

**Stricken language would be deleted from and underlined language would be added to the law as it existed  
prior to this session of the General Assembly.  
Act 375 of the Regular Session**

1 State of Arkansas  
2 86th General Assembly  
3 Regular Session, 2007  
4

# A Bill

HOUSE BILL 2273

5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

AN ACT TO REVISE THE COMPENSATION PLAN UNDER THE  
UNIFORM CLASSIFICATION AND COMPENSATION ACT FOR  
THE 2007-2009 BIENNIAL PERIOD; AND FOR OTHER  
PURPOSES.

### Subtitle

AN ACT TO REVISE THE COMPENSATION PLAN  
UNDER THE UNIFORM CLASSIFICATION AND  
COMPENSATION ACT FOR THE 2007-2009  
BIENNIAL PERIOD.

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. Arkansas Code § 21-5-209 is amended to read as follows:  
24 21-5-209. Compensation plan.

25 (a) There is established for state agencies and institutions covered  
26 by the provisions of this subchapter a compensation plan for the setting of  
27 salaries and salary increases, when deserved, of all employees serving in  
28 positions covered by this subchapter.

29 (b)(1) No employee shall be paid at a rate of pay higher than the  
30 appropriate rate in the grade assigned to his or her class, and no employee  
31 shall be paid more than the maximum for his or her grade.

32 (2) However, an employee presently employed in a position who is  
33 being paid at a rate in excess of the maximum for his or her assigned grade  
34 may continue to receive his or her rate of pay.

35 (c) It is the specific intent of the General Assembly to authorize, in



1 the enactment of this compensation plan, maximum rates of pay for each of the  
 2 appropriate grades assigned to a class, but it is not the intent that any pay  
 3 increases shall be automatic or that any employee shall have a claim or a  
 4 right to pay increases unless the department head of the state agency or the  
 5 institution shall determine that the employee, by experience, ability, and  
 6 work performance, has earned the increase in pay authorized for the  
 7 appropriate rate.

8 (d)(1) The following grades and pay levels shall be the authorized  
 9 compensation plan, effective July 1, ~~2005~~ 2007, for the state service for all  
 10 positions of state agencies and institutions covered by this subchapter to  
 11 which a classification title and salary grade have been assigned, in  
 12 accordance with this subchapter and the appropriation act of the state agency  
 13 or institution:

15	<u>PAY LEVEL</u>	<u>I</u>	<u>IM</u>	<u>II</u>	<u>IIM</u>	<u>III</u>	<u>IIIM</u>	<u>IV</u>
16	Grade 1	\$12,605	\$12,605	\$12,605	\$12,605	\$12,605	\$12,687	\$12,768
17	Grade 2	\$12,605	\$13,685	\$14,764	\$16,167	\$17,570	\$20,468	\$23,367
18	Grade 3	\$13,009	\$14,037	\$15,065	\$16,484	\$17,902	\$20,873	\$23,843
19	Grade 4	\$13,009	\$14,186	\$15,363	\$16,817	\$18,270	\$21,315	\$24,358
20	Grade 5	\$13,009	\$14,337	\$15,664	\$17,152	\$18,639	\$21,704	\$24,768
21	Grade 6	\$13,206	\$14,586	\$15,966	\$17,485	\$19,004	\$22,161	\$25,317
22	Grade 7	\$13,482	\$14,891	\$16,299	\$17,853	\$19,406	\$22,600	\$25,794
23	Grade 8	\$13,756	\$15,195	\$16,632	\$18,203	\$19,774	\$23,058	\$26,342
24	Grade 9	\$14,270	\$15,752	\$17,234	\$18,871	\$20,506	\$23,886	\$27,265
25	Grade 10	\$15,196	\$16,783	\$18,369	\$20,107	\$21,842	\$25,444	\$29,044
26	Grade 11	\$16,191	\$17,865	\$19,539	\$21,393	\$23,246	\$27,103	\$30,960
27	Grade 12	\$17,220	\$19,014	\$20,808	\$22,795	\$24,782	\$28,881	\$32,979
28	Grade 13	\$18,353	\$20,265	\$22,177	\$24,282	\$26,386	\$30,760	\$35,133
29	Grade 14	\$19,554	\$21,584	\$23,614	\$25,852	\$28,090	\$32,758	\$37,426
30	Grade 15	\$20,822	\$22,986	\$25,150	\$27,539	\$29,927	\$34,875	\$39,822
31	Grade 16	\$22,194	\$24,490	\$26,786	\$29,325	\$31,863	\$37,160	\$42,457
32	Grade 17	\$23,428	\$25,977	\$28,525	\$31,231	\$33,935	\$39,564	\$45,192
33	Grade 18	\$25,142	\$27,752	\$30,361	\$33,250	\$36,138	\$42,136	\$48,134
34	Grade 19	\$26,824	\$29,595	\$32,365	\$35,437	\$38,510	\$44,895	\$51,282
35	Grade 20	\$28,538	\$31,504	\$34,470	\$37,743	\$41,016	\$47,843	\$54,669
36	Grade 21	\$30,426	\$33,566	\$36,707	\$40,181	\$43,654	\$50,958	\$58,261

