

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

*As Engrossed: H3/8/17*  
**A Bill**

HOUSE BILL 1785

5 By: Representative Eaves  
6

7 **For An Act To Be Entitled**

8 AN ACT TO CREATE HIGHER EDUCATION REGULAR SALARY  
9 PROCEDURES AND RESTRICTIONS; TO CREATE THE HIGHER  
10 EDUCATION UNIFORM CLASSIFICATION AND COMPENSATION  
11 ACT; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.  
12  
13

14 **Subtitle**

15 TO CREATE HIGHER EDUCATION REGULAR SALARY  
16 PROCEDURES AND RESTRICTIONS; AND THE  
17 HIGHER EDUCATION UNIFORM CLASSIFICATION  
18 AND COMPENSATION ACT; AND TO DECLARE AN  
19 EMERGENCY.  
20  
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
23

24 SECTION 1. Arkansas Code § 6-63-305(a), concerning new and additional  
25 personnel positions under the Higher Education Expenditure Restriction Act,  
26 is amended to read as follows:

27 (a)(1) In the event that additional federal funds, grants, gifts, or  
28 collections become available that were not authorized or contemplated at the  
29 time of the passage of the fiscal year appropriation act for operations for  
30 each institution enumerated in subsection (b) of this section, that such new  
31 funds make it possible for the recipient institution to engage in educational  
32 projects that would be of benefit to the State of Arkansas, and that such  
33 projects would make it necessary to employ additional personnel, the  
34 president of the recipient institution may establish the positions if:

35 (A) A request for a specific nonclassified position,  
36 title, and salary has been requested by the institution of higher education,



1 approved by the institution's board of trustees, recommended by the  
2 Department of Higher Education, and reported to the Legislative Council; or

3 (B) A request for a specific classified position will be  
4 assigned only after a specific position, class title, and grade are requested  
5 by the institution of higher education, approved by the institution's board,  
6 recommended by the ~~Office of Personnel Management of the Division of~~  
7 ~~Management Services of the Department of Finance and Administration~~  
8 Department of Higher Education and reported to the Legislative Council or, if  
9 the General Assembly is in session, the Joint Budget Committee; and

10 (C) The salary rates for these positions do not exceed the  
11 highest maximum annual salary rate or the highest grade ~~level~~ for any  
12 position authorized in the regular salary section of the requesting  
13 institution's appropriation act for operations, under the ~~Uniform~~  
14 ~~Classification and Compensation Act, § 21-5-201 et seq., or its successor the~~  
15 Higher Education Uniform Classification and Compensation Act, § 21-5-1401 et  
16 seq.

17 (2) The number of additional positions shall not exceed the  
18 maximum number of positions authorized for the institution in the  
19 appropriation act for operations.

20 (3) The source of funding for the additional positions  
21 established under this subsection shall be reported to the ~~office~~ department  
22 and the Legislative Council by the institution at the time of the request.

23 (4) Determining the number of persons to be employed by ~~a state~~  
24 agency an institution of higher education is the prerogative of the General  
25 Assembly and is usually accomplished by delineating the maximum number of  
26 persons by identifying the job titles and the maximum grades or salaries  
27 attached to them. The General Assembly has determined that the institutions  
28 of higher education could be operated more efficiently if some flexibility  
29 were given to the institutions. That flexibility is being accomplished by  
30 providing new or additional positions in subsection (b) of this section, and  
31 since the General Assembly has granted the institutions broad powers under  
32 the new or additional position concept, it is both necessary and appropriate  
33 that the General Assembly maintain oversight of the utilization of the new or  
34 additional positions by requiring prior approval of the Legislative Council  
35 in the utilization of the new or additional positions. Therefore, the  
36 requirement of approval by the Legislative Council is not a severable part of

1 this section. If the requirement of approval by the Legislative Council is  
2 ruled unconstitutional by a court of competent jurisdiction, this entire  
3 section is void.

4  
5 SECTION 2. Arkansas Code § 19-4-1604 is amended to read as follows:  
6 19-4-1604. Salary from two agencies.

7 (a) Except as provided in ~~subsection~~ subsections (b) and (c) of this  
8 section, no person drawing a salary or other compensation from one ~~(1)~~ state  
9 agency shall be paid salary or compensation, other than actual expenses, from  
10 any other state agency except upon written certification to and approval by  
11 the Chief Fiscal Officer of the State and by the head of each state agency,  
12 stating that:

13 (1) The work performed for the other state agency does not  
14 interfere with the proper and required performance of the person's duties;  
15 and

16 (2) The combined salary payments from the state agencies do not  
17 exceed the larger maximum annual salary of the line-item position authorized  
18 for either state agency from which the employee is being paid.

19 (b)(1) This section does not prohibit a state employee from  
20 contracting to temporarily teach as adjunct faculty at a state-supported  
21 institution of higher education and thereby receive combined salary payments  
22 from the two (2) state agencies in excess of the larger maximum annual salary  
23 of the line-item position authorized from either state agency.

24 (2)(A) This section does not prohibit a part-time or job-share  
25 public defender from receiving compensation from an appellate court for work  
26 performed in connection with an ~~indigent's~~ indigent client's appeal to the  
27 Supreme Court or the Court of Appeals.

28 (B) A person employed as a full-time public defender who  
29 is not provided a state-funded secretary may also seek compensation for  
30 appellate work from the Supreme Court or the Court of Appeals.

31 (3) This section does not allow an employee to be on paid sick  
32 leave with a state agency and to be paid a salary or compensation from  
33 another state agency.

34 (c) A person drawing a salary or other compensation from a state  
35 agency or institution of higher education shall not be paid a salary or  
36 compensation from another institution of higher education except upon the

1 written certification to and approval by the Director of the Department of  
2 Higher Education that the:

3 (1) Work performed for the other state agency or institution of  
4 higher education does not interfere with the proper and required performance  
5 of the person's duties; and

6 (2) Combined salary payments from the state agency and  
7 institution of higher education does not exceed the larger maximum annual  
8 salary of the line-item position authorized for either the agency or  
9 institution of higher education from which the employee is being paid.

10  
11 SECTION 3. Arkansas Code § 21-5-223 is amended to read as follows:  
12 21-5-223. Severance pay.

13 (a)(1) If the agency ~~or institution~~ director determines that it is  
14 necessary to implement the state workforce reduction policy due to state  
15 agency ~~or institution~~ organization structure change, budgetary reductions,  
16 abolishment of positions or duties, loss of functional responsibility by the  
17 state agency, or the loss of federal funding, grants, or other special funds,  
18 the agency ~~or institution~~ director, upon approval by the Chief Fiscal Officer  
19 of the State, may authorize the payment of funds on a regular payroll  
20 schedule as severance pay to full-time, part-time, and job sharing classified  
21 and nonclassified employees in regular positions affected by the workforce  
22 reduction on the basis of the following pro rata lump sum for completed years  
23 of service, including any formally implemented probationary period:

24		
25	Over one (1) year up to five (5) years	Eight hundred dollars (\$800)
26	Over five (5) years up to fifteen (15) years	One thousand two hundred
27		dollars (\$1,200)
28	Over fifteen (15) years	One thousand six hundred
29		dollars (\$1,600)
30		

31 ~~(b)(2)~~ These The severance payments under subdivision (a)(1) of this  
32 section shall be in addition to the lump-sum payments allowed under the  
33 Uniform Attendance and Leave Policy Act, § 21-4-201 et seq.

