

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

SENATE BILL 491

5 By: Senator B. Davis
6 By: Representative Wooten
7

For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS LAW CONCERNING EMPLOYEES OF
10 INSTITUTIONS OF HIGHER EDUCATION; TO REPEAL THE
11 HIGHER EDUCATION UNIFORM CLASSIFICATION AND
12 COMPENSATION ACT; TO DECLARE AN EMERGENCY; AND FOR
13 OTHER PURPOSES.
14

Subtitle

15
16 TO AMEND ARKANSAS LAW CONCERNING
17 EMPLOYEES OF INSTITUTIONS OF HIGHER
18 EDUCATION; AND TO DECLARE AN EMERGENCY.
19
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. Arkansas Code § 6-61-203(a)(2), concerning the director and
25 staff of the Arkansas Higher Education Coordinating Board, is amended to read
26 as follows:

27 (2)(A) The director and other staff employed by the board shall
28 demonstrate competence in the field of institutional management or agency
29 management, institutional finance, financial aid, or institutional research.

30 (B) The director shall exhibit advanced coordination and
31 communication skills.

32 (C) The duties of staff employed by the board shall
33 include without limitation:

34 (i) Working with institutions of higher education to
35 identify, develop, and maintain best practice strategies for human resource
36 management;



1 6-63-317. Regular salary procedures and restrictions.

2 (a) Arkansas Constitution, Article 16, § 4, provides: "the General
3 Assembly shall fix the salaries and fees of all officers in the State; and no
4 greater salary or fee than that fixed by law shall be paid to any officer,
5 employee, or other person, or at any rate other than par value; and the
6 number and salaries of the clerks and employees of the different departments
7 of the State shall be fixed by law."

8 (b) For any position authorized by the General Assembly for the
9 benefit of any institution of higher education for which a maximum annual
10 salary is set out in dollars, it is the intent of the General Assembly that
11 the position be paid at a rate of pay not to exceed the maximum established
12 for the position during any one (1) fiscal year and that the maximum annual
13 salary authorized is for full-time employment.

14
15 6-63-318. Extra help positions.

16 (a) A position authorized as extra help in an institution of higher
17 education shall be assigned a title authorized by an institution's operative
18 appropriation act, and any person hired in an extra help position shall meet
19 the minimum qualifications for the position.

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

22
23 6-63-319. Position pools.

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

30 (2) Central pool positions shall be used by the institution if
31 the personnel service needs exceed the number of positions authorized by the
32 General Assembly and were not anticipated at the time of the passage of the
33 institution's operative appropriation act.

34 (b)(1) The division shall establish and maintain a temporary
35 transition pool of fifty (50) positions to be used to establish additional
36 temporary positions in an institution if the institution does not have

1 sufficient positions available to address organizational transition issues
2 such as succession planning or other changes involving administration of the
3 institution.

4 (2) An institution shall use temporary transition pool positions
5 only if the personnel service needs exceed the number of positions authorized
6 by the General Assembly and were not anticipated at the time of the passage
7 of the institution's operative appropriation bill.

8 (3) 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 division; and

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

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

18 (c)(1) There is established a pool of three hundred (300) positions
19 assigned to the division to be used by institutions when an institution does
20 not have a vacant position available with the appropriate title and line-item
21 maximum salary in its operative appropriation act.

22 (2) To obtain a position from the pool under subsection (c)(1)
23 of this section, an institution shall surrender a position not being utilized
24 at the time of the request.

25 (3) A request for a position from the pool under subsection
26 (c)(1) of this section shall be fulfilled upon recommendation of the division
27 and review by the Legislative Council or, if the General Assembly is in
28 regular, fiscal, or extraordinary session, the Joint Budget Committee.

29 (d) A position established under this section shall not exceed a
30 salary rate of the highest maximum annual salary rate authorized by the
31 General Assembly in the requesting institution's operative appropriation act.

32
33 6-63-320. Annual career service recognition payments for employees of
34 institutions of higher education.

35 (a)(1)(A) A nonfaculty member of an institution of higher education
36 shall become eligible for annual career service recognition payments upon

1 completion of ten (10) or more years of service in either an elected position
2 or a classified or nonclassified position with a state agency or an
3 institution of higher education.

4 (B) To receive the full amount authorized in subsection
5 (c) of this section, the service shall have been in either elected positions
6 or regular full-time positions.

7 (C) Nonfaculty employees of institutions who work part-
8 time in regular salary positions may receive annual career service
9 recognition payments on a pro rata basis.

10 (2) Periods of authorized leave without pay and leave of absence
11 for military service when veterans' reemployment rights are exercised shall
12 not negate eligibility for the payment, provided all other eligibility
13 requirements are met.

14 (b) The Division of Higher Education shall establish and publish
15 policies and procedures for the administration of career service recognition
16 payments to employees of institutions upon a determination by the Director of
17 the Division of Higher Education that the respective institution has
18 sufficient funds available for that purpose.

19 (c) Nonfaculty employees of institutions who meet eligibility
20 requirements established by subsection (a) of this section shall become
21 eligible for annual career service recognition payments on the anniversary
22 date of the completion of such service according to the following schedule:

<u>STATE SERVICE</u>	<u>ANNUAL PAYMENT</u>
<u>10 through 14 years of state service</u>	<u>\$ 800</u>
<u>15 through 19 years of state service</u>	<u>\$ 1,000</u>
<u>20 through 24 years of state service</u>	<u>\$ 1,200</u>
<u>25 or more years of state service</u>	<u>\$ 1,500</u>

29 (d) Career service recognition payments authorized by this section
30 are:

31 (1) Subject to withholding of all applicable state and federal
32 taxes; and

33 (2) Included by retirement systems in determining benefits.

35 SECTION 5. Arkansas Code Title 21, Chapter 5, Subchapter 14, is
36 repealed.

1 ~~21-5-1401. Title.~~

2 ~~This subchapter shall be known and may be cited as the “Higher~~
3 ~~Education Uniform Classification and Compensation Act”.~~

4
5 ~~21-5-1402. Definitions.~~

6 ~~As used in this subchapter:~~

7 ~~(1) “Class” or “classification” means a group of positions~~
8 ~~sufficiently similar as to duties performed, scope of discretion and~~
9 ~~responsibility, minimum requirements of education or training, skill,~~
10 ~~experience, and other characteristics that the same class title, the same~~
11 ~~test of fitness, and the same grade have been or may be applied to each~~
12 ~~position in the group;~~

13 ~~(2) “Classified employee” means a person regularly appointed or~~
14 ~~employed in a position of state service by an institution of higher education~~
15 ~~for which:~~

16 ~~(A) He or she is compensated on a full-time basis or on a~~
17 ~~pro rata basis; and~~

18 ~~(B) A class title and grade are established in the~~
19 ~~appropriation act for the institution in accordance with the classification~~
20 ~~and compensation plan enacted in this subchapter;~~

21 ~~(3) “Class specification” means a written document that~~
22 ~~identifies a group of positions that require the same type of work and~~
23 ~~responsibility and sets out the general components of the job description for~~
24 ~~each position in the category by providing a class title, class code,~~
25 ~~distinguishing features and examples of work, knowledge, skills, and~~
26 ~~abilities, and the necessary minimum education and experience requirements to~~
27 ~~perform the assigned duties;~~

28 ~~(4)(A) “Crossgrade” means a temporary reclassification of a~~
29 ~~position during the fiscal year.~~

30 ~~(B) The Division of Higher Education may authorize a~~
31 ~~temporary crossgrade through a change in the classification of a position~~
32 ~~from the classification authorized in an institution’s appropriation act~~
33 ~~between legislative sessions to assure correct classification and for other~~
34 ~~purposes with the following restrictions:~~

35 ~~(i) A position shall not be crossgraded to a~~
36 ~~classification at a grade higher than the grade originally authorized for the~~

1 ~~position by the General Assembly in the institution's appropriation act;~~

2 ~~(ii) A position may be crossgraded to a~~
 3 ~~classification at the same or lower grade than the position as originally~~
 4 ~~authorized for the position by the General Assembly in the institution's~~
 5 ~~appropriation act;~~

6 ~~(iii) Positions that have been crossgraded may be~~
 7 ~~restored to the original authorized class during the fiscal year with the~~
 8 ~~approval of the division for those positions within the same occupational~~
 9 ~~group;~~

10 ~~(iv) Position classifications may be crossgraded or~~
 11 ~~restored to their original classifications only after the review and approval~~
 12 ~~of the division;~~