1	<del>Grade 22</del>	<del>\$32,382</del>	<del>\$35,731</del>	<del>\$39,079</del>	<del>\$42,786</del>	<del>\$46,493</del>	<del>\$54,208</del>	<del>\$61,921</del>
2	<del>Grade 23</del>	<del>\$34,475</del>	<del>\$38,046</del>	<del>\$41,617</del>	<del>\$45,574</del>	<del>\$49,532</del>	<del>\$57,745</del>	<del>\$65,958</del>
3	<del>Grade 24</del>	<del>\$36,738</del>	<del>\$40,529</del>	<del>\$44,321</del>	<del>\$48,530</del>	<del>\$52,739</del>	<del>\$61,487</del>	<del>\$70,235</del>
4	<del>Grade 25</del>	<del>\$39,104</del>	<del>\$43,150</del>	<del>\$47,194</del>	<del>\$51,686</del>	<del>\$56,178</del>	<del>\$65,482</del>	<del>\$74,785</del>
5	<del>Grade 26</del>	<del>\$41,642</del>	<del>\$45,954</del>	<del>\$50,267</del>	<del>\$55,044</del>	<del>\$59,820</del>	<del>\$69,749</del>	<del>\$79,676</del>

6

7	<u>PAY GRADE</u>	<u>Level I</u>	<u>Level II</u>	<u>Level III</u>	<u>Level IV</u>
8	<u>Grade 1</u>	<u>\$13,243</u>	<u>\$13,243</u>	<u>\$13,243</u>	<u>\$13,414</u>
9	<u>Grade 2</u>	<u>\$13,243</u>	<u>\$15,511</u>	<u>\$18,459</u>	<u>\$24,549</u>
10	<u>Grade 3</u>	<u>\$13,667</u>	<u>\$15,827</u>	<u>\$18,808</u>	<u>\$25,050</u>
11	<u>Grade 4</u>	<u>\$13,667</u>	<u>\$16,140</u>	<u>\$19,194</u>	<u>\$25,591</u>
12	<u>Grade 5</u>	<u>\$13,667</u>	<u>\$16,457</u>	<u>\$19,582</u>	<u>\$26,021</u>
13	<u>Grade 6</u>	<u>\$13,874</u>	<u>\$16,774</u>	<u>\$19,965</u>	<u>\$26,599</u>
14	<u>Grade 7</u>	<u>\$14,164</u>	<u>\$17,123</u>	<u>\$20,388</u>	<u>\$27,099</u>
15	<u>Grade 8</u>	<u>\$14,451</u>	<u>\$17,474</u>	<u>\$20,774</u>	<u>\$27,675</u>
16	<u>Grade 9</u>	<u>\$14,992</u>	<u>\$18,106</u>	<u>\$21,543</u>	<u>\$28,645</u>
17	<u>Grade 10</u>	<u>\$15,964</u>	<u>\$19,298</u>	<u>\$22,947</u>	<u>\$30,513</u>
18	<u>Grade 11</u>	<u>\$17,010</u>	<u>\$20,528</u>	<u>\$24,422</u>	<u>\$32,526</u>
19	<u>Grade 12</u>	<u>\$18,091</u>	<u>\$21,861</u>	<u>\$26,036</u>	<u>\$34,648</u>
20	<u>Grade 13</u>	<u>\$19,281</u>	<u>\$23,299</u>	<u>\$27,722</u>	<u>\$36,911</u>
21	<u>Grade 14</u>	<u>\$20,543</u>	<u>\$24,808</u>	<u>\$29,512</u>	<u>\$39,320</u>
22	<u>Grade 15</u>	<u>\$21,875</u>	<u>\$26,423</u>	<u>\$31,440</u>	<u>\$41,837</u>
23	<u>Grade 16</u>	<u>\$23,316</u>	<u>\$28,142</u>	<u>\$33,475</u>	<u>\$44,605</u>
24	<u>Grade 17</u>	<u>\$24,614</u>	<u>\$29,969</u>	<u>\$35,652</u>	<u>\$47,479</u>
25	<u>Grade 18</u>	<u>\$26,415</u>	<u>\$31,897</u>	<u>\$37,967</u>	<u>\$50,570</u>
26	<u>Grade 19</u>	<u>\$28,182</u>	<u>\$34,003</u>	<u>\$40,458</u>	<u>\$53,876</u>
27	<u>Grade 20</u>	<u>\$29,982</u>	<u>\$36,214</u>	<u>\$43,092</u>	<u>\$57,435</u>
28	<u>Grade 21</u>	<u>\$31,966</u>	<u>\$38,564</u>	<u>\$45,863</u>	<u>\$61,209</u>
29	<u>Grade 22</u>	<u>\$34,021</u>	<u>\$41,056</u>	<u>\$48,846</u>	<u>\$65,055</u>
30	<u>Grade 23</u>	<u>\$36,220</u>	<u>\$43,722</u>	<u>\$52,038</u>	<u>\$69,296</u>
31	<u>Grade 24</u>	<u>\$38,597</u>	<u>\$46,564</u>	<u>\$55,407</u>	<u>\$73,789</u>
32	<u>Grade 25</u>	<u>\$41,083</u>	<u>\$49,582</u>	<u>\$59,021</u>	<u>\$78,570</u>
33	<u>Grade 26</u>	<u>\$43,749</u>	<u>\$52,811</u>	<u>\$62,847</u>	<u>\$83,708</u>

