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Department of Transformation and Shared Services

Governor Asa Hutchinson

Secretary Amy Fecher

Director Kay Barnhill

August 18, 2020

Senator David Wallace, Co-Chairperson
Representative 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 Wallace and Representative Wooten:

The Office of Personnel Management (OPM) submits a request from the Arkansas Department of Commerce, Division of Workforce Services (DWS) for your review. DWS is requesting fifty-one (51) positions from a growth pool established by §26 of Act 183 of 2020:

The Director of the Department of Workforce Services, after receiving the approval of the Office of Personnel Management, and after seeking prior review by the Arkansas Legislative Council or Joint Budget Committee, shall have the authority to establish such new or additional full time positions as may become necessary to carry out the objectives of the program and/or to meet Federal requirements of new and/or expanded programs where such needs are financed by federal funds; provided that not more than two hundred (200) persons may be employed in addition to those authorized in the salary schedule and that the rate of pay shall not exceed those set out in the salary schedule for comparable positions as authorized under the provisions of the Regular Salaries section of the Act.

The classifications for the requested positions are listed below:

<u>Code</u>	<u>Title</u>	<u>Count</u>	<u>Grade</u>	<u>Range</u>
G004C	Managing Attorney	1	GS13	\$77,862–\$112,900
G047C	Attorney Specialist	2	GS11	\$62,531–\$90,670
G073C	Attorney	3	GS10	\$56,039–\$81,257
G127C	DWS Program Operations Manager	7	GS08	\$45,010–\$65,265
G217C	DWS Workforce Specialist	34	GS06	\$36,155–\$52,425
C046C	Legal Support Specialist	4	GS04	\$29,046–\$42,117

Office of Personnel Management

1509 West 7th Street, Suite 201 * Little Rock, AR 72201 * 501.682.1823

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DWS has experienced a significant increase in unemployment insurance claims as a result of the coronavirus pandemic and the addition of the Pandemic Unemployment Assistance (PUA) program. DFA has been assisting DWS in staffing the PUA Service Center; however, DFA staff are transitioning back to normal DFA duties. The department states that these positions are necessary to meet US Department of Labor standards regarding timeliness of decisions and volume of cases. Addition of these 51 positions has a cost of approximately \$2.5 million. However, these positions are 100% federally funded.

RECOMMENDATION

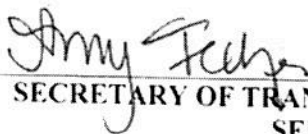
OPM has reviewed this request from the Department of Commerce, Division of Workforce Services and recommends approval. The department has assured our office that sufficient funding exists to support this growth pool request.

Your approval of this request is greatly appreciated.

Sincerely,



Kay Barnhill, Director
Office of Personnel Management



SECRETARY OF TRANSFORMATION & SHARED
SERVICES

08/04/2020
DATE

KB/jlh:1-2





Michael Preston
SECRETARY OF COMMERCE

Charisse Childers, Ph.D.
DIRECTOR,
DIVISION OF WORKFORCE SERVICES

July 28, 2020

Ms. Kay K. Barnhill, State Personnel Administrator
Transformation and Shared Services, Office of Personnel Management
P. O. Box 3278
Little Rock, AR 72203

Dear Ms. Barnhill:

The Arkansas Division of Workforce Services (ADWS) is requesting emergency approval to obtain 51 positions from the Central Growth Pool. Below are the requested classifications and justification for this request:

<u>CLASSIFICATION</u>	<u>CLASS CODE</u>	<u>GRADE</u>	<u>NUMBER OF POSITIONS</u>
Legal Support Specialist	C046C	GS04	4
DWS Program Operations Manager	G127C	GS08	7
DWS Workforce Specialists	G217C	GS06	34
Attorney	G073C	GS10	3
Attorney Specialist	G047C	GS11	2
Managing Attorney	G004C	GS13	1

The request includes positions needed to manage the increased work load based on the volume of unemployment claims and new federal programs since the pandemic. This request follows the authority that is established in Special Language for Division of Workforce Services in Act 183 of 2020. The number of regular unemployment claims to date is over 10 times the number of claims that we had in 2019. To date, 330,708 initial claims have been filed compared to 32,565 for the entire year of 2019. In addition, the Pandemic Unemployment Assistance (PUA) program established under the CARES Act has had over 130,000 applications filed.

Increased filings and claims has increased work for our Unemployment Insurance division and our Appeals division. The Appeals Division for ADWS consists of the Arkansas Appeal Tribunal (Tribunal) and the Arkansas Board of Review (BOR). The Tribunal is the first level of review for decisions issued by ADWS. The decisions of the Tribunal are appealable to the BOR. Both levels are responsible for reviewing appeals of regular Unemployment Insurance Compensation claims and of Pandemic Unemployment Assistance (PUA) claims. In addition, the Tribunal and the Board are held to USDOL guidelines regarding timeliness of decisions and when looking at the volume of appeals and the number of staff, even with mandatory overtime or assigning more cases than the USDOL recommends, the Tribunal and the Board will not be able to meet USDOL standards going forward.

In addition to the request above, ADWS requests additional Workforce Specialists for the PUA Service Center. ADWS has had the support and assistance of the Department of Finance and Administration (DFA) in staffing the PUA Service Center. This assistance has included use of DFA staff to fill these critical positions. As these employees return to their regular DFA job duties,

Ms. Kay K. Barnhill, State Personnel Administrator
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additional positions are needed for the Center so that the increasing workload may continue to be managed.

Currently, we do not have a sufficient number of positions to meet the required responsibilities outlined in this request, as the COVID-19 public health emergency impacting this need was unanticipated.

Therefore, your favorable consideration is appreciated.

Sincerely,



Charisse Childers, Ph.D.
Director

Attachment

SECTION 26. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

ADDITIONAL POSITIONS. The Director of the Department of Workforce Services, after receiving the approval of the Office of Personnel Management, and after seeking the prior review by the Arkansas Legislative Council or Joint Budget Committee, shall have the authority to establish such new or additional full time positions as may become necessary to carry out the objectives of the program and/or to meet Federal requirements of new and/or expanded programs where such needs are financed by federal funds; provided that not more than two hundred persons may be employed in addition to those authorized in the salary schedule and that the rate of pay shall not exceed those set out in the salary schedule for comparable positions as authorized under the provisions of the Regular Salaries section of this Act. If the agency requests continuation of a "Growth Pool" position(s) as established herein, the position(s) must be requested as a new position(s) in the agency's budget request. The provisions of this section shall be in effect only from July 1, 2020 through June 30, 2021.



DEPARTMENT OF TRANSFORMATION AND SHARED SERVICES
Office of Personnel Management
Request for Pool Position

Business Area	Agency/Institution	Date
0810	Arkansas Division of Workforce Services	07/23/20

Position(s) to be Surrendered

Position/Item Number	Classification Title	Pay Grade	Class Code

Classification(s) Requested

N/A	Classification Title	Pay Grade	Class Code
	Legal Support Specialist - 4	GS04	C046C
	DWS Program Operations Manager - 7	GS08	G127C
	DWS Workforce Specialist - 34	GS06	G217C
	Attorney - 3	GS10	G073C
	Attorney Specialist - 2	GS11	G047C
	Managing Attorney - 1	GS13	G004C

I Hereby Certify / Understand That:

- A. The position requested is critical to the operation of this Agency/Institution 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/Institution.
- E. No current employee will be displaced by this action.

Agency Personnel Rep	Date
Kim Jones	07/28/2020

Agency Director	Date
	7/31/2020