



Department of Transformation and Shared Services
Governor Asa Hutchinson
Secretary Mitch Rouse
Director Kay Barnhill

November 16, 2022

The Honorable David Wallace, Co-Chairperson
 The Honorable David Hillman, Co-Chairperson
 Uniform Personnel Classification and
 Compensation Plan Subcommittee
 Joint Budget Committee
 State Capitol Building, Room 315
 Little Rock, Arkansas 72201

Dear Senator Wallace and Representative Hillman:

The Office of Personnel Management (OPM) submits a surrender pool request from the Arkansas Department of Corrections (DOC) for your review.

Arkansas Department of Corrections, Division of Corrections (DOC) request approval to create the new title of DOC Inmate Grievance Coordinator (GS07). Please view the classification to be created.

CLASSIFICATION REQUESTED

| <u>CLASS CODE</u> | <u>TITLE</u> | <u>GRADE</u> | <u>SALARY RANGE</u> |
|--------------------------|----------------------------------|---------------------|----------------------------|
| NEW | DOC Inmate Grievance Coordinator | GS07 | \$40,340 - \$58,493 |

JUSTIFICATION

Under the Prison Litigation Reform Act ("PLRA"), a prisoner must exhaust his or her administrative remedies with the correctional institution, prior to filing suit. As a procedural matter, if administrative remedies are not exhausted before filing suit, a court will dismiss the case altogether. To exhaust administrative remedies, all prisoners, inmates, and pre-trial detainees must follow the policies and procedures of the facility, relating to complaints or grievances. For these purposes, the DOC Inmate Grievance Coordinator will be responsible for assisting Deputy Directors with investigating and responding to each grievance filed. The department currently possesses twenty-three (23) Inmate Grievance Coordinators (GS05) and one (1) EEO/Grievance officers (GS06) which may receive over thirty-seven hundred (3,700) formal and informal grievances annually.

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To help alleviate this time-consuming process, the DOC Inmate Grievance Coordinator will coordinate with various law offices as well as the Attorney General's office when an inmate has a pending lawsuit. The DOC Inmate Grievance Coordinator will also supervise a small staff of two to three employees and provide technical assistance by interpreting and explaining agency policies.

RECOMMENDATION

The Office of Personnel Management has reviewed this request from the Department of Corrections and **recommends** the establishment of the new title of DOC Inmate Grievance Coordinator (GS07). Existing positions will be utilized for this new title. Therefore, there is no additional funding required for this request. The agency guarantees that it possesses the necessary funding to support this request.

Your consideration of this request is greatly appreciated.

Sincerely,



Kay Barnhill, Director
Office of Personnel Management



SECRETARY OF TRANSFORMATION & SHARED SERVICES

11/3/22

DATE



1580



OFFICE OF THE SECRETARY

1302 Pike Avenue, Suite C
North Little Rock, Arkansas 72114
Phone: (501) 682-3309 | Fax: (501) 534-3958
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September 13, 2022

Ms. Kay Barnhill
Director, Office of Personnel Management, TSS
501 Woodlane Street, Suite 205
Little Rock, AR 72201

RE: Surrender/Swap Pool Request

Dear Ms. Barnhill,

The Arkansas Department of Corrections, Division of Correction (ADC) is requesting a new title of Agency Grievance Coordinator as a GS07. This position supervises a number of employees who are responsible for organizing, investigating, and preparing responses to ADC inmate grievances. The Prison Litigation Reform Act ("PLRA") states that "[n]o action shall be brought [under 42 U.S.C. § 1983 or any other federal law] . . . under such administrative remedies as are available are exhausted." 42 U.S.C. §1997(a). This requirement is strictly enforced in federal court, meaning it is an affirmative defense that is commonly raised at the dispositive motion stage of litigation, resulting primarily in dismissals of claims. An inmate exhausts his/her administrative remedies by completing the inmate grievance process. Prior to filing a dispositive motion, the Arkansas Attorney General's Office will request copies of all grievances from the ADC Grievance Officers. This step can be time consuming as many ADC inmates file numerous grievances during their incarceration.

The Department is reorganizing titles of staff assigned to the medical and inmate grievance sections. The first step in the reorganization plan is to have a new title for supervisors. The Department will swap a GS05 DOC Advisor M059C and GS07 Associate Professional Counselor C036C for two (2) GS07 Agency Grievance Coordinators.

The cost of this request to the Department is \$105,236.40 inclusive of salary, matching and benefits.

Thank you in advance for your favorable consideration.

A handwritten signature in black ink that reads 'Solomon Graves'.

Solomon Graves
Secretary of Corrections



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

Business Area Department Name / Agency Name Date
 0480 Department of Corrections-Division of Correction 9.14.2022

Position(s) to be Surrendered

| Position/Item Number | Classification Title | Pay Grade | Class Code |
|----------------------|----------------------------------|-----------|------------|
| 22084952 | DOC Advisor | GS05 | M059C |
| 22086503 | Associate Professional Counselor | GS06 | M044C |

Classification(s) Requested

| Classification Title | Pay Grade | Class Code |
|------------------------------|-----------|------------|
| Agency Grievance Coordinator | GS07 | |

Doc inmate

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.


 HR Administrator's Signature

9/14/2022
 Date


 Department Secretary's Signature

9/22/22
 Date