34

35 (2) The following grades and pay levels shall be the authorized  
 36 compensation plan, effective July 1, ~~2006~~ 2008, and thereafter, for the state

1 service for all positions of state agencies and institutions covered by this  
 2 subchapter to which a classification title and salary grade have been  
 3 assigned, in accordance with this subchapter and the appropriation act of the  
 4 state agency or institution:

5

6	<u>PAY LEVEL</u>	<u>I</u>	<u>IM</u>	<u>II</u>	<u>IIM</u>	<u>III</u>	<u>IIM</u>	<u>IV</u>
7	GRADE 1	\$12,983	\$12,983	\$12,983	\$12,983	\$12,983	\$13,068	\$13,151
8	GRADE 2	\$12,983	\$14,095	\$15,207	\$16,652	\$18,097	\$21,082	\$24,068
9	GRADE 3	\$13,399	\$14,458	\$15,517	\$16,979	\$18,439	\$21,499	\$24,559
10	GRADE 4	\$13,399	\$14,612	\$15,824	\$17,321	\$18,818	\$21,954	\$25,089
11	GRADE 5	\$13,399	\$14,767	\$16,138	\$17,666	\$19,198	\$22,355	\$25,511
12	GRADE 6	\$13,602	\$15,023	\$16,445	\$18,010	\$19,574	\$22,826	\$26,077
13	GRADE 7	\$13,886	\$15,337	\$16,787	\$18,389	\$19,988	\$23,278	\$26,568
14	GRADE 8	\$14,168	\$15,650	\$17,131	\$18,749	\$20,367	\$23,750	\$27,132
15	GRADE 9	\$14,698	\$16,224	\$17,751	\$19,437	\$21,121	\$24,602	\$28,083
16	GRADE 10	\$15,651	\$17,286	\$18,920	\$20,710	\$22,497	\$26,207	\$29,915
17	GRADE 11	\$16,676	\$18,401	\$20,125	\$22,035	\$23,943	\$27,916	\$31,888
18	GRADE 12	\$17,736	\$19,584	\$21,432	\$23,479	\$25,525	\$29,747	\$33,969
19	GRADE 13	\$18,903	\$20,873	\$22,842	\$25,011	\$27,178	\$31,683	\$36,187
20	GRADE 14	\$20,140	\$22,231	\$24,322	\$26,627	\$28,933	\$33,741	\$38,549
21	GRADE 15	\$21,446	\$23,676	\$25,905	\$28,365	\$30,824	\$35,921	\$41,017
22	GRADE 16	\$22,859	\$25,225	\$27,590	\$30,205	\$32,819	\$38,275	\$43,730
23	GRADE 17	\$24,131	\$26,756	\$29,381	\$32,168	\$34,953	\$40,751	\$46,548
24	GRADE 18	\$25,897	\$28,585	\$31,272	\$34,248	\$37,223	\$43,400	\$49,578
25	GRADE 19	\$27,629	\$30,483	\$33,336	\$36,500	\$39,665	\$46,242	\$52,820
26	GRADE 20	\$29,394	\$32,450	\$35,504	\$38,876	\$42,247	\$49,279	\$56,309
27	GRADE 21	\$31,339	\$34,573	\$37,808	\$41,387	\$44,964	\$52,487	\$60,009
28	GRADE 22	\$33,354	\$36,802	\$40,251	\$44,070	\$47,888	\$55,834	\$63,779
29	GRADE 23	\$35,510	\$39,187	\$42,865	\$46,941	\$51,018	\$59,477	\$67,937
30	GRADE 24	\$37,840	\$41,745	\$45,651	\$49,986	\$54,321	\$63,331	\$72,342
31	GRADE 25	\$40,277	\$44,444	\$48,610	\$53,237	\$57,864	\$67,447	\$77,029
32	GRADE 26	\$42,891	\$47,333	\$51,775	\$56,695	\$61,615	\$71,841	\$82,067