34 ~~(c)(3)~~ The severance payments under subdivision (a)(1) of this section  
35 shall not be construed as exceeding the maximum salary.

36 ~~(d)(4)~~ The agency ~~or institution~~ director shall file a notice of the

1 anticipated implementation of the workforce reduction policy and of the lump-  
 2 sum severance payments to be made under the state workforce reduction policy  
 3 with the ~~Personnel Subcommittee of the~~ Legislative Council or, if the General  
 4 Assembly is in session, the Joint Budget Committee.

5 (b)(1) If the head of an institution of higher education determines  
 6 that it is necessary to implement the state workforce reduction policy due to  
 7 institution organization structure change, budgetary reductions, abolishment  
 8 of positions or duties, loss of functional responsibility by the institution,  
 9 or the loss of federal funding, grants, or other special funds, the head of  
 10 the institution, upon approval by the Director of the Department of Higher  
 11 Education, may authorize the payment of funds on a regular payroll schedule  
 12 as severance pay to full-time, part-time, and job sharing classified  
 13 employees in regular positions affected by the workforce reduction on the  
 14 basis of the following pro rata lump sum for completed years of service,  
 15 including any formally implemented probationary period:

16		
17	<u>Over one (1) year up to five (5) years</u>	<u>Eight hundred dollars (\$800)</u>
18	<u>Over five (5) years up to fifteen (15) years</u>	<u>One thousand two hundred</u>
19		<u>dollars (\$1,200)</u>
20	<u>Over fifteen (15) years</u>	<u>One thousand six hundred</u>
21		<u>dollars (\$1,600)</u>
22		

23 (2) The severance payments under subdivision (b)(1) of this section  
 24 shall be in addition to the lump-sum payments allowed under the Uniform  
 25 Attendance and Leave Policy Act, § 21-4-201 et seq.

26 (3) The severance payments under subdivision (b)(1) of this section  
 27 shall not be construed as exceeding the maximum salary.

28 (4) The head of the institution shall file a notice of the anticipated  
 29 implementation of the workforce reduction policy and of the lump-sum  
 30 severance payments to be made under the state workforce reduction policy with  
 31 the Legislative Council or, if the General Assembly is in session, the Joint  
 32 Budget Committee.

33  
 34 SECTION 4. Arkansas Code Title 21, Chapter 5, is amended to add an  
 35 additional subchapter to read as follows:  
 36

1 Subchapter 14 - Higher Education Uniform Classification and Compensation Act

2  
3 21-5-1401. Title.

4 This subchapter shall be known and may be cited as the "Higher  
5 Education Uniform Classification and Compensation Act".

6  
7 21-5-1402. Definitions.

8 As used in this subchapter:

9 (1) "Base pay level" means the maximum entry pay level for  
10 classifications assigned to the career service pay plan;

11 (2) "Base range" means the range of pay between the entry pay  
12 level and the base pay level of the appropriate grade for classifications  
13 assigned to the career service pay plan;

14 (3) "Career pay level" means the pay level established on the  
15 career service compensation plan at a grade that is authorized only for  
16 current employees who meet established eligibility criteria;

17 (4) "Class" or "classification" means a group of positions  
18 sufficiently similar as to duties performed, scope of discretion and  
19 responsibility, minimum requirements of education or training, skill,  
20 experience, and other characteristics that the same class title, the same  
21 test of fitness, and the same grade have been or may be applied to each  
22 position in the group;

23 (5) "Classified employee" means a person regularly appointed or  
24 employed in a position of state service by an institution of higher education  
25 for which:

26 (A) He or she is compensated on a full-time basis or on a  
27 pro rata basis; and

28 (B) A class title and grade are established in the  
29 appropriation act for the institution in accordance with the classification  
30 and compensation plan enacted in this subchapter;

31 (6) "Class specification" means a written document that  
32 identifies a group of positions that require the same type of work and  
33 responsibility and sets out the general components of the job description for  
34 each position in the category by providing a class title, class code,  
35 distinguishing features and examples of work, knowledge, skills, and  
36 abilities, and the necessary minimum education and experience requirements to

1 perform the assigned duties;

2 (7)(A) "Crossgrade" means a temporary reclassification of a  
3 position during the fiscal year.

4 (B) The Department of Higher Education may authorize a  
5 temporary crossgrade through a change in the classification of a position  
6 from the classification authorized in an institution's appropriation act  
7 between legislative sessions to assure correct classification and for other  
8 purposes with the following restrictions:

9 (i) A position shall not be crossgraded to a  
10 classification at a grade higher than the grade originally authorized for the  
11 position by the General Assembly in the institution's appropriation act;

12 (ii) A position may be crossgraded to a  
13 classification at the same or lower grade than the position as originally  
14 authorized for the position by the General Assembly in the institution's  
15 appropriation act;

16 (iii) Positions that have been crossgraded may be  
17 restored to the original authorized class during the fiscal year with the  
18 approval of the office for those positions within the same occupational  
19 group;

20 (iv) Position classifications may be crossgraded or  
21 restored to their original classification only after the review and approval  
22 of the department;

23 (v) Positions established under the career service  
24 compensation plan may not be crossgraded to positions having an authorized  
25 line item maximum salary established by the General Assembly in the  
26 institution of higher education's appropriation act; and

27 (vi) Positions having an authorized line item  
28 maximum salary by the General Assembly in the institution's appropriation act  
29 may not be crossgraded from line-item status to classified status;

30 (8) "Demotion" means the change in duty assignment of an  
31 employee from a position in one classification to a position in another  
32 classification of a lower grade;

33 (9) "Entry pay level" means the minimum entry-level pay rate for  
34 classifications assigned to the compensation plan;

35 (10)(A) "Grade" means an authorized pay range having an entrance  
36 salary rate, intermediate rate, and a maximum rate of pay as provided in this

1 subchapter.

2 (B) The determination of lower or higher grade in relation  
3 to another grade is determined by comparing the base pay levels assigned to  
4 each grade;

5 (11) "Head of the institution" means the executive head of an  
6 institution of higher education;

7 (12) "Institution of higher education" or "institution" means a  
8 public institution of higher education supported, in whole or in part, by  
9 appropriation of state funds;

10 (13)(A)(i) "Job sharing" means a form of employment in which the  
11 hours of work of two (2) or more persons are arranged in such a way as to  
12 cover one (1) regular full-time position.

13 (ii) The department may authorize job sharing for  
14 any regular full-time position.

15 (B) The Director of the Department of Higher Education or  
16 his or her designee shall promulgate necessary rules to carry out this  
17 subdivision (13);

18 (14) "Maximum pay level" means the highest authorized level of  
19 pay for a grade for normal compensation administration purposes;

20 (15) "Midpoint pay level" means the rate of pay midway between  
21 the base pay level and the maximum pay level established for each grade;

22 (16)(A) "Occupational group" means a collection of classes  
23 having similar job description components and sharing a primary function.

