



Division of Higher Education

423 Main Street, Suite 400 • Little Rock, Arkansas • 72201-3818 • (501) 371-2000 • Fax (501) 371-2001

Johnny Key
Secretary

Maria Markham, Ph.D.
Director

June 30, 2020

The Honorable David Wallace, Chair
The Honorable Jim Wooten, Chair
Arkansas Legislative council-Personnel Subcommittee
State Capitol Building
Little Rock, AR 72201

Dear Senator Wallace and Representative Wooten:

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

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

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

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

As required, the request contains the name and location of the testing facility, the levels of proficiency tested at the facility and indicates if the proficiency test was oral or written or a combination of both. Additionally, the second language must be utilized at least 25% of the time in performing job duties. According to University of Arkansas-Division of Agriculture, the employee will be expected to speak Spanish at least 35% of the time in this job. Employees receiving the differential whose job duties change and no longer require the use of the second language will cease to receive the differential. According

to the University of Arkansas -Division of Agriculture, the employee understands this possible outcome.

JUSTIFICATION:

The University of Arkansas-Division of Agriculture, has requested a differential of 7.5% for the position and employee listed below:

C073C Imelda Perez Administrative Specialist II C109

Imelda Perez is an Administrative Specialist II. She is the face of the Washington Co. Extension office who greets walk-in clientele and answers incoming phone calls. She interacts with the public all day, every day. She explains our programs, how to fill out soil/plant disease/forage/manure/water reports for analysis, how to get families signed up for 4-H membership/events in the online RegPack site. She also serves as a translator between Spanish-speaking clientele and Washington Co Extension staff to answer clientele questions in person, by phone, by email and through Extension social media accounts. She also translates written materials including 4-H and Extension Homemaker Club informational/membership brochures.

RECOMMENDATION:

The Division of Higher Education (DHE) has reviewed the submitted documentation by the University of Arkansas-Division of Agriculture and recommends the institution's request for approval of the second language pay differential plan for the above mentioned employee(s) and classification(s).

Your consideration of this request is appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Maria Markham".

Maria Markham
Director

TO: Arkansas Department of Higher Education

FROM: Bridget Fortenberry

Director of Human Resources

UA System Division of Agriculture

SUBJECT: Second Language Differential – Imelda Perez

DATE: June 16, 2020

In accordance with the guidelines for Second Language Differential as established in Arkansas Annotated Code § 21-5-221, the UA System Division of Agriculture is requesting approval of a 7.5% differential rate of pay for Imelda Perez based upon a Fluent level (Average of 95%) of proficiency in the oral and written Spanish language. Arkansas Spanish Interpreters and Translators (P.O. Box 55928, Little Rock, AR 72215) was responsible for the oral and written Spanish Language testing for Ms. Perez. Ms. Perez completed the tests on June 15, 2020. Documentation is attached.

The title of Ms. Perez's position is Administrative Specialist II. Ms. Perez will be using Spanish at least 35% of the time in this job. Ms. Pena understands that this differential compensation would be removed if she were to move into a position which does not require communication in Spanish.

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

Regards,

Bridget Fortenberry

Director of Human Resources

UA System Division of Agriculture

2301 S University Ave

Little Rock, AR 72204

phone: 501-671-2336

Pamela Anderson

From: Bridget Fortenberry <bfortenberry@uaex.edu>
Sent: Monday, June 29, 2020 5:00 PM
To: Pamela Anderson
Subject: Re: second language differential

Pam,

Imelda Perez is an Administrative Professional II. She is the face of the Washington Co. Extension office who greets walk-in clientele and answers incoming phone calls. She interacts with the public all day, every day. She explains our programs, how to fill out soil/plant disease/forage/manure/water reports for analysis, how to get families signed up for 4-H membership/events in the online RegPack site. She also serves as a translator between Spanish-speaking clientele and Washington Co Extension staff to answer clientele questions in person, by phone, by email and through Extension social media accounts. She also translates written materials including 4-H and Extension Homemaker Club informational/membership brochures.

Do you think that this is enough information? Do you need anything else on this?

Thanks,

Bridget Fortenberry
Director of Human Resources
UofA System Division of Agriculture
2301 South University Avenue
Little Rock, AR 72204
Ph: (501) 671-2336
bfortenberry@uaex.edu



From: Pamela Anderson <Pamela.Anderson@adhe.edu>
Sent: Monday, June 29, 2020 3:30 PM
To: Bridget Fortenberry <bfortenberry@uaex.edu>
Subject: FW: second language differential

Good afternoon,

Just a reminder that I still need to know how the employee will be using her second language before this request can be sent to the personnel committee for review this month. I need it no later than 6/30/2020 so it can go to the meeting this month.

Call me if you have any questions.

Have a great week.

Pamela Anderson
Program Coordinator
Arkansas Department of Education
Division of Higher Education
423 Main Street, Suite 400
Little Rock, AR 72201
Office :501-371-2066

From: Bridget Fortenberry <bfortenberry@uaex.edu>

Sent: Tuesday, June 23, 2020 12:01 PM

To: Pamela Anderson <Pamela.Anderson@adhe.edu>

Cc: Christina Miller <clmiller@uasys.edu>; Jill Williams <jcwilliams@uaex.edu>; Matt Brown <dmbrown@uaex.edu>

Subject: second language differential

Pam,

Good afternoon. The University of Arkansas System Division of Agriculture would like to request a second language differential. Please see the attached information and feel free to contact me with any questions.

Thank you,

Bridget Fortenberry
Director of Human Resources
UofA System Division of Agriculture
2301 South University Avenue
Little Rock, AR 72204
Ph: (501) 671-2336
bfortenberry@uaex.edu



Arkansas Spanish Interpreters & Translators

P.O. Box 55928
Little Rock, AR 72215

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

SPANISH INTERPRETER / FLUENCY EXAMINATION EVALUATION FORM

CANDIDATE: Imelda Perez COMPANY/AGENCY: UofA Division of PHONE: 479-444-1755 TEST DATE: 6/15/2020
Aenculture

WRITTEN EXAMINATION - TRANSLATION:

Written

Ability to Translate

ADVANCED
(1 - 1/2 errors)

FLUENT
(1 - 2 errors)

INTERMEDIATE
(3 - 4 errors)

BEGINNING/BASIC
(5+ errors)

Subtotal: 4 /4= 95%

Oral

Ability to Interpret

Subtotal: 3 /4= 90%

Average of Subtotals = 95%

Written Ability:

☐ Below 50% or less ☐ Beginning 60% - 74% ☐ Intermediate 75%-89% ☒ Fluent 90% - 100%

Oral Ability:

☐ Below 50% or less ☐ Beginning 60% - 74% ☐ Intermediate 75%-89% ☒ Fluent 90% - 100%

Comments:

Imelda did great on written and oral.
Had some trouble with some words on oral but was
able to translate the phrase correctly. Good job!

EXPLANATION OF RESULTS

Oral Score

60-74%

75-79%

80-84%

85-89%

90-100%

Communication Abilities

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

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

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

Interview at a Professional Level

Professional Level at all tasks

Written Score

Did not Pass

Beginner

Intermediate

Proficient

Translating Abilities

Do not use for any written translations.

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

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

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

Tester