33

34	<u>PAY GRADE</u>	<u>Level I</u>	<u>Level II</u>	<u>Level III</u>	<u>Level IV</u>
35	GRADE 1	\$13,508	\$13,508	\$13,508	\$13,682
36	GRADE 2	\$13,508	\$15,821	\$18,828	\$25,040

1	<u>GRADE 3</u>	<u>\$13,940</u>	<u>\$16,144</u>	<u>\$19,184</u>	<u>\$25,551</u>
2	<u>GRADE 4</u>	<u>\$13,940</u>	<u>\$16,463</u>	<u>\$19,578</u>	<u>\$26,103</u>
3	<u>GRADE 5</u>	<u>\$13,940</u>	<u>\$16,786</u>	<u>\$19,974</u>	<u>\$26,542</u>
4	<u>GRADE 6</u>	<u>\$14,152</u>	<u>\$17,109</u>	<u>\$20,365</u>	<u>\$27,131</u>
5	<u>GRADE 7</u>	<u>\$14,447</u>	<u>\$17,465</u>	<u>\$20,796</u>	<u>\$27,641</u>
6	<u>GRADE 8</u>	<u>\$14,740</u>	<u>\$17,823</u>	<u>\$21,190</u>	<u>\$28,228</u>
7	<u>GRADE 9</u>	<u>\$15,292</u>	<u>\$18,468</u>	<u>\$21,974</u>	<u>\$29,218</u>
8	<u>GRADE 10</u>	<u>\$16,283</u>	<u>\$19,684</u>	<u>\$23,406</u>	<u>\$31,124</u>
9	<u>GRADE 11</u>	<u>\$17,350</u>	<u>\$20,938</u>	<u>\$24,910</u>	<u>\$33,176</u>
10	<u>GRADE 12</u>	<u>\$18,453</u>	<u>\$22,298</u>	<u>\$26,556</u>	<u>\$35,341</u>
11	<u>GRADE 13</u>	<u>\$19,667</u>	<u>\$23,765</u>	<u>\$28,276</u>	<u>\$37,649</u>
12	<u>GRADE 14</u>	<u>\$20,954</u>	<u>\$25,305</u>	<u>\$30,102</u>	<u>\$40,106</u>
13	<u>GRADE 15</u>	<u>\$22,312</u>	<u>\$26,952</u>	<u>\$32,069</u>	<u>\$42,674</u>
14	<u>GRADE 16</u>	<u>\$23,783</u>	<u>\$28,705</u>	<u>\$34,145</u>	<u>\$45,497</u>
15	<u>GRADE 17</u>	<u>\$25,106</u>	<u>\$30,568</u>	<u>\$36,365</u>	<u>\$48,429</u>
16	<u>GRADE 18</u>	<u>\$26,943</u>	<u>\$32,535</u>	<u>\$38,727</u>	<u>\$51,581</u>
17	<u>GRADE 19</u>	<u>\$28,745</u>	<u>\$34,683</u>	<u>\$41,267</u>	<u>\$54,954</u>
18	<u>GRADE 20</u>	<u>\$30,582</u>	<u>\$36,938</u>	<u>\$43,954</u>	<u>\$58,584</u>
19	<u>GRADE 21</u>	<u>\$32,605</u>	<u>\$39,335</u>	<u>\$46,781</u>	<u>\$62,433</u>
20	<u>GRADE 22</u>	<u>\$34,702</u>	<u>\$41,877</u>	<u>\$49,823</u>	<u>\$66,356</u>
21	<u>GRADE 23</u>	<u>\$36,945</u>	<u>\$44,597</u>	<u>\$53,079</u>	<u>\$70,682</u>
22	<u>GRADE 24</u>	<u>\$39,369</u>	<u>\$47,495</u>	<u>\$56,516</u>	<u>\$75,265</u>
23	<u>GRADE 25</u>	<u>\$41,904</u>	<u>\$50,574</u>	<u>\$60,202</u>	<u>\$80,141</u>
24	<u>GRADE 26</u>	<u>\$44,624</u>	<u>\$53,867</u>	<u>\$64,104</u>	<u>\$85,383</u>