24 (B) In determining the occupational group to which a class  
25 is assigned, consideration shall be given to the type of work performed, the  
26 education or experience required, job elements or tasks, and the purpose of  
27 the job;

28 (17) "Pay level" means any single rate of pay in a grade,  
29 including the entrance rate, intermediate rate, and the maximum rate of pay;

30 (18) "Position" means an office or employment that is  
31 legislatively authorized in an institution of higher education, occupied or  
32 vacant, requiring the services of one (1) full-time equivalent employee;

33 (19) "Promotion" means the change in duty assignment of an  
34 employee from a position in one classification to a position in another  
35 classification of a higher grade; and

36 (20)(A) "Reclassification" means a change in the assignment of a



1 position from one classification title to another classification title of  
2 either a higher or lower grade when material and permanent changes in the  
3 duties and responsibilities of the position being recommended for  
4 reclassification have occurred or when it is necessary to establish a new  
5 classification title to meet federal standards as a prerequisite for federal  
6 programs.

7 (B) Positions eligible for reclassification within an  
8 institution of higher education are only those positions assigned a specific  
9 classification title and grade.

10 (C) Positions having a line-item maximum salary are exempt  
11 from the provisions in this section and may not be reclassified from line-  
12 item status to a classified designation bearing a salary grade.

13 (D) Positions within an institution of higher education  
14 designated within a classification title and grade shall not be reclassified  
15 to a classification title for which a line-item maximum annual salary has  
16 been established.

17 (E) Interim reclassifications approved by the department  
18 shall be implemented through the crossgrading of existing positions within an  
19 institution of higher education or through the acquisition of pool positions  
20 as authorized in § 21-5-1414(a)(1).

21  
22 21-5-1403. Regular salary procedures and restrictions.

23 Arkansas Constitution, Article 16, § 4, provides: "The General Assembly  
24 shall fix the salaries and fees of all officers in the State, and no greater  
25 salary or fee than that fixed by law shall be paid to any officer, employee  
26 or other person, or at any rate other than par value; and the number and  
27 salaries of the clerks and employees of the different departments of the  
28 State shall be fixed by law." Therefore, the following provisions are  
29 applicable to all authorized regular salary positions in appropriation acts  
30 unless specific exception is made otherwise by law:

31 (1) For any position authorized by the General Assembly of the  
32 State of Arkansas for the benefit of any institution of higher education for  
33 which the provisions of this subchapter are to be applicable, it is the  
34 intent of the General Assembly that this subchapter govern with respect to:

35 (A) The entry pay level;

36 (B) The frequency with which increases in pay may be

1 granted; and

2 (C) The maximum annual salary that may be paid for the  
3 grade assigned each employee;

4 (2) For any position authorized by the General Assembly for the  
5 benefit of any institution of higher education for which a maximum annual  
6 salary is set out in dollars, it is the intent of the General Assembly that  
7 the position be paid at a rate of pay not to exceed the maximum established  
8 for the position during any one (1) fiscal year and that the maximum annual  
9 salary authorized is for full-time employment;

10 (3)(A) For all positions authorized by the General Assembly for  
11 any institution of higher education, it is the intent of the General Assembly  
12 in determining the annual salaries of employees in those positions, that the  
13 head of the institution take into consideration the ability of the employee  
14 and length of service.

15 (B) It is not the intent of the General Assembly that the  
16 maximum annual salaries as authorized in the appropriation act, or pay  
17 increases established for the various grades under this subchapter be paid  
18 unless the employee meets the qualifications associated with each pay level  
19 and then only within the limitations of the appropriations and funds  
20 available for that purpose.

21 (C) An employee authorized by the General Assembly shall  
22 not receive from appropriated or cash funds, either from state, federal, or  
23 other sources, compensation in an amount greater than that established by the  
24 General Assembly as the maximum annual salary for the employee, unless  
25 specific provisions are made by law; and

26 (4) An employee of an institution of higher education shall not  
27 be paid any additional cash allowances, including without limitation uniform  
28 allowance, clothing allowance, motor vehicle depreciation or replacement  
29 allowance, fixed transportation allowance, or meals and lodging allowance  
30 other than for reimbursement for costs actually incurred by the employee  
31 unless the allowances are specifically set out by law as to eligibility of  
32 employees to receive the allowances, and the maximum amount of such  
33 allowances are established by law for each employee or for each class of  
34 employees eligible to receive the allowances.

35  
36 21-5-1404. Effect on appropriation acts.

1       (a) All appropriation acts of all institutions of higher education  
2 subject to this subchapter shall be governed by this subchapter with respect  
3 to grades, class titles, salary increases, salary increase eligibility, and  
4 other provisions unless special language in the appropriation act of the  
5 institution specifically allows the institution to provide salary increases,  
6 grade assignments, class title assignments, salary increase eligibility, and  
7 other provisions different from those provided by this subchapter.

8       (b) When the intent of the General Assembly, by amendment to  
9 appropriation bills, is to allow a higher grade for a classification than  
10 that listed in this subchapter, the grade assigned to the classification in  
11 the appropriation act for the classification, as designated with the higher  
12 grade, shall be the grade for the classification in the institution during  
13 the biennium.

14       (c) When a higher grade is authorized in this subchapter for  
15 classifications that are not reflected in the appropriation act of an  
16 institution, this subchapter shall set the grades to be authorized in an  
17 institution's appropriation act for the biennium unless special language in  
18 the appropriation act of an institution allows the institution to provide  
19 salary increases other than that provided in this subchapter.

20       (d) It is the intent of this section that the institutions governed by  
21 this subchapter be authorized to allow grades as provided in the  
22 appropriation acts of the institutions, provided that the rules that apply to  
23 salary increases under this subchapter shall not be waived unless special  
24 language in the appropriation act of the institution authorizes the  
25 institution to provide increases other than those authorized under this  
26 subchapter.

27  
28       21-5-1405. Department of Higher Education – Duties.

29       (a) The Department of Higher Education shall perform the following  
30 administrative duties with respect to the institution of higher education  
31 classification and compensation plan, subject to this subchapter:

32               (1) Determine that each position of an institution of higher  
33 education affected by this subchapter is allocated to a class having a  
34 written class specification based on the duties and responsibilities assigned  
35 to the position and the requirements necessary to satisfactorily perform the  
36 duties;

1           (2) Assist institutions in the allocation of positions to  
2 classes established in this subchapter and in the appropriation acts covering  
3 each of the institutions affected by this subchapter, and disallow the  
4 allocation of a position to a class that is not in conformance with this  
5 subchapter;

6           (3)(A) Authorize the temporary reclassification of positions in  
7 an institution affected by this subchapter in cases in which it has been  
8 determined by the department that there are material changes in the duties  
9 and responsibilities assigned to the position when there is no available  
10 vacant position having the proper classification and when it is impracticable  
11 to restructure the duties of the position to the proper classification.

12           (B) The reclassification of positions may also be  
13 authorized when it is necessary to establish a new classification to meet  
14 federal standards as a prerequisite for federal programs, provided that a  
15 position is not placed in a class and receive pay at a salary rate in excess  
16 of the maximum salary rate authorized for the position that was reclassified  
17 as provided in the appropriation act of the institution;

18           (4)(A) Review all class specifications and all classes and  
19 grades and the compensation plan affecting all institutions covered by this  
20 subchapter and submit to the Legislative Council and the Governor in advance  
21 of the regular session and fiscal session of the General Assembly  
22 recommendations for revisions, modifications, or additions.

23           (B) When necessary, the department shall confer with the  
24 staff of the Legislative Council on the development of and revisions to  
25 uniform classification and compensation systems.

26           (C) Time periods for the development of recommendations  
27 and time periods for the review by the Legislative Council of those  
28 recommendations shall be as established by the Legislative Council.

