



Arkansas Department of Higher Education

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Asa Hutchinson
Governor

Maria Markham, Ph.D.
Director

September 25, 2017

The Honorable John Cooper, Chair
The Honorable Les Eaves, Chair
Arkansas Legislative Council – Personnel Subcommittee
State Capitol Building
Little Rock, AR 72201

Dear Senator Cooper and Representative Eaves:

The Arkansas Department of Higher Education (ADHE) submits a request from the University of Arkansas Cooperative Extension Service (UA-CES) for your review. UA-CES has requested the second language plan differential pay to determine and provide differential pay for an employee who has demonstrated proficiency in a second language. The differential pay request is based upon ACA §21-5-221 which states:

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

The institution has submitted the following differential pay plan for this request based on four levels of proficiency:

Advanced	10%
Fluent	7.5%
Intermediate	5%
Beginning/Basic	2.5%

As required, the request contains the name and location of the testing facility, the levels of proficiency tested at the facility and indicates if the proficiency test was oral or written or a combination of both. Additionally, the second language must be utilized at least 25% of the time in performing job duties. According to UA-CES, the employee will be expected to speak Spanish 50% of the time to conduct outreach to the Hispanic population of Pulaski County. Employees receiving the differential whose job duties change and no longer

require the use of the second language will cease to receive the differential. According to UA-CES, the employee understands this possible outcome.

UA-CES has requested the second language differential of Grade C108/CES Program Assistant C077C for incumbent Ms. Esmeralda Pena in the Expanded Food and Nutrition Education Program (EFNEP). The institution has submitted documentation relating to Ms. Pena's proficiency testing by Arkansas Spanish Interpreters & Translators on September 21, 2017; Ms. Pena tested at the intermediate level. If approved, this level of proficiency is eligible for a 5% differential.

The Arkansas Department of Higher Education has reviewed the submitted documentation by the University of Arkansas - Cooperative Extension Service and recommends the institution's request for approval of the second language pay differential plan for Ms. Esmeralda Pena.

Your consideration of this request is appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Maria Markham". The signature is written in black ink and is positioned above the printed name and title.

Maria Markham
Director

TO: Arkansas Department of Higher Education

FROM: Donna Rothberg
Director of Human Resources
UA Division of Agriculture Cooperative Extension Service

SUBJECT: Second Language Differential – Esmeralda Pena

DATE: August 31, 2017

In accordance with the guidelines for Second Language Differential as established in Arkansas Annotated Code § 21-5-221, the UA Cooperative Extension Service is requesting approval of a 5% differential rate of pay for Esmeralda Pena based upon an Intermediate level of proficiency in the Spanish language. Rosalva Brieno of Arkansas Spanish Interpreters and Translators (P.O. Box 55928, Little Rock, AR 72215) was responsible for the oral and written Spanish Language testing for Ms. Pena. Ms. Pena completed the tests on August 8, 2017. Documentation is attached.

The title of Ms. Pena's position is CES Program Assistant–EFNEP (Grade C108). Her target audience for this Expanded Food and Nutrition Education Program (EFNEP) is exclusively Pulaski County Hispanic homemakers and youths. The qualifications for this position include a required fluency in Spanish to accomplish outreach to the Hispanic population, and Ms. Pena will be using Spanish at least 50% of the time in this job. Ms. Pena understands that this differential compensation would be removed if she were to move into a position which does not require communication in Spanish.

You may contact me at 671-2336 or drothberg@uaex.edu if you need additional information. Thank you for your help in securing Second Language Compensation for Ms. Esmeralda Pena.

Regards,
Donna Rothberg

Donna Rothberg
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Arkansas Spanish Interpreters & Translators

P.O. Box 55928
Little Rock, AR 72215

TELEPHONE 501-312-1300
FAX 501-312-0077
Interpreters@ARSpanish.com

SPANISH INTERPRETER / FLUENCY EXAMINATION EVALUATION FORM

CANDIDATE: Esmeralda Peña COMPANY/AGENCY: U of A Cooperative Extension Service PHONE: _____ TEST DATE: 8/21/2017

WRITTEN EXAMINATION - TRANSLATION:

	ADVANCED (1 - 1/2 errors)	FLUENT (1 - 2 errors)	INTERMEDIATE (3 - 4 errors)	BEGINNING/BASIC (5+ errors)	
Written					
Ability to Translate					Subtotal: <u>3</u> /4= <u>75</u> %

Oral

Ability to Interpret					Subtotal: <u>3</u> /4= <u>80</u> %
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Average of Subtotals = 77.5 %

Written Ability: Below 50% or less Beginning 60% - 74% Intermediate 75%-89% Fluent 90% - 100%

Oral Ability: Below 50% or less Beginning 60% - 74% Intermediate 75%-89% Fluent 90% - 100%

Comments: For the written portion of the test, Esmeralda had a few grammatical errors, she also included some English words in the Spanish section. For the oral test she was able to translate everything that was being said, I only had to repeat a sentence twice. Overall she did a great job.

EXPLANATION OF RESULTS

Oral Score

60-74%

75-79%

80-84%

85-89%

90-100%

X

Communication Abilities

Greet and set appointments; give directions, simple conversations, explain basic rules. Needs more knowledge of the Spanish language

Explain basic procedures, conduct simple interviews, Fluent at Elementary School Level. Needs more vocabulary at high school and professional level.

Conduct interviews at a High School Level; needs more professional vocabulary

Interview at a Professional Level

Professional Level at all tasks

Written Score

Did not Pass

Beginner

Intermediate

Proficient

X

Translating Abilities

Do not use for any written translations.

Can translate notes with many grammatical, syntax, and vocabulary errors. Should not translate any written documents, flyers, forms or letters.

Can translatedocuments at an Elementary School Level with a maximum of four grammatical, syntax, vocabulary errors and omissions.

Can translate all written documents with a maximum of two grammatical, syntax vocabulary errors and omissions.

Tester: Rosalva Brieno, Interpreter/Translator