13 ~~(v) Positions established under the pay plan may not~~
 14 ~~be crossgraded to positions having an authorized line item maximum salary~~
 15 ~~established by the General Assembly in the institution of higher education's~~
 16 ~~appropriation act; and~~

17 ~~(vi) Positions having an authorized line item~~
 18 ~~maximum salary by the General Assembly in the institution's appropriation act~~
 19 ~~may not be crossgraded from line item status to classified status;~~

20 ~~(5) "Demotion" means the change in duty assignment of an~~
 21 ~~employee from a position in one classification to a position in another~~
 22 ~~classification of a lower grade;~~

23 ~~(6) "Grade" means an authorized pay range for classifications~~
 24 ~~assigned to the pay plan having a minimum pay level, midpoint pay level, and~~
 25 ~~maximum pay level as provided in this subchapter;~~

26 ~~(7) "Head of the institution" means the executive head of an~~
 27 ~~institution of higher education;~~

28 ~~(8) "Institution of higher education" or "institution" means a~~
 29 ~~public institution of higher education supported, in whole or in part, by~~
 30 ~~appropriation of state funds;~~

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

34 ~~(ii) The division may authorize job sharing for any~~
 35 ~~regular full-time position.~~

36 ~~(B) The Director of the Division of Higher Education or~~

1 ~~his or her designee shall promulgate necessary rules to carry out this~~
 2 ~~subdivision (9);~~

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

5 ~~(11) "Midpoint pay level" means the rate of pay midway between~~
 6 ~~the minimum pay level and the maximum pay level established for each grade;~~

7 ~~(12) "Minimum pay level" means the entry level pay rate for~~
 8 ~~classifications assigned to the compensation plan;~~

9 ~~(13)(A) "Occupational group" means a collection of classes~~
 10 ~~having similar job description components and sharing a primary function.~~

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

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

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

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

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

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

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

36 ~~(D) Positions within an institution of higher education~~

1 ~~designated within a classification title and grade shall not be reclassified~~
 2 ~~to a classification title for which a line item maximum annual salary has~~
 3 ~~been established.~~

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

8
 9 ~~21-5-1403. Regular salary procedures and restrictions.~~

10 ~~Arkansas Constitution, Article 16, § 4, provides: "The General Assembly~~
 11 ~~shall fix the salaries and fees of all officers in the State, and no greater~~
 12 ~~salary or fee than that fixed by law shall be paid to any officer, employee~~
 13 ~~or other person, or at any rate other than par value; and the number and~~
 14 ~~salaries of the clerks and employees of the different departments of the~~
 15 ~~State shall be fixed by law." Therefore, the following provisions are~~
 16 ~~applicable to all authorized regular salary positions in appropriation acts~~
 17 ~~unless specific exception is made otherwise by law.~~

18 ~~(1) For any position authorized by the General Assembly of the~~
 19 ~~State of Arkansas for the benefit of any institution of higher education for~~
 20 ~~which the provisions of this subchapter are to be applicable, it is the~~
 21 ~~intent of the General Assembly that this subchapter govern with respect to:~~

22 ~~(A) The entry pay level;~~

23 ~~(B) The frequency with which increases in pay may be~~
 24 ~~granted; and~~

25 ~~(C) The maximum annual salary that may be paid for the~~
 26 ~~grade assigned each employee;~~

27 ~~(2) For any position authorized by the General Assembly for the~~
 28 ~~benefit of any institution of higher education for which a maximum annual~~
 29 ~~salary is set out in dollars, it is the intent of the General Assembly that~~
 30 ~~the position be paid at a rate of pay not to exceed the maximum established~~
 31 ~~for the position during any one (1) fiscal year and that the maximum annual~~
 32 ~~salary authorized is for full-time employment;~~

33 ~~(3)(A) For all positions authorized by the General Assembly for~~
 34 ~~any institution of higher education, it is the intent of the General Assembly~~
 35 ~~in determining the annual salaries of employees in those positions, that the~~
 36 ~~head of the institution take into consideration the ability of the employee~~

1 ~~and length of service.~~

2 ~~(B) It is not the intent of the General Assembly that the~~
 3 ~~maximum annual salaries as authorized in the appropriation act or pay~~
 4 ~~increases established for the various grades under this subchapter be paid~~
 5 ~~unless the employee meets the qualifications associated with each pay level~~
 6 ~~and then only within the limitations of the appropriations and funds~~
 7 ~~available for that purpose.~~

8 ~~(C) An employee authorized by the General Assembly shall~~
 9 ~~not receive from appropriated or cash funds, either from state, federal, or~~
 10 ~~other sources, compensation in an amount greater than that established by the~~
 11 ~~General Assembly as the maximum annual salary for the employee, unless~~
 12 ~~specific provisions are made by law; and~~

13 ~~(4) An employee of an institution of higher education shall not~~
 14 ~~be paid any additional cash allowances, including without limitation uniform~~
 15 ~~allowance, clothing allowance, motor vehicle depreciation or replacement~~
 16 ~~allowance, fixed transportation allowance, or meals and lodging allowance~~
 17 ~~other than for reimbursement for costs actually incurred by the employee~~
 18 ~~unless the allowances are specifically set out by law as to eligibility of~~
 19 ~~employees to receive the allowances, and the maximum amount of such~~
 20 ~~allowances are established by law for each employee or for each class of~~
 21 ~~employees eligible to receive the allowances.~~

22
 23 ~~21-5-1404. Effect on appropriation acts.~~

24 ~~(a) All appropriation acts of all institutions of higher education~~
 25 ~~subject to this subchapter shall be governed by this subchapter with respect~~
 26 ~~to grades, class titles, salary increases, salary increase eligibility, and~~
 27 ~~other provisions unless special language in the appropriation act of the~~
 28 ~~institution specifically allows the institution to provide salary increases,~~
 29 ~~grade assignments, class title assignments, salary increase eligibility, and~~
 30 ~~other provisions different from those provided by this subchapter.~~

31 ~~(b) When the intent of the General Assembly, by amendment to~~
 32 ~~appropriation bills, is to allow a higher grade for a classification than~~
 33 ~~that listed in this subchapter, the grade assigned to the classification in~~
 34 ~~the appropriation act for the classification, as designated with the higher~~
 35 ~~grade, shall be the grade for the classification in the institution during~~
 36 ~~the biennium.~~

1 ~~(c) When a higher grade is authorized in this subchapter for~~
 2 ~~classifications that are not reflected in the appropriation act of an~~
 3 ~~institution, this subchapter shall set the grades to be authorized in an~~
 4 ~~institution's appropriation act for the biennium unless special language in~~
 5 ~~the appropriation act of an institution allows the institution to provide~~
 6 ~~salary increases other than that provided in this subchapter.~~

7 ~~(d) It is the intent of this section that the institutions governed by~~
 8 ~~this subchapter be authorized to allow grades as provided in the~~
 9 ~~appropriation acts of the institutions, provided that the rules that apply to~~
 10 ~~salary increases under this subchapter shall not be waived unless special~~
 11 ~~language in the appropriation act of the institution authorizes the~~
 12 ~~institution to provide increases other than those authorized under this~~
 13 ~~subchapter.~~

14
 15 ~~21-5-1405. Division of Higher Education—Duties.~~

16 ~~(a) The Division of Higher Education shall perform the following~~
 17 ~~administrative duties with respect to the institution of higher education~~
 18 ~~classification and compensation plan, subject to this subchapter:~~

19 ~~(1) Determine that each position of an institution of higher~~
 20 ~~education affected by this subchapter is allocated to a class having a~~
 21 ~~written class specification based on the duties and responsibilities assigned~~
 22 ~~to the position and the requirements necessary to satisfactorily perform the~~
 23 ~~duties;~~

24 ~~(2) Assist institutions in the allocation of positions to~~
 25 ~~classes established in this subchapter and in the appropriation acts covering~~
 26 ~~each of the institutions affected by this subchapter, and disallow the~~
 27 ~~allocation of a position to a class that is not in conformance with this~~
 28 ~~subchapter;~~

29 ~~(3)(A) Authorize the temporary reclassification of positions in~~
 30 ~~an institution affected by this subchapter in cases in which it has been~~
 31 ~~determined by the division that there are material changes in the duties and~~
 32 ~~responsibilities assigned to the position when there is no available vacant~~
 33 ~~position having the proper classification and when it is impracticable to~~
 34 ~~restructure the duties of the position to the proper classification.~~