29           (D) The time periods for recommendations and for review  
30 shall be sufficiently in advance of budget hearings for the regular session  
31 and fiscal session to allow for the thorough review by the Legislative  
32 Council;

33           (5) Develop and implement rules to accomplish the purposes of  
34 this subchapter;

35           (6)(A) Establish a procedure to allow the head of the  
36 institution to review the qualifications of applicants whose education and

1 experience either do not meet or exceed that required by the class  
2 specification but who have other job-related qualifications that might be  
3 validly substituted for the class requirements.

4 (B) The procedure under subdivision (a)(6)(A) of this  
5 section is intended to allow institutions to substitute job-related education  
6 and experience for the specific requirements stated in the class  
7 specification without the necessity for the revision of the class  
8 specification.

9 (C) The procedure under subdivision (a)(6)(A) of this  
10 section shall require the final approval of the Director of the Department of  
11 Higher Education, with the review of the Legislative Council or, if the  
12 General Assembly is in session, the Joint Budget Committee;

13 (7)(A) Review institution personnel transactions reported as  
14 unqualified appointments.

15 (B) Unqualified appointments shall be reported by the  
16 department to the Legislative Council unless one (1) of the following actions  
17 is taken:

18 (i) Questionable appointments are reviewed by the  
19 director;

20 (ii) Payroll actions for questionable appointments  
21 that are determined by the director to be unqualified for the specific  
22 appointment are not processed until the unqualified appointment is removed  
23 from the payroll or is placed into a position in the institution for which  
24 the individual meets the minimum qualifications of the classification; or

25 (iii) Corrective action is documented by the  
26 institution.

27 (C) It is the specific responsibility of the head of each  
28 institution to certify that the qualifications of persons appointed to  
29 positions within the institution do meet or exceed the minimum education and  
30 experience requirements as stated in the class specification;

31 (8)(A) Establish each year, upon the review of the Personnel  
32 Subcommittee of the Legislative Council, new classifications at an  
33 appropriate grade in order to meet new or changed conditions and report at  
34 the end of each fiscal year all class titles contained in § 21-5-1406 for  
35 which a class specification has not been written.

36 (B) Any classification established under this subdivision

1 (a)(8) shall remain in effect for the remainder of the fiscal year during  
2 which the classification was established unless specifically authorized to  
3 continue by the General Assembly as an addition to this subchapter;

4 (9) Revise, as necessary, the class specification of a  
5 classification in order to ensure the accuracy of the description of the  
6 assigned duties and the minimum requirements necessary to perform these  
7 duties and thereby maintain a valid relationship between the requirements and  
8 the duties and responsibilities of the jobs;

9 (10) Administer and maintain a system for the evaluation of  
10 employee performance effectiveness;

11 (11) Provide assistance to institutions in identifying,  
12 developing, and maintaining training and resource programs; and

13 (12) Develop and implement, as needed and upon the review of the  
14 Legislative Council, rules to ensure a uniform system of personnel  
15 administration within higher education.

16 (b) To ensure and provide for the accuracy and efficiency of this  
17 subchapter and to provide for an efficient and equitable system of personnel  
18 management, the department, with the review of the Legislative Council,  
19 shall:

20 (1) Study on a continuing basis and modify and revise when  
21 necessary the current classifications, the class specifications, minimum  
22 requirements, and other requirements;

23 (2) Create when necessary new classifications at an appropriate  
24 grade that will accurately describe those positions for which no appropriate  
25 classification exists;

26 (3) Determine those positions that are improperly classified and  
27 reclassify those positions to the appropriate classification in accordance  
28 with this subchapter; and

29 (4) Develop and implement the policies, rules, and procedures  
30 necessary for the implementation of this subchapter.

31  
32 21-5-1406. Classification of positions.

33 (a)(1) There are established for the institutions of higher education  
34 covered by this subchapter the classification titles and grades.

35 (2) No payment of salaries may be made except in conformity with  
36 the maximum annual salary rates assigned to the grades established by this

1 section for each year as provided in the appropriation act of the institution  
 2 and in this subchapter.

3 (b) The following classification titles with their assigned grades are  
 4 approved for the classification and compensation plan under this subchapter,  
 5 subject to the appropriation acts for the institutions:

6	7	8	9
	Class	<u>Code</u>	<u>Title</u>
			<u>Grade</u>
9		D010C	DATA WAREHOUSE LEAD
10		Q149C	FISCAL OFFICER
11		D008C	GIS LEAD
12		G241C	HEALTH INFO TECH OPER & TECH OFFICER
13		D007C	INFORMATION SYSTEMS MANAGER
14		X005C	PROPERTY & CASUALTY MANAGER
15		G008C	RISK MANAGEMENT ASSISTANT DIRECTOR
16		D006C	SOFTWARE ENGINEER LEAD
17		Q026C	APPLICATIONS PROGRAMMER
18		Q023C	DATABASE PROGRAMMER
19		D012C	DATABASE SPECIALIST
20		A014C	FISCAL DIVISION MANAGER
21		Q025C	NETWORK SPECIALIST
22		Q027C	NETWORK/WEB PROGRAMMER
23		Q024C	PC SUPPORT MANAGER
24		B015C	ENGINEER SUPERVISOR
25		R006C	HUMAN RESOURCES ADMINISTRATOR
26		D017C	INFORMATION SYSTEMS SECURITY SPECIALIST
27		<i>D016C</i>	<i>SENIOR TECHNOLOGY ANALYST</i>
28		<i>D114C</i>	<i>UAF SYSTEMS ADMINISTRATOR</i>
29		A027C	ACCOUNTING OPERATIONS MANAGER
30		D020C	INST INFORMATION TECHNOLOGY COORD
31		M004C	RESIDENTIAL OPERATIONS MANAGER
32		B018C	SENIOR BROADCAST ENGINEER
33		E009C	TECHNICAL INSTITUTE ASSISTANT DIRECTOR
34		G076C	ADMINISTRATIVE SERVICES MANAGER
35		A031C	ASSISTANT CONTROLLER
36		D035C	COMPUTER SUPPORT MANAGER
		D034C	DATABASE ADMINISTRATOR

1	D031C	DISASTER RECOVERY ANALYST	C124
2	E013C	EDUCATION PROGRAM MANAGER	C124
3	D030C	INFORMATION SYSTEMS COORDINATOR	C124
4	Q051C	NETWORK ADMINISTRATOR	C124
5	D029C	SENIOR GIS ANALYST	C124
6	D028C	SENIOR SOFTWARE SUPPORT SPECIALIST	C124
7	D027C	SOFTWARE ENGINEER	C124
8	D022C	SYSTEMS SPECIALIST	C124
9	E011C	VOCATIONAL EDUCATION COORDINATOR	C124
10	A038C	FISCAL SUPPORT MANAGER	C123
11	D040C	GIS ANALYST	C123
12	D039C	NETWORK SUPPORT SPECIALIST	C123
13	P004C	PUBLIC INFORMATION MANAGER	C123
14	D038C	SENIOR SOFTWARE SUPPORT ANALYST	C123
15	Q151C	ADMINISTRATIVE ASSISTANT	C122
16	G103C	ASSOCIATE REGISTRAR	C122
17	A116C	BUSINESS OPERATIONS MANAGER	C122
18	T019C	DIRECTOR OF PUBLIC SAFETY I	C122
19	S003C	FOOD & BEVERAGE DIRECTOR	C122
20	T018C	HE PUBLIC SAFETY COMMANDER III	C122
21	D047C	INFORMATION SYSTEMS BUSINESS ANALYST	C122
22	G095C	LODGE MANAGER	C122
23	B034C	MICROBIOLOGIST SUPERVISOR	C122
24	L027C	REGISTERED NURSE SUPERVISOR	C122
25	D050C	SECURITY ANALYST	C122
26	E018C	SPECIALIZED TECHNICAL FACULTY	C122
27	D044C	SYSTEMS ANALYST	C122
28	B033C	UAF CONSTRUCTION COORDINATOR	C122
29	A052C	ACCOUNTING COORDINATOR	C121
30	D054C	COMPUTER SUPPORT COORDINATOR	C121
31	E022C	EDUCATION & INSTRUCTION MANAGER	C121
32	A047C	FINANCIAL ANALYST II	C121
33	G109C	GRANTS MANAGER	C121
34	T023C	HE PUBLIC SAFETY COMMANDER II	C121
35	M009C	LICENSED CERTIFIED SOCIAL WORKER	C121
36	S004C	MAINTENANCE MANAGER	C121



