

INTERIM STUDY PROPOSAL 2019-163

REQUESTING THE UNIFORM PERSONNEL CLASSIFICATION AND COMPENSATION PLAN SUBCOMMITTEE OF THE ARKANSAS LEGISLATIVE COUNCIL STUDY THE POSSIBILITY OF ALLOWING CERTAIN STATE EMPLOYEES TO RECEIVE VALUE FOR A PORTION OF THEIR ACCRUED LEAVE IN LIEU OF FORFEITING THAT LEAVE.

WHEREAS, under the Uniform Attendance and Leave Policy Act, Arkansas Code § 21-4-201 et seq., a state employee may accrue up to thirty (30) days of annual leave at the end of each calendar year; and

WHEREAS, while accrued leave cannot exceed thirty (30) days at the end of the calendar year, it may exceed thirty (30) days prior to the end of the calendar year; and

WHEREAS, under the policies of the Office of Personnel Management, an employee's accrued leave that exceeds thirty (30) days at the end of the calendar year will be forfeited or may be donated to the Office of Personnel Management Catastrophic Leave Bank; and

WHEREAS, the accrual of annual leave is part of a state employee's compensation package and has value to the employee; and

WHEREAS, it is in the interest of a state employee to use his or her accrued annual leave that exceeds thirty (30) days prior to the end of the calendar year to avoid forfeiting that annual leave; and

WHEREAS, certain state employees who work in critical-need areas with 24/7 operations face challenges in using accrued leave that exceeds thirty (30) days due to the staffing needs of the state agency at issue; and

WHEREAS, these state employees provide valuable services, often in high-risk settings such as correctional facilities, and should not be penalized by the forfeiture of accrued leave while they fulfill the duties of their employment; and

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WHEREAS, legislators should study possible revisions to state law to provide relief to these employees and allow them to receive value for the accrued leave they are required to forfeit due to the nature of their employment,

NOW THEREFORE,
BE IT PROPOSED BY THE ARKANSAS LEGISLATIVE COUNCIL:

THAT the Uniform Personnel Classification and Compensation Plan Subcommittee of the Arkansas Legislative Council study possible legislation to allow certain state employees in critical-need areas with 24/7 operations such as the Department of Corrections, Department of Health, Department of Human Services, the Division of Emergency Management, the Division of Arkansas State Police, and the Department of Veterans Affairs, to receive value for accrued leave that they would otherwise forfeit while fulfilling the duties of their employment.

BE IT FURTHER PROPOSED THAT the possible legislation to be studied include the potential payout of the value of forfeited leave if the state employee requested to use the leave but his or her request was denied to ensure proper staffing of the state agency at issue.

BE IT FURTHER PROPOSED THAT the Office of Personnel Management be invited to participate in the study.

Respectfully submitted,

Senator Kim Hammer
District 33

Prepared by: MBM/MBM