35 ~~(B) The reclassification of positions may also be~~
 36 ~~authorized when it is necessary to establish a new classification to meet~~

1 ~~federal standards as a prerequisite for federal programs, provided that a~~
2 ~~position is not placed in a class and receive pay at a salary rate in excess~~
3 ~~of the maximum salary rate authorized for the position that was reclassified~~
4 ~~as provided in the appropriation act of the institution;~~

5 ~~(4)(A) Review all class specifications and all classes and~~
6 ~~grades and the compensation plan affecting all institutions covered by this~~
7 ~~subchapter and submit to the Legislative Council and the Governor in advance~~
8 ~~of the regular session and fiscal session of the General Assembly~~
9 ~~recommendations for revisions, modifications, or additions.~~

10 ~~(B) When necessary, the division shall confer with the~~
11 ~~staff of the Legislative Council on the development of and revisions to~~
12 ~~uniform classification and compensation systems.~~

13 ~~(C) Time periods for the development of recommendations~~
14 ~~and time periods for the review by the Legislative Council of those~~
15 ~~recommendations shall be as established by the Legislative Council.~~

16 ~~(D) The time periods for recommendations and for review~~
17 ~~shall be sufficiently in advance of budget hearings for the regular session~~
18 ~~and fiscal session to allow for the thorough review by the Legislative~~
19 ~~Council;~~

20 ~~(5) Develop and implement rules to accomplish the purposes of~~
21 ~~this subchapter;~~

22 ~~(6)(A) Establish a procedure to allow the head of the~~
23 ~~institution to review the qualifications of applicants whose education and~~
24 ~~experience either do not meet or exceed that required by the class~~
25 ~~specification but who have other job-related qualifications that might be~~
26 ~~validly substituted for the class requirements.~~

27 ~~(B) The procedure under subdivision (a)(6)(A) of this~~
28 ~~section is intended to allow institutions to substitute job-related education~~
29 ~~and experience for the specific requirements stated in the class~~
30 ~~specification without the necessity for the revision of the class~~
31 ~~specification.~~

32 ~~(C) The procedure under subdivision (a)(6)(A) of this~~
33 ~~section shall require the final approval of the Director of the Division of~~
34 ~~Higher Education, with the review of the Legislative Council or, if the~~
35 ~~General Assembly is in session, the Joint Budget Committee;~~

36 ~~(7)(A) Review institution personnel transactions reported as~~

1 ~~unqualified appointments.~~

2 ~~(B) Unqualified appointments shall be reported by the~~
 3 ~~division to the Legislative Council unless one (1) of the following actions~~
 4 ~~is taken:~~

5 ~~(i) Questionable appointments are reviewed by the~~
 6 ~~director;~~

7 ~~(ii) Payroll actions for questionable appointments~~
 8 ~~that are determined by the director to be unqualified for the specific~~
 9 ~~appointment are not processed until the unqualified appointment is removed~~
 10 ~~from the payroll or is placed into a position in the institution for which~~
 11 ~~the individual meets the minimum qualifications of the classification; or~~

12 ~~(iii) Corrective action is documented by the~~
 13 ~~institution.~~

14 ~~(C) It is the specific responsibility of the head of each~~
 15 ~~institution to certify that the qualifications of persons appointed to~~
 16 ~~positions within the institution do meet or exceed the minimum education and~~
 17 ~~experience requirements as stated in the class specification;~~

18 ~~(8)(A) Establish each year, upon the review of the Personnel~~
 19 ~~Subcommittee of the Legislative Council, new classifications at an~~
 20 ~~appropriate grade in order to meet new or changed conditions and report at~~
 21 ~~the end of each fiscal year all class titles contained in § 21-5-1406 for~~
 22 ~~which a class specification has not been written.~~

23 ~~(B) Any classification established under this subdivision~~
 24 ~~(a)(8) shall remain in effect for the remainder of the fiscal year during~~
 25 ~~which the classification was established unless specifically authorized to~~
 26 ~~continue by the General Assembly as an addition to this subchapter;~~

27 ~~(9) Revise, as necessary, the class specification of a~~
 28 ~~classification in order to ensure the accuracy of the description of the~~
 29 ~~assigned duties and the minimum requirements necessary to perform these~~
 30 ~~duties and thereby maintain a valid relationship between the requirements and~~
 31 ~~the duties and responsibilities of the jobs;~~

32 ~~(10) Administer and maintain a system for the evaluation of~~
 33 ~~employee performance effectiveness;~~

34 ~~(11) Provide assistance to institutions in identifying,~~
 35 ~~developing, and maintaining training and resource programs; and~~

36 ~~(12) Develop and implement, as needed and upon the review of the~~

1 ~~Legislative Council, rules to ensure a uniform system of personnel~~
2 ~~administration within higher education.~~

3 ~~(b) To ensure and provide for the accuracy and efficiency of this~~
4 ~~subchapter and to provide for an efficient and equitable system of personnel~~
5 ~~management, the division, with the review of the Legislative Council, shall:~~

6 ~~(1) Study on a continuing basis and modify and revise when~~
7 ~~necessary the current classifications, the class specifications, minimum~~
8 ~~requirements, and other requirements;~~

9 ~~(2) Create when necessary new classifications at an appropriate~~
10 ~~grade that will accurately describe those positions for which no appropriate~~
11 ~~classification exists;~~

12 ~~(3) Determine those positions that are improperly classified and~~
13 ~~reclassify those positions to the appropriate classification in accordance~~
14 ~~with this subchapter; and~~

15 ~~(4) Develop and implement the policies, rules, and procedures~~
16 ~~necessary for the implementation of this subchapter.~~

17
18 ~~21-5-1406. Classification of positions.~~

19 ~~(a)(1) There are established for the institutions of higher education~~
20 ~~covered by this subchapter the classification titles and grades.~~

21 ~~(2) No payment of salaries may be made except in conformity with~~
22 ~~the maximum annual salary rates assigned to the grades established by this~~
23 ~~section for each year as provided in the appropriation act of the institution~~
24 ~~and in this subchapter.~~

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

<u>Class</u>	<u>Title</u>	<u>Grade</u>
<u>Code</u>		
B015C	ENGINEER SUPERVISOR	G126
B018C	SENIOR BROADCAST ENGINEER	G125
E009C	TECHNICAL INSTITUTE ASSISTANT DIRECTOR	G125
A031C	ASSISTANT CONTROLLER	G124
E013C	EDUCATION PROGRAM MANAGER	G124
A038C	FISCAL SUPPORT MANAGER	G123
P004C	PUBLIC INFORMATION MANAGER	G123

1	G103C ASSOCIATE REGISTRAR	G122
2	T019C DIRECTOR OF PUBLIC SAFETY I	G122
3	E018C SPECIALIZED TECHNICAL FACULTY	G122
4	B033C UAF CONSTRUCTION COORDINATOR	G122
5	A052G ACCOUNTING COORDINATOR	G121
6	E022G EDUCATION & INSTRUCTION MANAGER	G121
7	A047G FINANCIAL ANALYST II	G121
8	G109G GRANTS MANAGER	G121
9	S004G MAINTENANCE MANAGER	G121
10	L036G NURSE INSTRUCTOR	G121
11	R014G PERSONNEL MANAGER	G121
12	V004G PROCUREMENT MANAGER	G121
13	P008G TELEVISION PROGRAM MANAGER	G121
14	S006G ASU ASSOC DIR PHYSICAL PLANT	G120
15	B056G ASU CONSTRUCTION COORDINATOR	G120
16	G136G ASU DIRECTOR OF HOUSING	G120
17	B054G CAMPUS CONSTRUCTION COORDINATOR	G120
18	E027G CAREER & TECHNICAL FACULTY	G120
19	E026G EDUCATION & INSTRUCTION COORDINATOR	G120
20	Q078G PG SUPPORT SPECIALIST	G120
21	P013G PUBLIC INFORMATION COORDINATOR	G120
22	L038G REGISTERED NURSE	G120
23	G118G UAF ASSOC DIR OF AR UNION	G120
24	A053G UAF ASST BUSINESS MANAGER	G120
25	P011G UAF SPORTS INFORMATION COORDINATOR	G120
26	B064G ASU DIRECTOR OF FARMING	G119
27	R022G BENEFITS COORDINATOR	G119
28	R021G BUDGET ANALYST	G119
29	V008G BUYER SUPERVISOR	G119
30	S008G CAMPUS MAINTENANCE SUPERVISOR	G119
31	P016G CURATOR	G119
32	G159G DEPARTMENT BUSINESS COORDINATOR	G119
33	P065G DEVELOPMENT SPECIALIST	G119
34	E032G EDUCATION COUNSELOR	G119
35	E031G EDUCATION PROGRAM COORDINATOR	G119
36	G147G GRANTS COORDINATOR	G119