25

26 (e) It is the intent of the General Assembly that the compensation  
 27 plan provided for in this section shall be implemented and function in  
 28 compliance with other provisions in this subchapter, the Regular Salary  
 29 Procedures and Restrictions Act, § 21-5-101, and other fiscal control laws of  
 30 this state, when applicable.

31

32 SECTION 2. Arkansas Code § 21-5-211 is amended to read as follows:  
 33 21-5-211. Implementation procedure for grade changes - Salary  
 34 adjustments.

35 (a) The Office of Personnel Management of the Division of Management  
 36 Services of the Department of Finance and Administration shall have

1 administrative responsibility for enforcing compliance by state agencies and  
 2 institutions affected by this subchapter in implementing classification grade  
 3 changes.

4 (b) Subject to funds and appropriations being provided, the following  
 5 implementation procedures shall apply to state agencies and institutions  
 6 covered by the provisions of this subchapter, commencing on July 1 of each  
 7 fiscal year:

8 (1) The maximum annual salary rate for which an employee covered  
 9 by the provisions of this subchapter shall be eligible for each year of the  
 10 biennium shall be determined as follows:

11 (A)(i) The maximum rate of compensation for which an  
 12 employee shall be eligible on July 1, 2007, shall be determined by increasing  
 13 the employee's June 30, 2007 salary by two percent (2.0%). For an employee  
 14 whose annual salary rate on June 30 is:

15 (a) ~~Twenty thousand dollars (\$20,000) or less,~~  
 16 ~~the employee is eligible for an annual increase of six hundred dollars~~  
 17 ~~(\$600);~~

18 (b) ~~More than twenty thousand dollars~~  
 19 ~~(\$20,000) but not more than fifty thousand dollars (\$50,000), the employee is~~  
 20 ~~eligible for an annual salary increase of six hundred dollars (\$600) plus~~  
 21 ~~three percent (3%) of the amount by which the employee's June 30 salary~~  
 22 ~~exceeds twenty thousand dollars (\$20,000);~~

23 (c) ~~More than fifty thousand dollars (\$50,000)~~  
 24 ~~but not more than ninety thousand dollars (\$90,000), the employee is eligible~~  
 25 ~~for an annual salary increase of one thousand five hundred dollars (\$1,500)~~  
 26 ~~plus one and nine tenths percent (1.9%) of the amount by which the employee's~~  
 27 ~~June 30 salary exceeds fifty thousand dollars (\$50,000); and-~~

28 (d) ~~More than ninety thousand dollars~~  
 29 ~~(\$90,000), the employee is eligible for an annual salary increase of two~~  
 30 ~~thousand two hundred sixty dollars (\$2,260) plus one and five tenths percent~~  
 31 ~~(1.5%) of the amount by which the employee's June 30 salary exceeds ninety~~  
 32 ~~thousand dollars (\$90,000).~~

33 (ii) An employee whose salary falls below Pay Level  
 34 I for the grade assigned to his or her classification may be adjusted to the  
 35 entry level.

