director opts to use the grid, the grid must be used for all positions in the covered classifications at the agency. Once an agency opts to use this salary administration grid, it must continue to do so, provided the grid remains in effect.

*Positions Covered by This Grid*

All regularly appropriated positions assigned to the above classifications, whether by authorization, crossgrade, or downgrade, are covered by this salary administration grid. Extra help positions are not covered by this grid.

### *How This Grid Is Administered*

- (A) This grid establishes rates of pay for incumbents in the covered classifications based on the years of state service those incumbents possess. "Years of service" means complete years of full-time service in a regularly appropriated position in a state agency.
- (B) Years of service are divided into three groups:
  - (1) Less than 3 years;
  - (2) More than 3 but less than 6 years; and,
  - (3) More than 6 years.
- (C) For new hires, the rate of pay assigned to incumbents with less than 3 years is the entry rate of pay.
- (D) For new hires with more than 5 years of directly applicable non-state experience, the agency may, with the approval of the agency director, advance the new hire to the rate of pay for incumbents with more than 3 years but less than 6 years of state service.
- (E) Upon hire, the completion of 3 years of state service, or the completion of 6 years of state service, whichever is applicable, the incumbent will be advanced to the rate indicated by this salary administration grid. This increase will become effective on the incumbent's career service date.
- (F) Rates of pay are established for some classifications based on the type of work being performed by incumbents. If a classification is so divided, it is divided into the following groups:
  - (1) *Specialists*—these are incumbents who practice in financial and environmental law. "Financial" means areas such as tax, finance, banking, insurance, or other similar areas of practice. The practice must constitute most of the incumbent's work; occasional practice in these areas will not qualify an incumbent as a specialist.
  - (2) *Litigators*—these are incumbents that are engaged in active courtroom duty more than 75% of the time. Examples could include child welfare attorneys or child support attorneys.
  - (3) *General Practitioners*—these are all other incumbents not included in the other two groups.
  - (4) Assignment to these groups is made by OPM at the discretion of the OPM Administrator in consultation with the agency. The decision of the OPM Administrator is final.
- (G) If an incumbent is promoted to another classification within this salary administration grid, the incumbent's salary will be increased to the rate of pay indicated for the new classification for the incumbent's years of service. OPM will not accept EWQ or LMR requests for those promoting within this salary administration grid unless otherwise approved by the OPM Administrator.
- (H) If an incumbent is demoted to another classification within this salary administration grid, the incumbent's salary will be decreased to the rate of pay indicated for the new classification for the incumbent's years of service.
- (I) If an incumbent is promoted to a classification not included within this salary administration grid, the incumbent will receive either a 10% increase in his or her rate of pay or the entry rate for the new classification; whichever is greater. OPM will accept EWQ or LMR requests, when applicable, for those promoting from classifications included in this salary administration grid to those classifications not included in this grid.
- (J) If an incumbent is demoted to a classification not included within this salary administration grid, the incumbent will receive either a 10% decrease in his or her rate of pay or the maximum rate for the new classification, whichever is less.

(K) In order to qualify for advancement in accordance with this salary administration grid, an incumbent must have received a score of a performance evaluation rating of at least Above Average (A) during the last ratings period and not scored Unsatisfactory (U) within the last two ratings periods. An incumbent must also have no instances of discipline at the level of written reprimand or higher within the previous 2 years, dated from the incumbent's career service date.

*Rates of Pay*

**Attorney—C124**

Less than 3 Years with Agency	\$48,171
More than 3 but less than 6 years	\$56,200
More than 6 years	\$71,100

**Attorney Specialist—C126**

*General Practitioners*

Less than 3 Years with Agency	\$57,676
More than 3 years but less than 6 years	\$67,607
More than 6 years	\$77,539

*Litigators*

Less than 3 Years with Agency	\$59,588
More than 3 years but less than 6 years	\$68,563
More than 6 years	\$77,539

*Specialists*

Less than 3 Years with Agency	\$61,500
More than 3 years but less than 6 years	\$69,520
More than 6 years	\$77,539

**DHS Administrative Law Judge—C126**

Less than 3 Years with Agency	\$59,588
More than 3 years but less than 6 years	\$68,563
More than 6 years	\$77,539

**Department Administrative Law Judge—C127**

Less than 3 Years with Agency	\$64,157
More than 3 years but less than 6 years	\$72,229
More than 6 Years	\$80,301

**Attorney Supervisor—C127***General Practitioners*

Less than 3 Years with Agency	\$60,281
More than 3 years but less than 6 years	\$70,291
More than 6 years	\$80,301

*Litigators*

Less than 3 Years with Agency	\$62,219
More than 3 years but less than 6 years	\$71,260
More than 6 years	\$80,301

*Specialists*

Less than 3 Years with Agency	\$64,157
More than 3 years but less than 6 years	\$72,229
More than 6 Years	\$80,301

**General Counsel—C127**

Less than 3 years	\$64,157
More than 3 years but less than 6 years	\$72,229
More than 6 years	\$80,301

**Managing Attorney—C129***General Practitioners*

Less than 3 Years with Agency	\$65,845
More than 3 years but less than 6 years	\$75,959
More than 6 years	\$86,072

*Litigators*

Less than 3 Years with Agency	\$67,828
More than 3 years but less than 6 years	\$76,930
More than 6 years	\$86,072

*Specialists*

Less than 3 Years with Agency	\$69,811
More than 3 years but less than 6 years	\$77,922
More than 6 years	\$86,072

**Public Defender Attorney I—C124**

Less than 3 Years with Agency	\$55,156
More than 3 Years but less than 6 years	\$63,706
More than 6 Years	\$72,257

**Public Defender Attorney I (Part-Time)—C124**

Less than 3 Years with Agency	\$27,578
More than 3 Years but less than 6 years	\$31,853
More than 6 Years	\$36,129

**Public Defender I—N901**

Less than 3 Years	\$69,063
More than 3 years but less than 6 years	\$75,156
More than 6 years	\$81,250

**Public Defender II—N902**

Less than 3 Years	\$71,825
More than 3 years but less than 6 years	\$78,163
More than 6 years	\$84,500

**Public Defender III—N905**

Less than 3 Years	\$80,794
More than 3 years but less than 6 years	\$87,923
More than 6 years	\$95,051

**Chief Public Defender—N907**

Less than 3 Years	\$87,386
More than 3 years but less than 6 years	\$95,097
More than 6 years	\$102,807