1 A066G INTERNAL AUDITOR G119
2 A065G PAYROLL SERVICES COORDINATOR G119
3 V007G PROCUREMENT COORDINATOR G119
4 B061G RESEARCH TECHNOLOGIST G119
5 G144G TECHNICAL INSTITUTE PROGRAM COORDINATOR G119
6 R024G ASSISTANT PERSONNEL MANAGER G118
7 S012G ASU ASST DIRECTOR OF PHYSICAL PLANT G118
8 G172G CAREER PLANNING & PLAC COORDINATOR G118
9 M030G CHILD CARE DIRECTOR G118
10 G169G DIRECTOR OF STUDENT UNION G118
11 E038G EDUCATION & INSTRUCTION ANALYST G118
12 G010G EXECUTIVE ASSISTANT TO THE DIRECTOR G118
13 A075G FINANCIAL ANALYST I G118
14 A074G FISCAL SUPPORT SUPERVISOR G118
15 R023G INSTITUTION PERSONNEL SVCS MANAGER G118
16 L047G MEDICAL TECHNOLOGIST SUPERVISOR G118
17 A072G RESEARCH & STATISTICS MANAGER G118
18 S014G RESTAURANT MANAGER G118
19 M022G UAPB DIRECTOR OF HOUSING G118
20 A082G ACCOUNTANT II G117
21 G190G ASST DIR FINANCIAL AID G117
22 G189G ATU DIRECTOR OF HOUSING G117
23 S020G AVIATION TECHNICIAN G117
24 P023G BROADCAST PROMOTION SPECIALIST G117
25 R027G BUDGET SPECIALIST G117
26 G019G CLINIC BUSINESS SVCS MANAGER G117
27 P022G COORDINATOR OF SPORTS INFORMATION G117
28 L055G DIETICIAN G117
29 P021G EDITOR G117
30 G180G GRANTS ANALYST G117
31 R025G HUMAN RESOURCES ANALYST G117
32 G179G LEGAL SERVICES SPECIALIST G117
33 S017G MAINTENANCE COORDINATOR G117
34 V011G MEDICAL BUYER G117
35 P020G PRODUCTION ARTIST G117
36 M038G PROGRAM ELIGIBILITY ANALYST G117

1	B076C RESEARCH PROJECT ANALYST	G117
2	E040C STAFF DEVELOPMENT COORDINATOR	G117
3	M035C UALR DIRECTOR OF HOUSING	G117
4	M034C UAM DIRECTOR OF HOUSING	G117
5	M033C UCA ASSISTANT DIRECTOR OF HOUSING	G117
6	A089C ACCOUNTANT I	G116
7	B072C AGRICULTURE PROGRAM COORDINATOR	G116
8	B091C ASSISTANT DIRECTOR OF FARMING	G116
9	G023C ASSOCIATE BOOKSTORE MANAGER	G116
10	B089C ASU ASST DIRECTOR OF FARMING	G116
11	S029C ASU DIRECTOR OF HOUSEKEEPING	G116
12	A087C ASU PAYROLL SERVICES MANAGER	G116
13	S092C ATHLETIC TICKET SALES COORDINATOR	G116
14	S025C BUILDING AND GROUNDS COORDINATOR	G116
15	G022C BUSINESS OPERATIONS SPECIALIST	G116
16	V014C BUYER	G116
17	X129C CONSTRUCTION INSPECTOR	G116
18	S024C CONSTRUCTION/MAINTENANCE COORD	G116
19	P032C DESIGN CONSULTANT	G116
20	G197C DIRECTOR OF ALUMNI	G116
21	E048C EDUCATION & INSTRUCTION SPECIALIST	G116
22	R030C EEO/GRIEVANCE OFFICER	G116
23	B087C ENERGY CONSERVATION COORD	G116
24	B090C ENGINEER TECHNICIAN	G116
25	G195C HIGHER ED INSTITUTION PROG COORD	G116
26	R029C HUMAN RESOURCES RECRUITER	G116
27	P031C MEDIA SPECIALIST	G116
28	P030C MUSEUM EXHIBIT PROGRAM SPECIALIST	G116
29	X119C OCCUPATIONAL SAFETY COORDINATOR	G116
30	S023C PRINT SHOP MANAGER	G116
31	P027C PUBLIC INFORMATION SPECIALIST	G116
32	P066C RADIO NEWS DIRECTOR	G116
33	P026C RADIO PROGRAM DIRECTOR	G116
34	G020C STUDENT APPLICATIONS SPECIALIST	G116
35	E046C TRAINING INSTRUCTOR	G116
36	G037C ADMINISTRATIVE ANALYST	G115

1	Q123C ADMINISTRATIVE ASSISTANT	G115
2	G212C ASST DIR STUDENT UNION	G115
3	G035C ASST REGISTRAR	G115
4	G211C ASU ASST DIRECTOR OF HOUSING	G115
5	R033C BENEFITS ANALYST	G115
6	G034C BOOKSTORE MANAGER	G115
7	G033C CLINIC BUSINESS SVCS SUPERVISOR	G115
8	S097C CONSTRUCTION SPECIALIST	G115
9	S035C FABRICATION SHOP MANAGER	G115
10	L063C FAMILY CONSUMER SCIENCE SPECIALIST	G115
11	G207C FINANCIAL AID ANALYST	G115
12	A091C FISCAL SUPPORT ANALYST	G115
13	D078C GIS TECHNICIAN	G115
14	R032C HUMAN RESOURCES PROGRAM REPRESENTATIVE	G115
15	R031C INSTITUTION HUMAN RESOURCES COORDINATOR	G115
16	E050C LIBRARY SUPERVISOR	G115
17	S033C MAINTENANCE SUPERVISOR	G115
18	G028C MEDICAL RECORDS SUPERVISOR	G115
19	L061C MEDICAL TECHNOLOGIST	G115
20	A090C PAYROLL SERVICES SPECIALIST	G115
21	S032C PRINT SHOP SUPERVISOR	G115
22	V015C PURCHASING SPECIALIST	G115
23	M055C SAU DIRECTOR OF HOUSEKEEPING	G115
24	P033C SPECIAL EVENTS MANAGER	G115
25	G025C STUDENT ACCOUNTS OFFICER	G115
26	S038C TRANSIT OPERATIONS SUPERVISOR	G115
27	B100C ARCHITECTURAL DRAFTSMAN	G114
28	P043C ARCHIVAL ASSISTANT	G114
29	S042C ATU COLISEUM MANAGER	G114
30	S041C BOILER OPERATOR	G114
31	P042C BROADCAST PRODUCTION SPECIALIST	G114
32	G215C CAREER PLANNING & PLACEMENT SPECIALIST	G114
33	P041C COMMERCIAL GRAPHIC ARTIST	G114
34	S044C FOOD PREPARATION MANAGER	G114
35	G214C GRANTS SPECIALIST	G114
36	P039C INSTITUTIONAL PRINTER	G114