1	L036C	NURSE INSTRUCTOR	C121
2	R014C	PERSONNEL MANAGER	C121
3	V004C	PROCUREMENT MANAGER	C121
4	D052C	SOFTWARE SUPPORT ANALYST	C121
5	D051C	SYSTEMS APPLICATIONS SUPERVISOR	C121
6	P008C	TELEVISION PROGRAM MANAGER	C121
7	D060C	ASST DIR COMPUTER SVCS	C120
8	S006C	ASU ASSOC DIR PHYSICAL PLANT	C120
9	B056C	ASU CONSTRUCTION COORDINATOR	C120
10	G136C	ASU DIRECTOR OF HOUSING	C120
11	D059C	ASU ENGINEERING COMM FACILITIES DIR	C120
12	R019C	BUDGET MANAGER	C120
13	B054C	CAMPUS CONSTRUCTION COORDINATOR	C120
14	E027C	CAREER & TECHNICAL FACULTY	C120
15	D058C	COMPUTER OPERATIONS COORDINATOR	C120
16	G135C	COORD DESEGREGATION & AFFIRM ACTN	C120
17	Q075C	DESKTOP APPLICATIONS SUPPORT	C120
18	E026C	EDUCATION & INSTRUCTION COORDINATOR	C120
19	D057C	INFORMATION TECHNOLOGY MANAGER	C120
20	Q084C	MANAGEMENT PROJECT ANALYST	C120
21	P014C	MUSEUM MANAGER	C120
22	Q078C	PC SUPPORT SPECIALIST	C120
23	P013C	PUBLIC INFORMATION COORDINATOR	C120
24	T030C	PUBLIC SAFETY COMMANDER I	C120
25	P068C	RADIO PRODUCER	C120
26	L038C	REGISTERED NURSE	C120
27	D056C	SYSTEMS COORDINATION ANALYST	C120
28	P012C	TELEVISION PRODUCER	C120
29	G118C	UAF ASSOC DIR OF AR UNION	C120
30	A053C	UAF ASST BUSINESS MANAGER	C120
31	P011C	UAF SPORTS INFORMATION COORDINATOR	C120
32	B064C	ASU DIRECTOR OF FARMING	C119
33	R022C	BENEFITS COORDINATOR	C119
34	R021C	BUDGET ANALYST	C119
35	V008C	BUYER SUPERVISOR	C119
36	S008C	CAMPUS MAINTENANCE SUPERVISOR	C119

1	D063C	COMPUTER SUPPORT SPECIALIST	C119
2	P016C	CURATOR	C119
3	D062C	DATABASE ANALYST	C119
4	G159C	DEPARTMENT BUSINESS COORDINATOR	C119
5	P065C	DEVELOPMENT SPECIALIST	C119
6	E032C	EDUCATION COUNSELOR	C119
7	E031C	EDUCATION PROGRAM COORDINATOR	C119
8	G147C	GRANTS COORDINATOR	C119
9	D061C	INFORMATION SYSTEMS COORDINATION SPEC	C119
10	A066C	INTERNAL AUDITOR	C119
11	E030C	LIBRARY COORDINATOR	C119
12	A065C	PAYROLL SERVICES COORDINATOR	C119
13	V007C	PROCUREMENT COORDINATOR	C119
14	B061C	RESEARCH TECHNOLOGIST	C119
15	G144C	TECHNICAL INSTITUTE PROGRAM COORDINATOR	C119
16	R024C	ASSISTANT PERSONNEL MANAGER	C118
17	S015C	ASST LODGE MANAGER	C118
18	S012C	ASU ASST DIRECTOR OF PHYSICAL PLANT	C118
19	G172C	CAREER PLANNING & PLAC COORDINATOR	C118
20	M030C	CHILD CARE DIRECTOR	C118
21	D066C	DIGITAL BROADCAST SPECIALIST	C118
22	G169C	DIRECTOR OF STUDENT UNION	C118
23	E038C	EDUCATION & INSTRUCTION ANALYST	C118
24	E037C	EDUCATION PROGRAM SPECIALIST	C118
25	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	C118
26	A075C	FINANCIAL ANALYST I	C118
27	A074C	FISCAL SUPPORT SUPERVISOR	C118
28	R023C	INSTITUTION PERSONNEL SVCS MANAGER	C118
29	L047C	MEDICAL TECHNOLOGIST SUPERVISOR	C118
30	D065C	NETWORK SUPPORT ANALYST	C118
31	A072C	RESEARCH & STATISTICS MANAGER	C118
32	S014C	RESTAURANT MANAGER	C118
33	M022C	UAPB DIRECTOR OF HOUSING	C118
34	<i>D064C</i>	<i>WEBSITE DEVELOPER</i>	<i>C118</i>
35	<i>M026C</i>	<i>LICENSED SOCIAL WORKER</i>	<i>C118</i>
36	A082C	ACCOUNTANT II	C117
37	G190C	ASST DIR FINANCIAL AID	C117

1	G189C	ATU DIRECTOR OF HOUSING	C117
2	S020C	AVIATION TECHNICIAN	C117
3	P023C	BROADCAST PROMOTION SPECIALIST	C117
4	R027C	BUDGET SPECIALIST	C117
5	G188C	BUSINESS & INDUSTRIAL ENERGY SPECIALIST	C117
6	C019C	CLINIC BUSINESS SVCS MANAGER	C117
7	D071C	COMPUTER SUPPORT ANALYST	C117
8	P022C	COORDINATOR OF SPORTS INFORMATION	C117
9	L055C	DIETICIAN	C117
10	S019C	DIRECTOR MAINTENANCE	C117
11	P021C	EDITOR	C117
12	G180C	GRANTS ANALYST	C117
13	R025C	HUMAN RESOURCES ANALYST	C117
14	D068C	INFORMATION SYSTEMS ANALYST	C117
15	D067C	INFORMATION SYSTEMS SECURITY ANALYST	C117
16	G179C	LEGAL SERVICES SPECIALIST	C117
17	S017C	MAINTENANCE COORDINATOR	C117
18	V011C	MEDICAL BUYER	C117
19	B077C	MICROBIOLOGIST	C117
20	P020C	PRODUCTION ARTIST	C117
21	M038C	PROGRAM ELIGIBILITY ANALYST	C117
22	T051C	PUBLIC SAFETY SUPERVISOR	C117
23	B076C	RESEARCH PROJECT ANALYST	C117
24	E041C	SENIOR LIBRARIAN	C117
25	S016C	SKILLED TRADES FOREMAN	C117
26	E040C	STAFF DEVELOPMENT COORDINATOR	C117
27	M035C	UALR DIRECTOR OF HOUSING	C117
28	M034C	UAM DIRECTOR OF HOUSING	C117
29	M033C	UCA ASSISTANT DIRECTOR OF HOUSING	C117
30	A089C	ACCOUNTANT I	C116
31	A088C	ASSETS COORDINATOR	C116
32	C023C	ASSOCIATE BOOKSTORE MANAGER	C116
33	B089C	ASU ASST DIRECTOR OF FARMING	C116
34	S029C	ASU DIRECTOR OF HOUSEKEEPING	C116
35	A087C	ASU PAYROLL SERVICES MANAGER	C116
36	S092C	ATHLETIC TICKET SALES COORDINATOR	C116

