



**Department of Transformation and Shared Services**

Governor Sarah Huckabee Sanders

Secretary Joseph Wood

Director Kay Barnhill

February 23, 2023

The Honorable Breanne Davis, Co-Chairperson  
 The Honorable Jim Wooten, Co-Chairperson  
 Uniform Personnel Classification and  
 Compensation Plan Subcommittee  
 Arkansas Legislative Council  
 State Capitol Building, Room 315  
 Little Rock, Arkansas 72201

Dear Senator Davis and Representative Wooten:

The Office of Personnel Management (OPM) submits a request from the Arkansas Department of Commerce (ACOM) for your review.

The Arkansas Department of Commerce is requesting two (2) new classifications, one (1) growth pool position, and one (1) surrender pool position authorized as these new classifications from the OPM growth pool and OPM surrender pool established by Arkansas Code Annotated § 21-5-225. The classifications requested and position being surrender are listed below:

**CLASSIFICATION REQUESTED**

<b><u>CLASS CODE</u></b>	<b><u>TITLE</u></b>	<b><u>GRADE</u></b>	<b><u>SALARY RANGE</u></b>
NEW	Chief Workforce Officer	SE04	\$149,862 - \$181,500
NEW	ACOM Chief Legal Counsel II	SE01	\$108,110 - \$147,200

**POSITION SURRENDERED**

<b><u>POSITION NUMBER</u></b>	<b><u>TITLE</u></b>	<b><u>CLASS CODE</u></b>	<b><u>GRADE</u></b>	<b><u>SALARY RANGE</u></b>	<b><u>LAST DATE VACATED</u></b>
22082033	ACOM Chief Legal Counsel	G302C	GS15	\$96,960 - \$140,592	1/21/2023

The Honorable Breanne Davis, Co-Chairperson  
The Honorable Jim Wooten, Co-Chairperson  
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### JUSTIFICATION

The Arkansas Department of Commerce is requesting one (1) position authorized as a new classification entitled Chief Workforce Officer. This position will be responsible for directing the Governor's workforce development policies and career education strategy, as defined within her workforce development executive order. The approximate cost for this position is \$213,080.

ACOM is requesting one (1) position authorized as a new classification entitled ACOM Chief Legal Counsel II. This position will be responsible for directing the legal affairs of the entire department inclusive of providing legal direction to departmental personnel outside of the legal section, ensuring the appropriate departmental personnel remain apprised of legal changes that affect their agencies' operations, assisting the department with minimizing its legal risks on legal and regulatory issues unavoidably confronted by the department, as well as supervising subordinate attorneys. There is no additional cost to the department for this position.

### RECOMMENDATION

The Office of Personnel Management has reviewed this request from the Arkansas Department of Commerce and **recommends** the establishment of two (2) new classifications with the abovementioned titles and pay grades as well as one (1) growth pool position and one (1) surrender pool position authorized as these new classifications.

The Office of Personnel Management is recommending that this recommendation be retroactive to February 9, 2023. No additional funding is required for this request.

Your consideration of this request is greatly appreciated.

  
STATE PERSONNEL DIRECTOR

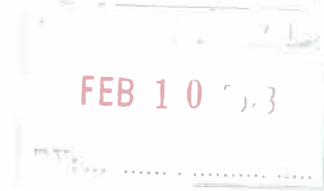
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Sarah Huckabee Sanders  
GOVERNOR

Hugh McDonald  
SECRETARY OF COMMERCE



February 9, 2023

Ms. Kay Barnhill, Administrator  
Department of Transformation & Shared Services  
Office of Personnel Management  
501 Woodlane Street, Suite #205  
Little Rock, AR 72201

RE: New Classification Request, Growth Pool Position Request: Requested Grade - SE04; Requested Title - Chief Workforce Officer; New Classification Request, Pool Position Request w/Surrender: Requested Grade - SE01; Requested Title - ACOM Chief Legal Counsel

Dear Ms. Barnhill:

The Arkansas Department of Commerce requests a growth pool position for the State of Arkansas's Chief Workforce Officer (CWO), with the requested grade of SE04. The CWO will coordinate, manage, and direct the Governor's workforce development policies and career education strategy for the State of Arkansas, as defined in Governor Sanders's workforce development executive order issued today. The position will be funded through existing budgets within the Department of Commerce. Approving this position is critical to the economic development of the state and to maximizing workforce opportunities.

The Department of Commerce also requests a pool position grade SE01 to function as Chief Legal Counsel for the department. In connection with the request, Commerce is also surrendering position number 22082033, GS15. The most recent occupant of the position, Steven Porch, was appointed to a position in a state agency outside of Commerce. Ms. Allison Hatfield has been identified as the recommended successor to Mr. Porch, however, the salary range at the GS15 level is not sufficient to retain this candidate or recruit any other candidate with the years of experience and knowledge required for this position. Ms. Hatfield will be paid a salary of \$139,087.10, which is the same salary as Mr. Porch, and funds have been certified by the Arkansas Department of Commerce Chief Financial Officer. Approving this pool position is necessary to ensure that the department has the legal expertise necessary to comply with applicable laws and avoid potential audit findings.

Your favorable consideration of these requests is very much appreciated.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Hugh McDonald'.

Hugh McDonald  
Secretary



Department of Transformation and Shared Services  
 Office of Personnel Management  
 Request for Pool Position

Business Area	Department Name / Agency Name	Date
9902	Department of Commerce	02-09-2023

**Position(s) to be Surrendered**

Position/Item Number	Classification Title	Pay Grade	Class Code
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**Classification(s) Requested**

Classification Title	Pay Grade	Class Code
Chief Workforce Officer	SE04	NEW
ACOM Chief Legal Counsel II	SE01	NEW

I hereby certify that:

- A. The position requested is critical to the operation of this Agency and a detailed justification for this request is attached. (Justification should be detailed and not less than one typed page in length.)
- B. Sufficient funds are available to fund this position at the requested grade.
- C. This is a full-time position that will not be used for any other purpose than that which is outlined in the attached narrative.
- D. The position to be surrendered is the highest grade position available and the loss of this position will not adversely affect the operation of this Agency.
- E. No current employee will be displaced by this action.

DeCarlia Smith  
 HR Administrator's Signature

02-09-2023  
 Date

Hugh McDonald  
 Department Secretary's Signature

02-09-2023  
 Date