1	M066G PROGRAM ELIGIBILITY SPECIALIST	G114
2	L064G RADIOLOGY TECHNICIAN	G114
3	X151G SAFETY SUPERVISOR	G114
4	E051G STAFF DEVELOPMENT SPECIALIST	G114
5	S099G STATIONARY ENGINEER	G114
6	A093G STATISTICIAN	G114
7	M062G STUDENT UNION NIGHT MANAGER	G114
8	V018G WAREHOUSE MANAGER	G114
9	G050G ADMINISTRATIVE SUPPORT SUPERVISOR	G113
10	S048G ASST RESTAURANT MANAGER	G113
11	E053G AUDIOVISUAL AIDS SUPV	G113
12	A096G COLLECTION OFFICER	G113
13	P049G COMMERCIAL ARTIST I/GRAPHIC ART I	G113
14	P084G MULTIMEDIA SPECIALIST	G113
15	G051G FINANCIAL AID SPECIALIST	G113
16	R036G HUMAN RESOURCES SPECIALIST	G113
17	V020G INVENTORY CONTROL MANAGER	G113
18	S047G LANDSCAPE SUPERVISOR	G113
19	G046G LEGAL SUPPORT SPECIALIST	G113
20	L069G LICENSED PRACTICAL NURSE	G113
21	S049G LODGE HOUSEKEEPING SUPERVISOR	G113
22	G219G LOGISTICS MANAGER	G113
23	S046G MAINTENANCE TECHNICIAN	G113
24	G044G MEDICAL BILLING SPECIALIST	G113
25	L068G MEDICAL DIAGNOSTIC ANALYST	G113
26	P048G MULTI-MEDIA SPECIALIST	G113
27	P047G MUSEUM REGISTRAR	G113
28	R035G PERSONNEL ASSISTANT II — INST	G113
29	P046G PHOTOGRAPHER	G113
30	S045G PRINTING ESTIMATOR/PLANNER	G113
31	P045G PUBLIC INFORMATION TECHNICIAN	G113
32	G043G RECORDS MANAGEMENT ANALYST	G113
33	T072G SECURITY OFFICER SUPERVISOR	G113
34	G218G STUDENT RECRUITMENT SPECIALIST	G113
35	G057G ADMINISTRATION SUPPORT SPECIALIST	G112
36	G056G ADMINISTRATIVE SPECIALIST III	G112

1	G055C ASSISTANT BOOKSTORE MANAGER	G112
2	S053C AUTO/DIESEL MECHANIC	G112
3	A099C CREDIT & COLLECTIONS SUPV	G112
4	E055C DAY CARE TEACHER	G112
5	T080C DIRECTOR TRANSIT & PARKING	G112
6	B105C FARM FOREMAN—INST	G112
7	A098C FISCAL SUPPORT SPECIALIST	G112
8	S051C INSTRUMENTATION TECHNICIAN	G112
9	S050C MAINTENANCE SPECIALIST	G112
10	G053C MEDICAL RECORDS TECHNICIAN	G112
11	A097C PAYROLL TECHNICIAN	G112
12	V022C PURCHASING TECHNICIAN	G112
13	M072C RECREATION COORDINATOR	G112
14	B106C RESEARCH ASSISTANT	G112
15	P053C SPECIAL EVENTS COORDINATOR	G112
16	P052C SPORTS INFORMATION SPECIALIST	G112
17	P051C THEATER ARTS TECHNICAL SUPERVISOR	G112
18	G060C ALUMNI AFFAIRS SPECIALIST	G111
19	S055C ATHLETIC FACILITY SUPV	G111
20	M077C COORDINATOR OF HOUSEKEEPING	G111
21	T085C FACILITIES MANAGER I	G111
22	S056C FOOD PREPARATION SUPERVISOR	G111
23	B108C LABORATORY COORDINATOR	G111
24	E058C LIBRARY SPECIALIST	G111
25	X177C PEST CONTROL TECHNICIAN	G111
26	S054C PRINTER	G111
27	M075C RESIDENT HALL SPECIALIST	G111
28	M074C RESIDENTIAL ADVISOR	G111
29	V023C STOREROOM SUPERVISOR	G111
30	G065C ADMISSIONS ANALYST SUPERVISOR	G110
31	L092C ATHLETIC TRAINER	G110
32	G064C BOOKSTORE OFFICE MANAGER	G110
33	G063C CAMPUS POSTMASTER	G110
34	X181C COLLECTOR	G110
35	S058C EQUIPMENT MECHANIC	G110
36	B120C FARM MAINTENANCE MECHANIC	G110

1 L077C HEALTH SERVICES SPECIALIST II G110
2 L076C HOSPITAL PROGRAM SERVICES ASSISTANT G110
3 R038C HUMAN RESOURCES ASSISTANT G110
4 B111C LABORATORY TECHNICIAN G110
5 S057C LANDSCAPE SPECIALIST G110
6 P057C LIVESTOCK NEWS REPORTER G110
7 A100C PAYROLL OFFICER G110
8 P055C SPECIAL EVENTS SUPERVISOR G110
9 G061C STUDENT ACCOUNT SPECIALIST G110
10 G221C VEHICLE FACILITIES COORD G110
11 V025C WAREHOUSE SPECIALIST G110
12 A101C ACCOUNTING TECHNICIAN G110
13 G073C ADMINISTRATIVE SPECIALIST II G109
14 G072C ADMINISTRATIVE SUPPORT SPECIALIST G109
15 G071C ADMISSIONS ANALYST G109
16 P059C BROADCAST ANNOUNCER G109
17 L082C CERTIFIED NURSING ASSISTANT G109
18 L080C DIETETIC TECHNICIAN G109
19 G070C DUPLICATION ASSISTANT G109
20 B112C GREENHOUSE TECHNICIAN G109
21 S060C HEAVY EQUIPMENT OPERATOR G109
22 L079C HOSPITAL TECHNICIAN G109
23 S063C INNKEEPER SPECIALIST G109
24 S062C INSTITUTIONAL BUS DRIVER G109
25 G069C LIBRARY TECHNICIAN G109
26 G066C PATIENT ACCOUNT SPECIALIST G109
27 B113C RESEARCH TECHNICIAN G109
28 G068C RETAIL SPECIALIST G109
29 M080C STUDENT UNION SECTION MANAGER G109
30 E056C TEACHER ASSISTANT G109
31 M079C WORK STUDY COORD G109
32 G079C ADMISSIONS SPECIALIST G108
33 G078C CASHIER G108
34 G077C COOP EXTENSION SRV PRG ASST G108
35 A102C FISCAL SUPPORT TECHNICIAN G108
36 S068C FOOD PREPARATION COORDINATOR G108

1	V027C INVENTORY CONTROL TECHNICIAN	G108
2	S065C MAINTENANCE ASSISTANT	G108
3	G074C MEDICAL RECORDS ASSISTANT	G108
4	P060C MULTI-MEDIA TECHNICIAN	G108
5	B114C RESEARCH FIELD TECHNICIAN	G108
6	S070C EQUIPMENT TECHNICIAN	G107
7	S073C HOUSEKEEPER	G107
8	S071C INSTITUTIONAL SERVICES SHIFT SUPVT	G107
9	G085C LIBRARY SUPPORT ASSISTANT	G107
10	G083C MAIL SERVICES COORDINATOR	G107
11	S069C RADIO DISPATCH OPERATOR	G107
12	G082C REGISTRAR'S ASSISTANT	G107
13	S074C RESIDENT HALL MANAGER - I	G107
14	G087C ADMINISTRATIVE SPECIALIST - I	G106
15	B115C AGRI-FARM TECHNICIAN	G106
16	B116C AGRI-LABORATORY TECHNICIAN	G106
17	S075C ATHLETIC EQUIPMENT SUPV	G106
18	E057C AUDIOVISUAL LABORATORY ASSISTANT	G106
19	T089C HE-PUBLIC SAFETY DISPATCHER	G106
20	T088C PARKING CONTROL SUPV	G106
21	V029C PURCHASING ASSISTANT	G106
22	M089C RESIDENTIAL CARE ASSISTANT	G106
23	T087C SECURITY OFFICER	G106
24	P063C SPECIAL EVENTS WORKER	G106
25	V028C WAREHOUSE WORKER	G106
26	B117C ACADEMIC LABORATORY ASSISTANT	G105
27	M086C CHILD CARE TECHNICIAN	G105
28	S080C EQUIPMENT OPERATOR	G105
29	G088C MAIL SERVICES ASSISTANT	G105
30	T090C PARKING CONTROL OFFICER	G105
31	S079C REPROD EQUIPMENT OPERATOR	G105
32	V030C SHIPPING & RECEIVING CLERK	G105
33	S078C STADIUM MAINTENANCE SUPV	G105
34	M085C CAREGIVER	G104
35	S086C COOK	G104
36	B118C FARM WORKER	G104

- 1 S085C FOOD PREPARATION SPECIALIST G104
- 2 S084C INSTITUTIONAL SERVICES SUPERVISOR G104
- 3 S087C INSTITUTIONAL SERVICES ASSISTANT G103
- 4 B119C LAB ASSISTANT G103
- 5 S089C FOOD PREPARATION TECHNICIAN G102
- 6 G093C EXTRA HELP ASSISTANT G101
- 7 T091C WATCHMAN G101

8

9 21-5-1407.— Compensation plan.