1	S025C	BUILDING AND GROUNDS COORDINATOR	C116
2	C022C	BUSINESS OPERATIONS SPECIALIST	C116
3	V014C	BUYER	C116
4	M053C	CHILD CARE SERVICE SPECIALIST	C116
5	X129C	CONSTRUCTION INSPECTOR	C116
6	S098C	CONSTRUCTION SUPERVISOR	C116
7	S024C	CONSTRUCTION/MAINTENANCE COORD	C116
8	P032C	DESIGN CONSULTANT	C116
9	G197C	DIRECTOR OF ALUMNI	C116
10	E048C	EDUCATION & INSTRUCTION SPECIALIST	C116
11	R030C	EEO/GRIEVANCE OFFICER	C116
12	B087C	ENERGY CONSERVATION COORD	C116
13	B090C	ENGINEER TECHNICIAN	C116
14	G195C	HIGHER ED INSTITUTION PROG COORD	C116
15	R029C	HUMAN RESOURCES RECRUITER	C116
16	P031C	MEDIA SPECIALIST	C116
17	P030C	MUSEUM EXHIBIT PROGRAM SPECIALIST	C116
18	P029C	MUSEUM PROGRAMS SPECIALIST	C116
19	X119C	OCCUPATIONAL SAFETY COORDINATOR	C116
20	S023C	PRINT SHOP MANAGER	C116
21	P027C	PUBLIC INFORMATION SPECIALIST	C116
22	T055C	PUBLIC SAFETY OFFICER	C116
23	P066C	RADIO NEWS DIRECTOR	C116
24	P026C	RADIO PROGRAM DIRECTOR	C116
25	Q153C	RECEPTIONIST	C116
26	S022C	SKILLED TRADES SUPERVISOR	C116
27	D075C	SOFTWARE SUPPORT SPECIALIST	C116
28	C020C	STUDENT APPLICATIONS SPECIALIST	C116
29	D074C	TELECOMMUNICATIONS SUPERVISOR	C116
30	E046C	TRAINING INSTRUCTOR	C116
31	C037C	ADMINISTRATIVE ANALYST	C115
32	Q123C	ADMINISTRATIVE ASSISTANT	C115
33	G212C	ASST DIR STUDENT UNION	C115
34	C035C	ASST REGISTRAR	C115
35	G211C	ASU ASST DIRECTOR OF HOUSING	C115
36	S036C	AUTO/DIESEL MECHANIC SUPERVISOR	C115

1	R033C	BENEFITS ANALYST	C115
2	C034C	BOOKSTORE MANAGER	C115
3	C033C	CLINIC BUSINESS SVCS SUPERVISOR	C115
4	V016C	COMMODITY SPECIALIST	C115
5	D079C	COMPUTER SUPPORT TECHNICIAN	C115
6	S097C	CONSTRUCTION SPECIALIST	C115
7	S035C	FABRICATION SHOP MANAGER	C115
8	L063C	FAMILY CONSUMER SCIENCE SPECIALIST	C115
9	G207C	FINANCIAL AID ANALYST	C115
10	X188C	FIRE MARSHAL INSPECTOR	C115
11	A091C	FISCAL SUPPORT ANALYST	C115
12	D078C	GIS TECHNICIAN	C115
13	D077C	HELP DESK SPECIALIST	C115
14	R032C	HUMAN RESOURCES PROGRAM REPRESENTATIVE	C115
15	R031C	INSTITUTION HUMAN RESOURCES COORDINATOR	C115
16	E050C	LIBRARY SUPERVISOR	C115
17	Q124C	LIBRARY TECHNICAL ASSISTANT	C115
18	L062C	LICENSED PRACTICAL NURSE SUPERVISOR	C115
19	S033C	MAINTENANCE SUPERVISOR	C115
20	C028C	MEDICAL RECORDS SUPERVISOR	C115
21	L061C	MEDICAL TECHNOLOGIST	C115
22	A090C	PAYROLL SERVICES SPECIALIST	C115
23	S032C	PRINT SHOP SUPERVISOR	C115
24	V015C	PURCHASING SPECIALIST	C115
25	M055C	SAU DIRECTOR OF HOUSEKEEPING	C115
26	S031C	SKILLED TRADESMAN	C115
27	P033C	SPECIAL EVENTS MANAGER	C115
28	C025C	STUDENT ACCOUNTS OFFICER	C115
29	S038C	TRANSIT OPERATIONS SUPERVISOR	C115
30	E049C	VOCATIONAL INSTRUCTOR	C115
31	B100C	ARCHITECTURAL DRAFTSMAN	C114
32	P043C	ARCHIVAL ASSISTANT	C114
33	S042C	ATU COLISEUM MANAGER	C114
34	S041C	BOILER OPERATOR	C114
35	P042C	BROADCAST PRODUCTION SPECIALIST	C114
36	S040C	CALIBRATION TECHNICIAN	C114

1	G215C	CAREER PLANNING & PLACEMENT SPECIALIST	C114
2	P041C	COMMERCIAL GRAPHIC ARTIST	C114
3	D085C	COMMUNICATIONS SUPERVISOR	C114
4	D084C	COMPUTER OPERATOR	C114
5	D083C	DIGITAL BROADCAST TECHNICIAN	C114
6	S044C	FOOD PREPARATION MANAGER	C114
7	G214C	GRANTS SPECIALIST	C114
8	Q127C	HELP DESK COORDINATOR	C114
9	P040C	HISTORICAL RESEARCHER	C114
10	P039C	INSTITUTIONAL PRINTER	C114
11	E052C	LIBRARIAN	C114
12	D082C	NETWORK ANALYST	C114
13	M066C	PROGRAM ELIGIBILITY SPECIALIST	C114
14	T067C	PUBLIC SAFETY OFFICER II	C114
15	L064C	RADIOLOGY TECHNICIAN	C114
16	X151C	SAFETY SUPERVISOR	C114
17	E051C	STAFF DEVELOPMENT SPECIALIST	C114
18	S099C	STATIONARY ENGINEER	C114
19	A093C	STATISTICIAN	C114
20	M062C	STUDENT UNION NIGHT MANAGER	C114
21	G213C	TECHNICAL INSTITUTE PROGRAM SPECIALIST	C114
22	D081C	TELECOMMUNICATIONS SPECIALIST	C114
23	S039C	TELEVISION PROGRAM SPECIALIST	C114
24	V018C	WAREHOUSE MANAGER	C114
25	C050C	ADMINISTRATIVE SUPPORT SUPERVISOR	C113
26	S048C	ASST RESTAURANT MANAGER	C113
27	E053C	AUDIOVISUAL AIDS SUPV	C113
28	A096C	COLLECTION OFFICER	C113
29	P049C	COMMERCIAL ARTIST I/GRAPHIC ART I	C113
30	T079C	FACILITY MANAGER II	C113
31	C051C	FINANCIAL AID SPECIALIST	C113
32	R036C	HUMAN RESOURCES SPECIALIST	C113
33	V020C	INVENTORY CONTROL MANAGER	C113
34	S047C	LANDSCAPE SUPERVISOR	C113
35	C046C	LEGAL SUPPORT SPECIALIST	C113
36	L069C	LICENSED PRACTICAL NURSE	C113