36 (iii) All other employees' salaries shall be

1 adjusted to the appropriate pay level for the grade assigned to their  
 2 classification but may not exceed the maximum rate provided for that grade  
 3 unless otherwise provided for by this section.

4 (iv) An employee whose June 30 annual salary rate is  
 5 at Pay Level IV shall be eligible for the increase provided in ~~subdivisions~~  
 6 subdivision (b)(1)(A)(i)-(a)-(d) of this section, but the increase shall be  
 7 paid as a lump sum on ~~June 30~~ the last pay period of the fiscal year of the  
 8 year in which the increase is to occur;

9 (B)(i) The maximum rate of compensation for which an  
 10 employee shall be eligible on July 1, 2008, shall be determined by increasing  
 11 the employee's June 30, 2008 salary by two percent (2.0%).

12 (ii) An employee whose salary falls below Pay Level  
 13 I for the grade assigned to his or her classification may be adjusted to the  
 14 entry level.

15 (iii) All other employees' salaries shall be  
 16 adjusted to the appropriate pay level for the grade assigned to their  
 17 classification but may not exceed the maximum rate provided for that grade  
 18 unless otherwise provided for by this section.

19 (iv) An employee whose June 30 annual salary rate is  
 20 at Pay Level IV shall be eligible for the increase provided in subdivision  
 21 (b)(1)(B)(i) of this section, but the increase shall be paid as a lump sum on  
 22 the last pay period of the fiscal year in which the increase is to occur;

23 ~~(B)(C)~~ Salary adjustments provided for in this section  
 24 shall be made for all employees covered by the provisions of this subchapter  
 25 prior to all other salary adjustments;

26 ~~(C)(D)~~ When an employee is demoted for cause or  
 27 voluntarily solicits a demotion, his or her rate of pay shall be fixed in the  
 28 lower-graded position at a rate equal to six percent (6%) less than the  
 29 employee's rate of pay at the time of demotion for demotions of one (1) grade  
 30 and a maximum of eight percent (8%) less than the employee's rate of pay at  
 31 the time of demotion for demotions of two (2) or more grades;

32 ~~(D)(E)~~(i) An employee covered by the provisions of this  
 33 subchapter shall be eligible for an additional salary increase of two percent  
 34 (2%) each year of the biennium, provided that:

35 (a) The Chief Fiscal Officer of the State  
 36 determines that sufficient general revenues become available; and

1 (b) The additional salary increase of two  
 2 percent (2%) shall not allow an employee's compensation to exceed the amount  
 3 set out for Pay Level IV for the position.

4 (ii) An employee compensated at Pay Level IV shall  
 5 be eligible to receive the salary increase of two percent (2%) authorized in  
 6 this section during the biennium as lump sum payments, and the payments shall  
 7 not be construed as exceeding the maximum salary;

8 ~~(E)~~(F)(i) An employee who due to legislative enactment is  
 9 to be compensated at a higher grade, that is, an upgrade, than that which was  
 10 in effect on June 30 of the previous fiscal year shall be eligible for an  
 11 additional increase of six percent (6%) in his or her maximum annual salary  
 12 in the new grade.

13 (ii) An employee who due to legislative enactment is  
 14 to be compensated at a lower grade, that is, a downgrade, than that which was  
 15 in effect on June 30 of the previous year shall not have his or her maximum  
 16 salary rate reduced due to the grade reduction, and the employee's salary  
 17 shall remain constant until that employee's assigned grade maximum is equal  
 18 to or exceeds the employee's established salary; and

19 ~~(F)~~(G)(i) Any employee whose specific job assignment  
 20 requires the skill to communicate in a language other than English, including  
 21 American Sign Language, and that skill is required as a secondary minimum  
 22 qualification by the classification specification for the position occupied  
 23 by the employee, shall be eligible to be paid up to an additional ten percent  
 24 (10%) of the employee's annual salary as set by § 21-5-209.

25 (ii) In those instances in which the granting of the  
 26 additional compensation would have the effect of exceeding the maximum annual  
 27 rate for the grade assigned to the employee's classification, the additional  
 28 compensation shall not be considered as exceeding the maximum allowable rate  
 29 for that grade.