10 (a) ~~There is established for institutions of higher education covered~~
11 ~~by this subchapter a compensation plan for the setting of salaries and salary~~
12 ~~increases, when deserved, of all employees serving in positions covered by~~
13 ~~this subchapter.~~

14 (b)(1) ~~No employee shall be paid at a rate of pay higher than the~~
15 ~~appropriate rate in the grade assigned to his or her class, and no employee~~
16 ~~shall be paid more than the highest pay level established for the employee's~~
17 ~~grade unless otherwise provided for in this subchapter.~~

18 (2) ~~However, an employee presently employed in a position who is~~
19 ~~being paid at a rate in excess of the maximum for his or her assigned grade~~
20 ~~may continue to receive his or her rate of pay.~~

21 (c) ~~It is the intent of the General Assembly to authorize, in the~~
22 ~~enactment of the compensation plans, rates of pay for each of the appropriate~~
23 ~~grades assigned to a class, but it is not the intent of the General Assembly~~
24 ~~that any pay increases be automatic or that any employee have a claim or a~~
25 ~~right to pay increases unless the head of the institution determines that the~~
26 ~~employee, by experience, ability, and work performance, is eligible for the~~
27 ~~increase in pay authorized for the grade assigned by classification to the~~
28 ~~employee's position.~~

29 (d) ~~Pay levels established in this subchapter are for compensation~~
30 ~~management purposes and are not to be construed as a contract, right, or~~
31 ~~other expectation of actual employee salary determination.~~

32 (e) ~~The following grades and pay levels are the authorized pay plan,~~
33 ~~effective July 1, 2021, and thereafter, for the state service for all~~
34 ~~positions of institutions covered by this subchapter to which a~~
35 ~~classification title and salary grade have been assigned in accordance with~~
36 ~~this subchapter and the appropriation act of the institution.~~

	Grade	Minimum	15% Above Minimum	Midpoint	30% Above Minimum	Maximum
4	G101	\$22,880	\$26,312	\$27,882	\$29,744	\$32,885
5	G102	\$23,138	\$26,609	\$28,669	\$30,080	\$34,200
6	G103	\$23,168	\$26,643	\$29,368	\$30,119	\$35,568
7	G104	\$23,198	\$26,677	\$30,094	\$30,157	\$36,991
8	G105	\$23,227	\$26,712	\$30,849	\$30,196	\$38,471
9	G106	\$23,257	\$26,746	\$31,633	\$30,234	\$40,009
10	G107	\$23,287	\$26,780	\$32,448	\$30,273	\$41,610
11	G108	\$23,547	\$27,079	\$33,411	\$30,611	\$43,274
12	G109	\$23,880	\$27,462	\$34,443	\$31,044	\$45,005
13	G110	\$24,213	\$27,845	\$35,509	\$31,477	\$46,805
14	G111	\$24,546	\$28,228	\$36,612	\$31,910	\$48,678
15	G112	\$25,773	\$29,639	\$38,199	\$33,505	\$50,625
16	G113	\$27,062	\$31,121	\$39,856	\$35,180	\$52,650
17	G114	\$28,415	\$32,677	\$41,585	\$36,940	\$54,756
18	G115	\$29,836	\$34,311	\$43,391	\$38,787	\$56,946
19	G116	\$31,327	\$36,026	\$45,275	\$40,725	\$59,224
20	G117	\$32,894	\$37,828	\$47,243	\$42,762	\$61,593
21	G118	\$34,538	\$39,719	\$49,297	\$44,900	\$64,056
22	G119	\$36,265	\$41,705	\$51,442	\$47,145	\$66,619
23	G120	\$38,079	\$43,790	\$53,681	\$49,502	\$69,283
24	G121	\$39,983	\$45,980	\$56,019	\$51,978	\$72,055
25	G122	\$41,982	\$48,280	\$58,460	\$54,577	\$74,937
26	G123	\$44,081	\$50,694	\$61,008	\$57,306	\$77,934
27	G124	\$46,285	\$53,227	\$63,668	\$60,170	\$81,052
28	G125	\$48,599	\$55,889	\$66,446	\$63,179	\$84,294
29	G126	\$51,030	\$58,684	\$69,348	\$66,338	\$87,665
30	G127	\$53,581	\$61,618	\$72,376	\$69,655	\$91,172
31	G128	\$56,259	\$64,698	\$75,539	\$73,137	\$94,819
32	G129	\$59,072	\$67,933	\$78,842	\$76,794	\$98,612
33	G130	\$62,026	\$71,330	\$82,291	\$80,634	\$102,556

34 ~~(f) It is the intent of the General Assembly that the compensation~~
 35 ~~plans in this section shall be implemented and function in compliance with~~
 36 ~~other provisions in this subchapter and other fiscal control laws of this~~

1 state, when applicable.

2 ~~(g) With the approval of the Legislative Council or, if the General~~
3 ~~Assembly is in session, the Joint Budget Committee, salaries established by~~
4 ~~this section may exceed the maximum pay level for the grade assigned by the~~
5 ~~classification by no more than twenty five percent (25%) for no more than ten~~
6 ~~percent (10%) of the positions authorized in the institution's appropriation~~
7 ~~act.~~

8
9 ~~21-5-1408. Implementation of plan—Changes in class specifications.~~

10 ~~(a) For the purposes of implementing the higher education uniform~~
11 ~~classification and compensation plan for the institutions of higher education~~
12 ~~covered by this subchapter, the General Assembly determines that the class~~
13 ~~specifications prepared by the Division of Higher Education in classifying~~
14 ~~the positions authorized in the appropriation act of each institution be the~~
15 ~~class specifications to be followed in implementing the respective~~
16 ~~appropriations for all part-time and full-time employees of the institutions~~
17 ~~covered by this subchapter.~~

18 ~~(b) Changes in class specifications may be made, in whole or in part,~~
19 ~~by rule of the division, and the changes shall be reported on a quarterly~~
20 ~~basis to the Legislative Council.~~

21
22 ~~21-5-1409. Implementation procedure for grade changes—Salary~~
23 ~~adjustments.~~

24 ~~(a) The Division of Higher Education has administrative responsibility~~
25 ~~for enforcing compliance by institutions of higher education affected by this~~
26 ~~subchapter in implementing classification and grade changes.~~

27 ~~(b)(1) The division may authorize a salary increase of up to two~~
28 ~~percent (2%) each fiscal year upon certification by institutions of higher~~
29 ~~education that sufficient funds exist to implement salary increases.~~

30 ~~(2) An employee whose adjusted annual salary falls below the~~
31 ~~entry pay level for the grade assigned to his or her classification shall~~
32 ~~have his or her annual salary further adjusted to the entry pay level.~~

33 ~~(3) A salary increase under subdivision (b)(1) of this section~~
34 ~~may be established as an increase to the employee's salary or as a lump sum.~~

35 ~~(4) A salary increase authorized by subdivision (b)(1) of this~~
36 ~~section may allow an employee's compensation to exceed the maximum pay level~~

1 ~~amount set out for the position.~~

2 ~~(c)(1) In addition to a compensation increase under subsection (b) of~~
3 ~~this section, the maximum annual salary for which an employee covered by this~~
4 ~~subchapter is eligible may be increased:~~

5 ~~(A) By a percentage up to two percent (2%) with written~~
6 ~~approval by the Director of the Division of Higher Education; or~~

7 ~~(B) More than two percent (2%) only with written approval~~
8 ~~of the Director of the Division of Higher Education after review by the~~
9 ~~Legislative Council or, if the General Assembly is in session, the Joint~~
10 ~~Budget Committee.~~

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

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

16 ~~(d) Salary adjustments made by the director under this section shall~~
17 ~~be reported to the Legislative Council or, if the General Assembly is in~~
18 ~~session, the Joint Budget Committee.~~

19 ~~(e) All percentage calculations stipulated in this subchapter or any~~
20 ~~other law affecting salaries of employees of institutions of higher education~~
21 ~~may be rounded to the nearest even dollar amount by the division when making~~
22 ~~the increases to employee salaries as provided under subdivision (c)(1) of~~
23 ~~this section.~~

24
25 ~~21-5-1410. New appointments—Other compensation plan provisions.~~

26 ~~(a) A new appointment to a position in an institution of higher~~
27 ~~education covered by this subchapter shall be paid at the minimum pay level~~
28 ~~for the grade assigned to the classification unless otherwise authorized by~~
29 ~~law.~~

30 ~~(b) Special rates of pay may be established for either classifications~~
31 ~~or positions for the following reasons:~~