1	S049C	LODGE HOUSEKEEPING SUPERVISOR	C113
2	G219C	LOGISTICS MANAGER	C113
3	S046C	MAINTENANCE TECHNICIAN	C113
4	C044C	MEDICAL BILLING SPECIALIST	C113
5	L068C	MEDICAL DIAGNOSTIC ANALYST	C113
6	P048C	MULTI-MEDIA SPECIALIST	C113
7	P047C	MUSEUM REGISTRAR	C113
8	R035C	PERSONNEL ASSISTANT II - INST	C113
9	P046C	PHOTOGRAPHER	C113
10	S045C	PRINTING ESTIMATOR/PLANNER	C113
11	P045C	PUBLIC INFORMATION TECHNICIAN	C113
12	C043C	RECORDS MANAGEMENT ANALYST	C113
13	T072C	SECURITY OFFICER SUPERVISOR	C113
14	G218C	STUDENT RECRUITMENT SPECIALIST	C113
15	V019C	SURPLUS PROPERTY SPECIALIST	C113
16	C057C	ADMINISTRATION SUPPORT SPECIALIST	C112
17	C056C	ADMINISTRATIVE SPECIALIST III	C112
18	C055C	ASSISTANT BOOKSTORE MANAGER	C112
19	P054C	ASST LODGE SALES DIRECTOR	C112
20	S053C	AUTO/DIESEL MECHANIC	C112
21	R037C	BENEFITS TECHNICIAN	C112
22	A099C	CREDIT & COLLECTIONS SUPV	C112
23	E055C	DAY CARE TEACHER	C112
24	T080C	DIRECTOR TRANSIT & PARKING	C112
25	B105C	FARM FOREMAN - INST	C112
26	A098C	FISCAL SUPPORT SPECIALIST	C112
27	S052C	HEAVY EQUIPMENT SPECIALIST	C112
28	S051C	INSTRUMENTATION TECHNICIAN	C112
29	S050C	MAINTENANCE SPECIALIST	C112
30	C053C	MEDICAL RECORDS TECHNICIAN	C112
31	A097C	PAYROLL TECHNICIAN	C112
32	X173C	PEST CONTROL TECHNICIAN SUPERVISOR	C112
33	V022C	PURCHASING TECHNICIAN	C112
34	M072C	RECREATION COORDINATOR	C112
35	B106C	RESEARCH ASSISTANT	C112
36	P053C	SPECIAL EVENTS COORDINATOR	C112

1	P052C	SPORTS INFORMATION SPECIALIST	C112
2	V021C	SURPLUS PROPERTY AGENT	C112
3	P051C	THEATER ARTS TECHNICAL SUPERVISOR	C112
4	C060C	ALUMNI AFFAIRS SPECIALIST	C111
5	S055C	ATHLETIC FACILITY SUPV	C111
6	M077C	COORDINATOR OF HOUSEKEEPING	C111
7	T085C	FACILITY MANAGER I	C111
8	S056C	FOOD PREPARATION SUPERVISOR	C111
9	D089C	INFORMATION TECHNOLOGY ASSISTANT	C111
10	B108C	LABORATORY COORDINATOR	C111
11	E058C	LIBRARY SPECIALIST	C111
12	X177C	PEST CONTROL TECHNICIAN	C111
13	S054C	PRINTER	C111
14	M075C	RESIDENT HALL SPECIALIST	C111
15	M074C	RESIDENTIAL ADVISOR	C111
16	V023C	STOREROOM SUPERVISOR	C111
17	M078C	VOLUNTEER SERVICES COORDINATOR	C111
18	C065C	ADMISSIONS ANALYST SUPERVISOR	C110
19	L092C	ATHLETIC TRAINER	C110
20	R039C	BENEFITS SPECIALIST	C110
21	C064C	BOOKSTORE OFFICE MANAGER	C110
22	D092C	CALL CENTER SPECIALIST	C110
23	C063C	CAMPUS POSTMASTER	C110
24	X181C	COLLECTOR	C110
25	D091C	COMPUTER LAB TECHNICIAN	C110
26	S058C	EQUIPMENT MECHANIC	C110
27	B120C	FARM MAINTENANCE MECHANIC	C110
28	L077C	HEALTH SERVICES SPECIALIST II	C110
29	L076C	HOSPITAL PROGRAM SERVICES ASSISTANT	C110
30	R038C	HUMAN RESOURCES ASSISTANT	C110
31	B111C	LABORATORY TECHNICIAN	C110
32	S057C	LANDSCAPE SPECIALIST	C110
33	P057C	LIVESTOCK NEWS REPORTER	C110
34	A100C	PAYROLL OFFICER	C110
35	T084C	PUBLIC SAFETY SECURITY OFFICER	C110
36	P055C	SPECIAL EVENTS SUPERVISOR	C110



1	C061C	STUDENT ACCOUNT SPECIALIST	C110
2	G221C	VEHICLE FACILITIES COORD	C110
3	V025C	WAREHOUSE SPECIALIST	C110
4	A101C	ACCOUNTING TECHNICIAN	C109
5	C073C	ADMINISTRATIVE SPECIALIST II	C109
6	C072C	ADMINISTRATIVE SUPPORT SPECIALIST	C109
7	C071C	ADMISSIONS ANALYST	C109
8	P059C	BROADCAST ANNOUNCER	C109
9	L082C	CERTIFIED NURSING ASSISTANT	C109
10	L081C	DENTAL ASSISTANT	C109
11	L080C	DIETETIC TECHNICIAN	C109
12	C070C	DUPLICATION ASSISTANT	C109
13	B112C	GREENHOUSE TECHNICIAN	C109
14	S060C	HEAVY EQUIPMENT OPERATOR	C109
15	L079C	HOSPITAL TECHNICIAN	C109
16	S063C	INNKEEPER SPECIALIST	C109
17	S062C	INSTITUTIONAL BUS DRIVER	C109
18	C069C	LIBRARY TECHNICIAN	C109
19	C066C	PATIENT ACCOUNT SPECIALIST	C109
20	B113C	RESEARCH TECHNICIAN	C109
21	C068C	RETAIL SPECIALIST	C109
22	M080C	STUDENT UNION SECTION MANAGER	C109
23	E056C	TEACHER ASSISTANT	C109
24	M079C	WORK STUDY COORD	C109
25	C079C	ADMISSIONS SPECIALIST	C108
26	C078C	CASHIER	C108
27	C077C	COOP EXTENSION SRV PRG ASST	C108
28	A102C	FISCAL SUPPORT TECHNICIAN	C108
29	S068C	FOOD PREPARATION COORDINATOR	C108
30	S067C	HOUSEKEEPER SUPERVISOR	C108
31	V027C	INVENTORY CONTROL TECHNICIAN	C108
32	S066C	LANDSCAPE TECHNICIAN	C108
33	S065C	MAINTENANCE ASSISTANT	C108
34	C074C	MEDICAL RECORDS ASSISTANT	C108
35	<i>P060C</i>	<i>MULTI-MEDIA TECHNICIAN</i>	<i>C108</i>
36	<i>B114C</i>	<i>RESEARCH FIELD TECHNICIAN</i>	<i>C108</i>
37	S064C	SKILLED TRADES HELPER	C108