30 (iii) An employee who is receiving additional  
 31 compensation under the provisions of this section and who moves into a  
 32 position that does not require the skill to communicate in a language other  
 33 than English or whose position no longer requires the use of the skill shall  
 34 revert on the effective date of the change to the rate of pay that the  
 35 employee would otherwise receive.

36 (iv) Authority to implement the provisions of this



1 subsection may be approved by the office after review of the Legislative  
 2 Council for specific positions identified by agencies and institutions of  
 3 higher education;

4 (2)(A) An employee promoted on or after July 1, 1999, shall have  
 5 the maximum annual salary for which he or she is eligible established as  
 6 follows:

7 (i) For a minor promotion, the employee's maximum  
 8 rate of pay shall be increased by six percent (6%); and

9 (ii) For a major promotion, the employee's maximum  
 10 rate of pay shall be increased by eight percent (8%).

11 (B)(i)(a) An employee who upon promotion is receiving a  
 12 rate of pay below Pay Level I for the new grade may be adjusted to the entry  
 13 level for that grade.

14 (b) However, in no event may an employee's rate of  
 15 pay upon promotion exceed the amount provided for by Pay Level IV of the  
 16 grade assigned to the classification.

17 (ii) An employee's anniversary date shall not change due  
 18 to promotion;

19 (3)(A) Any employee who is assigned to a position in a  
 20 classification the employee formerly occupied within a twelve-month period  
 21 after promotion from the classification shall be eligible for a rate of pay  
 22 no greater than that for which the employee would have been eligible had the  
 23 employee remained in the lower-graded classification.

24 (B) Any employee who is placed in a lower-graded position  
 25 because the original position has expired due to lack of funding, program  
 26 changes, or withdrawal of federal grant funds may continue to be paid at the  
 27 same rate as the employee was being paid in the higher-graded position upon  
 28 approval of the office after seeking the review of the Legislative Council;  
 29 and

30 (4)(A)(i) When an employee's position has been approved for  
 31 reclassification to a classification title of a higher salary grade, the  
 32 employee shall be eligible for an additional increase of six percent (6%) in  
 33 the new classification.

34 (ii) Upon reclassification, the salary of an  
 35 employee who is receiving a rate of pay that is less than the entrance rate  
 36 for the new grade may be adjusted to the new entrance rate.

1 (B) When an employee's position has been approved for  
 2 reclassification to a classification title of a lower salary grade, the  
 3 employee's pay shall be fixed at a rate in the lower grade that does not  
 4 exceed the employee's rate of pay in the higher-graded position at the time  
 5 of reclassification.

6 (c)(1) In the event that the Chief Fiscal Officer of the State  
 7 determines that general revenue funds are insufficient to implement the  
 8 salary increases authorized in this subchapter or by any other law that  
 9 affects salary increases for state employees, the Chief Fiscal Officer of the  
 10 State, upon approval of the Governor, may reduce the percentage of all  
 11 authorized salary increases for all state employees covered by this  
 12 subchapter without regard to whether the employees are compensated from  
 13 general or special revenues, federal funds, or trust funds.

14 (2) However, if sufficient general revenues should then become  
 15 available at any time during the biennium to provide the maximum additional  
 16 salary increases for all state employees without regard to the source of  
 17 revenues, salary increases for state employees provided for in this  
 18 subchapter or by any other law may then be fully implemented by the Chief  
 19 Fiscal Officer of the State.

20 (d) All percentage calculations stipulated in this subchapter or any  
 21 other law affecting salaries of state employees may be rounded to the nearest  
 22 even-dollar amount by the office when making the percentage changes to state  
 23 employee salaries.

24  
 25 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the  
 26 General Assembly that provisions of this act changes the Uniform Attendance  
 27 and Leave Policy Act and should become effective July 1, 2007, for consistent  
 28 application and to avoid confusion and that unless this emergency clause is  
 29 adopted, this act will not go into effect until after the beginning of the  
 30 next fiscal year. Therefore, an emergency is hereby declared to exist and  
 31 this act being necessary for the preservation of the public peace, health,  
 32 and safety shall be in full force and effect from and after July 1, 2007.

33  
 34 APPROVED: 3/19/2007  
 35  
 36