32 ~~(1) Prevailing labor market conditions;~~

33 ~~(2) An extraordinarily well-qualified candidate;~~

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

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

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

2 ~~(c)(1) An institution may request a special rate of pay for a specific~~
3 ~~classification or position due to prevailing market rates of pay up to the~~
4 ~~midpoint pay level of the appropriate grade of a classification on the~~
5 ~~appropriate pay table for the assigned grade with the written approval of the~~
6 ~~Director of the Division of Higher Education.~~

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

12 ~~(3) The Division of Higher Education shall maintain a register~~
13 ~~of classifications or positions for which special rates of pay have been~~
14 ~~established due to prevailing market rates of pay.~~

15 ~~(4) The division shall file a report of special rates of pay~~
16 ~~established due to prevailing market rates of pay with the Legislative~~
17 ~~Council or, if the General Assembly is in session, the Joint Budget~~
18 ~~Committee, at the next regularly scheduled meeting following the approval.~~

19 ~~(d)(1) A special rate of pay may be established for an exceptionally~~
20 ~~well-qualified applicant whose educational background or experience qualifies~~
21 ~~the applicant to perform the job with little or substantially less~~
22 ~~orientation and training than would be required for another qualified~~
23 ~~applicant.~~

24 ~~(2)(A) The head of the institution may approve a special rate of~~
25 ~~pay under subdivision (d)(1) of this section up to fifteen percent (15%)~~
26 ~~above the minimum pay level for the grade assigned to the classification and~~
27 ~~shall report all actions under the division's procedures.~~

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

32 ~~(C) The division may approve a special rate of pay under~~
33 ~~subdivision (d)(1) of this section above thirty percent (30%) up to the~~
34 ~~maximum pay level for the grade assigned to the classification after review~~
35 ~~by the Legislative Council or, if the General Assembly is in session, the~~
36 ~~Joint Budget Committee.~~

1 ~~(3) The division shall file a report of special rates of pay~~
2 ~~established under this subsection with the Legislative Council or, if the~~
3 ~~General Assembly is in session, the Joint Budget Committee, at the next~~
4 ~~regularly scheduled meeting following the approval.~~

5 ~~(e)(1) The head of the institution may approve special rates of pay to~~
6 ~~retain a trained, competent employee or due to the assignment of additional~~
7 ~~duties as a result of the elimination of positions by the institution,~~
8 ~~subject to the following:~~

9 ~~(A) The assignment of additional duties is permanent and~~
10 ~~the duties assigned are beyond the scope of work currently being performed by~~
11 ~~the employee;~~

12 ~~(B) The same employee may not receive a special rate of~~
13 ~~pay under this subdivision (e)(1) more than one (1) time during a biennium;~~
14 ~~and~~

15 ~~(C) All increases up to ten percent (10%) approved under~~
16 ~~this subdivision (e)(1) shall be reported by the institution to the division,~~
17 ~~and increases above ten percent (10%) shall be approved by the division.~~

18 ~~(2) The division shall file a report of all salary increases~~
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 for review.~~

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

24 ~~(B) However, an employee's rate of pay upon promotion~~
25 ~~shall not exceed the maximum pay level of the grade assigned to the~~
26 ~~classification.~~

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

30 ~~(3) An employee who returns to a position in a classification~~
31 ~~the employee formerly occupied within a twelve-month period after promotion~~
32 ~~from the classification is eligible for a rate of pay no greater than that~~
33 ~~for which the employee would have been eligible had the employee remained in~~
34 ~~the lower-graded classification.~~

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

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

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

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

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

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

13 ~~(2) A transferring employee's rate of pay shall not exceed the~~
14 ~~maximum pay level of the grade assigned to the new position unless otherwise~~
15 ~~authorized.~~

16 ~~(i) An employee who is placed in a lower-graded position on the same~~
17 ~~pay table because the original position has expired due to lack of funding,~~
18 ~~program changes, or withdrawal of federal grant funds may continue to be paid~~
19 ~~at the same rate as the employee was being paid in the higher-graded position~~
20 ~~upon approval of the division after seeking the review of the Legislative~~
21 ~~Council or, if the General Assembly is in session, the Joint Budget~~
22 ~~Committee.~~

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

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

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

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

34 ~~(l) Any special rate of pay established under this section shall not~~
35 ~~affect the salary level or salary eligibility of any existing employee within~~
36 ~~the institution.~~

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

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

5
6 ~~21-5-1411. Shift differential.~~

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

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

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

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

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

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

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

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

32 ~~(b)(1) A person employed in areas providing critical support, custody,~~
33 ~~and care to designated client service units at state-operated inpatient~~
34 ~~hospital facilities, at state-operated human development centers, and at~~
35 ~~maximum security units at correctional facilities during weekend hours is~~
36 ~~eligible to receive up to twenty percent (20%) of the hourly rate for which~~

1 ~~he or she is eligible under this subchapter paid as a shift or weekend~~
2 ~~differential.~~

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

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

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

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

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

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

22 ~~(d) An employee who is receiving additional compensation under this~~
23 ~~section and then is reassigned to a normal shift shall revert on the day of~~
24 ~~the reassignment to the rate of pay for which he or she is eligible under~~
25 ~~this subchapter.~~

26 ~~(e) The division shall report all shift differential approvals to the~~
27 ~~Legislative Council or, if the General Assembly is in session, the Joint~~
28 ~~Budget Committee.~~

29
30 ~~21-5-1412. Compensation differentials.~~

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

36 ~~(b)(1) Authorization for one (1) or more compensation differentials~~

1 ~~may be approved if the:~~

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

4 ~~(B) Institution submits to the Division of Higher~~
5 ~~Education a plan of the terms and conditions for eligibility that must~~
6 ~~directly address the needs of the targeted positions or classifications for~~
7 ~~any requested compensation differential;~~

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

12 ~~(D) Compensation differential has been approved by the~~
13 ~~division after review by the Legislative Council or, if the General Assembly~~
14 ~~is in session, the Joint Budget Committee.~~

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

17 ~~(3) The cumulative total of any compensation differentials paid~~
18 ~~to an employee shall not exceed twenty-five percent (25%) of the employee's~~
19 ~~base salary.~~

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

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

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

30 ~~(2)(A) The institution shall identify the facility or unit,~~
31 ~~location, and eligible positions and classifications within the facility or~~
32 ~~unit that are identified as high-risk.~~

33 ~~(B) The positions shall be certified by the institution as~~
34 ~~having been assigned to a work environment that poses an increased risk of~~
35 ~~personal injury and shall be submitted as part of the plan for payment of a~~
36 ~~hazardous duty differential to the division for approval by the Director of~~

1 ~~the Division of Higher Education after review and approval of the Legislative~~
2 ~~Council or, if the General Assembly is in session, the Joint Budget~~
3 ~~Committee.~~

4 ~~(C) Subsequent changes to the facility or unit, location,~~
5 ~~and eligible positions or classifications within the facility or unit on file~~
6 ~~with the division shall receive prior approval by the director after review~~
7 ~~and approval by the Legislative Council or, if the General Assembly is in~~
8 ~~session, the Joint Budget Committee.~~

9 ~~(3) It is the intent of this subsection that a hazardous duty~~
10 ~~differential shall be at the discretion of the director and the institution~~
11 ~~and shall not be implemented using funds specifically set aside for other~~
12 ~~programs within the institution.~~

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

17 ~~(d)(1) A professional certification differential of up to ten percent~~
18 ~~(10%) for job-related professional certifications for individual positions or~~
19 ~~for specific classifications within an institution may be authorized if the~~
20 ~~certification is:~~

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

24 ~~(B) Not included as a minimum qualification established or~~
25 ~~as a special requirement for the classification by the official class~~
26 ~~specification.~~

27 ~~(2)(A) A professional certification differential may be paid~~
28 ~~only while the certification is current and maintained by the employee and~~
29 ~~while the employee is employed in a position or classification covered by the~~
30 ~~compensation plan.~~

31 ~~(B) Documentation of continuation or renewal of the~~
32 ~~certification of the employee is required for continuation of the~~
33 ~~professional certification differential.~~

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

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

5 ~~(2) The education to be compensated is not included as a special~~
6 ~~requirement or minimum qualification established for the classification by~~
7 ~~the official class specification.~~

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

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

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

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

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

34 ~~(3)(A) An employee who is required to be available for duty on~~
35 ~~nights, weekends, or holidays or at other times or in other situations when~~
36 ~~the institution does not have regularly scheduled staff coverage is eligible~~

1 to receive an on-call or standby duty pay equivalent of an hourly rate not to
 2 exceed twenty percent (20%) of his or her base hourly pay rate for each on-
 3 call or standby hour for not more than forty-eight (48) hours during any
 4 seven-day work period.

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

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

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

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

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

19 (j) Other compensation differentials may be administered by the
 20 division after:

21 (1) Approval by the director; and

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

24
 25 21-5-1413. Salary administration grids.

26 (a)(1) An institution of higher education may request that a salary
 27 administration grid be approved for specific classifications of positions
 28 assigned to the pay plan as established in § 21-5-1410 if the:

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

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

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

1 ~~(D) Salary administration grid has been approved by the~~
2 ~~Director of the Division of Higher Education after review by the Legislative~~
3 ~~Council or, if the General Assembly is in session, the Joint Budget~~
4 ~~Committee.~~

5 ~~(2)(A) Special rates of pay may be authorized up to the highest~~
6 ~~pay level authorized for the grade assigned the classification of a career~~
7 ~~service position for specific classifications only.~~

8 ~~(B) An approved salary administration grid shall be used~~
9 ~~for establishing the entry pay level for an employee in a position.~~

10 ~~(C) A person hired above the entry pay level shall meet or~~
11 ~~exceed the minimum qualifications for the job classification.~~

12 ~~(D) Subsequent salary determinations within a salary~~
13 ~~administration grid shall be based on the employee's qualifications, relevant~~
14 ~~competitive compensation rates, professional or educational achievements, and~~
15 ~~internal equity within the institution.~~

16 ~~(E) A plan of implementation and salary progression shall~~
17 ~~be approved by the Division of Higher Education on a biennial basis.~~

18 ~~(3) An approved salary administration grid may be amended only~~
19 ~~upon approval by the division after review by the Legislative Council or, if~~
20 ~~the General Assembly is in session, the Joint Budget Committee.~~

21 ~~(4) Compensation differentials that are included in an~~
22 ~~institution's grid plan shall not exceed rates provided in § 21-5-1412.~~

23 ~~(b)(1) A monthly report shall be made to the Legislative Council or,~~
24 ~~if the General Assembly is in session, the Joint Budget Committee, describing~~
25 ~~all personnel transactions involving applications of this section.~~

26 ~~(2) The hiring of a new employee under this section shall not~~
27 ~~affect the salary, grade, or classification of any current employee within~~
28 ~~the institution.~~

29 ~~(3) The division shall promulgate rules regarding the~~
30 ~~implementation and use of a salary administration grid with the review of the~~
31 ~~Legislative Council or, if the General Assembly is in session, the Joint~~
32 ~~Budget Committee.~~

33
34 ~~21-5-1414. Extra help positions.~~

35 ~~(a)(1) A position authorized as extra help in an institution of higher~~
36 ~~education shall be assigned an authorized classification by the institution,~~

1 and any person hired in an extra help position shall meet the minimum
2 qualifications and any other requirements set by the class specification of
3 the classification and grade assigned to the position.

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

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

9 (b) The salary eligibility for an employee transferring or returning
10 from an extra help position to a regular position shall be established at the
11 minimum pay level for the grade assigned by classification with the following
12 exceptions:

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

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

17 (3) The employee's eligibility is based on prior state service
18 in a regular position.

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

22
23 ~~21-5-1415. Position pools.~~

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

30 (2) Central pool positions shall be used by the institution if
31 the personnel service needs exceed the number of positions authorized by the
32 General Assembly and were not anticipated at the time of the passage of the
33 institution's operating appropriation act.

34 (b)(1) The division shall establish and maintain a temporary
35 transition pool of fifty (50) positions to be used to establish additional
36 temporary positions of the proper classification and grade in an institution

~~1 if the institution does not have sufficient positions available with the
2 appropriate classification and grade to address organizational transition
3 issues such as succession planning or other changes involving administration
4 of the institution.~~

~~5 (2) An institution shall use temporary transition pool positions
6 only if the personnel service needs exceed the number of positions in a
7 classification authorized by the General Assembly and were not anticipated at
8 the time of the passage of the institution's operating appropriation bill.~~

~~9 (3) A position established under this section shall be approved
10 for the same classification as the position occupied by the transitioning
11 full-time employee.~~

~~12 (4) A position from the temporary transition pool shall not be
13 authorized for an institution until the specific position is:~~

~~14 (A) Requested by the institution;~~

~~15 (B) Recommended by the division; and~~

~~16 (C) Reviewed by the Legislative Council or, if the General
17 Assembly is in session, the Joint Budget Committee.~~

~~18 (5) Temporary transition pool positions shall be authorized for
19 not more than one hundred eighty (180) calendar days in a fiscal year and may
20 not be renewed or extended.~~

~~21 (e) A pool position received by an institution under this section is
22 subject to the institution's ability to certify funding.~~

~~23 (d) A position established under this section shall not exceed a
24 salary rate of the highest maximum annual salary rate or the highest grade
25 level position authorized by the General Assembly in the requesting
26 institution's appropriation act.~~

~~27 (e) The institution shall provide justification to the division for
28 the need to allocate positions from the central pool or temporary transition
29 pool.~~

~~30 (f) Titles shall not be assigned to the institution from the central
31 pool or temporary transition pool until specific positions are:~~

~~32 (1) Requested by the institution;~~

~~33 (2) Recommended by the division; 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 ~~21-5-1416. Annual career service recognition payments for employees of~~
5 ~~institutions of higher education.~~

6 ~~(a)(1)(A) Nonfaculty and classified employees of institutions of~~
7 ~~higher education shall become eligible for annual career service recognition~~
8 ~~payments upon completion of ten (10) or more years of service in either~~
9 ~~elected positions or classified or nonclassified positions with a state~~
10 ~~agency or an institution.~~

11 ~~(B) To receive the full amount authorized in subsection~~
12 ~~(c) of this section, the service shall have been in either elected positions~~
13 ~~or regular full-time positions.~~

14 ~~(C) Nonfaculty and classified employees of institutions~~
15 ~~who work part-time in regular salary positions may receive annual career~~
16 ~~service recognition payments on a pro rata basis.~~

17 ~~(2) Periods of authorized leave without pay and leave of absence~~
18 ~~for military service when veterans' reemployment rights are exercised shall~~
19 ~~not negate eligibility for the payment, provided all other eligibility~~
20 ~~requirements are met.~~

21 ~~(b) The Division of Higher Education shall establish and publish~~
22 ~~policies and procedures for the administration of career service recognition~~
23 ~~payments to employees of institutions upon a determination by the Director of~~
24 ~~the Division of Higher Education that the respective institution has~~
25 ~~sufficient funds available for that purpose.~~

26 ~~(c) Nonfaculty and classified employees of institutions who meet~~
27 ~~eligibility requirements established by subsection (a) of this section shall~~
28 ~~become eligible for annual career service recognition payments on the~~
29 ~~anniversary date of the completion of such service according to the following~~
30 ~~schedule:~~

STATE SERVICE	ANNUAL PAYMENT
10 through 14 years of state service	\$ 800
15 through 19 years of state service	1,000
20 through 24 years of state service	1,200
25 or more years of state service	1,500

1
 2 ~~(d) Career service recognition payments authorized by this section~~
 3 ~~are:~~

4 ~~(1) Subject to withholding of all applicable state and federal~~
 5 ~~taxes; and~~

6 ~~(2) Included by retirement systems in determining benefits.~~

7
 8 ~~21-5-1417. Merit increase pay system — Definition.~~

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

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

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

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

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

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

29
 30 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the
 31 General Assembly of the State of Arkansas that this act deals with the
 32 personnel of institutions of higher education; that the changes made by this
 33 act are necessary to provide for the efficient and effective operation of
 34 institutions of higher education and to ensure that state funds are spent
 35 appropriately and in a manner that preserves the public peace, health, and
 36 safety; that each institution of higher education's operative appropriation

1 act will become effective on July 1, 2023, at the beginning of the next
2 fiscal year; and that this act should likewise become effective at the
3 beginning of the state's fiscal year to ensure that no lapses in staffing
4 occur and institutions of higher education may continue to provide vital
5 services to the citizens of the state of Arkansas. Therefore, an emergency
6 is declared to exist, and this act being necessary for the preservation of
7 the public peace, health, and safety shall become effective on July 1, 2023.

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36