1	S070C	EQUIPMENT TECHNICIAN	C107
2	T086C	FIRE & SAFETY COORDINATOR	C107
3	S073C	HOUSEKEEPER	C107
4	S071C	INSTITUTIONAL SERVICES SHIFT SUPV	C107
5	C085C	LIBRARY SUPPORT ASSISTANT	C107
6	C083C	MAIL SERVICES COORDINATOR	C107
7	C084C	MAIL SERVICES SPECIALIST	C107
8	S069C	RADIO DISPATCH OPERATOR	C107
9	C082C	REGISTRAR'S ASSISTANT	C107
10	S074C	RESIDENT HALL MANAGER I	C107
11	C087C	ADMINISTRATIVE SPECIALIST I	C106
12	B115C	AGRI FARM TECHNICIAN	C106
13	B116C	AGRI LABORATORY TECHNICIAN	C106
14	S075C	ATHLETIC EQUIPMENT SUPV	C106
15	E057C	AUDIOVISUAL LABORATORY ASSISTANT	C106
16	T089C	HE PUBLIC SAFETY DISPATCHER	C106
17	S077C	INNKEEPER ASSISTANT	C106
18	T088C	PARKING CONTROL SUPV	C106
19	V029C	PURCHASING ASSISTANT	C106
20	M089C	RESIDENTIAL CARE ASSISTANT	C106
21	T087C	SECURITY OFFICER	C106
22	P063C	SPECIAL EVENTS WORKER	C106
23	V028C	WAREHOUSE WORKER	C106
24	B117C	ACADEMIC LABORATORY ASSISTANT	C105
25	S081C	APPRENTICE TRADESMAN	C105
26	M086C	CHILD CARE TECHNICIAN	C105
27	S080C	EQUIPMENT OPERATOR	C105
28	C089C	LIBRARY TECHNICAL ASSISTANT	C105
29	C088C	MAIL SERVICES ASSISTANT	C105
30	T090C	PARKING CONTROL OFFICER	C105
31	S079C	REPROD EQUIPMENT OPERATOR	C105
32	V030C	SHIPPING & RECEIVING CLERK	C105
33	S078C	STADIUM MAINTENANCE SUPV	C105
34	S083C	BAKER	C104
35	M085C	CAREGIVER	C104
36	S086C	COOK	C104

1	B118C	FARM WORKER	C104
2	S085C	FOOD PREPARATION SPECIALIST	C104
3	S084C	INSTITUTIONAL SERVICES SUPERVISOR	C104
4	S087C	INSTITUTIONAL SERVICES ASSISTANT	C103
5	B119C	LAB ASSISTANT	C103
6	S089C	FOOD PREPARATION TECHNICIAN	C102
7	S088C	KITCHEN ASSISTANT	C102
8	V031C	STOCK CLERK	C102
9	C093C	EXTRA HELP ASSISTANT	C101
10	T091C	WATCHMAN	C101

11

12 21-5-1407. Compensation plan.

13 (a) There is established for institutions of higher education covered  
 14 by this subchapter a compensation plan for the setting of salaries and salary  
 15 increases, when deserved, of all employees serving in positions covered by  
 16 this subchapter.

17 (b)(1) No employee shall be paid at a rate of pay higher than the  
 18 appropriate rate in the grade assigned to his or her class, and no employee  
 19 shall be paid more than the highest pay level established for the employee's  
 20 grade unless otherwise provided for in this subchapter.

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

24 (c) It is the intent of the General Assembly to authorize, in the  
 25 enactment of the compensation plans, rates of pay for each of the appropriate  
 26 grades assigned to a class, but it is not the intent of the General Assembly  
 27 that any pay increases be automatic or that any employee have a claim or a  
 28 right to pay increases unless the head of the institution determines that the  
 29 employee, by experience, ability, and work performance, is eligible for the  
 30 increase in pay authorized for the grade assigned by classification to the  
 31 employee's position.

32 (d) Pay levels established in this subchapter are for compensation  
 33 management purposes and are not to be construed as a contract, right, or  
 34 other expectation of actual employee salary determination.

35 (e)(1) The following grades and pay levels are the authorized career  
 36 service pay plan, effective July 1, 2017, and thereafter, for the state

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

	<u>GRADE</u>	<u>ENTRY</u>	<u>BASE</u>	<u>MID-POINT</u>	<u>MAXIMUM</u>	<u>CAREER</u>
8	<u>C101</u>	<u>\$15,080</u>	<u>\$15,683</u>	<u>\$18,663</u>	<u>\$21,643</u>	<u>\$23,374</u>
9	<u>C102</u>	<u>\$15,512</u>	<u>\$16,467</u>	<u>\$19,761</u>	<u>\$23,054</u>	<u>\$24,899</u>
10	<u>C103</u>	<u>\$16,288</u>	<u>\$17,291</u>	<u>\$20,922</u>	<u>\$24,553</u>	<u>\$26,517</u>
11	<u>C104</u>	<u>\$17,102</u>	<u>\$18,155</u>	<u>\$22,149</u>	<u>\$26,144</u>	<u>\$28,235</u>
12	<u>C105</u>	<u>\$17,957</u>	<u>\$19,063</u>	<u>\$23,448</u>	<u>\$27,832</u>	<u>\$30,059</u>
13	<u>C106</u>	<u>\$18,855</u>	<u>\$20,016</u>	<u>\$24,820</u>	<u>\$29,624</u>	<u>\$31,994</u>
14	<u>C107</u>	<u>\$19,798</u>	<u>\$21,017</u>	<u>\$26,271</u>	<u>\$31,525</u>	<u>\$34,048</u>
15	<u>C108</u>	<u>\$20,788</u>	<u>\$22,068</u>	<u>\$27,805</u>	<u>\$33,543</u>	<u>\$36,227</u>
16	<u>C109</u>	<u>\$21,827</u>	<u>\$23,171</u>	<u>\$29,427</u>	<u>\$35,684</u>	<u>\$38,538</u>
17	<u>C110</u>	<u>\$22,919</u>	<u>\$24,330</u>	<u>\$31,142</u>	<u>\$37,954</u>	<u>\$40,991</u>
18	<u>C111</u>	<u>\$24,065</u>	<u>\$25,546</u>	<u>\$32,955</u>	<u>\$40,363</u>	<u>\$43,592</u>
19	<u>C112</u>	<u>\$25,268</u>	<u>\$26,824</u>	<u>\$34,871</u>	<u>\$42,918</u>	<u>\$46,351</u>
20	<u>C113</u>	<u>\$26,531</u>	<u>\$28,165</u>	<u>\$36,614</u>	<u>\$45,064</u>	<u>\$48,669</u>
21	<u>C114</u>	<u>\$27,858</u>	<u>\$29,573</u>	<u>\$38,445</u>	<u>\$47,317</u>	<u>\$51,102</u>
22	<u>C115</u>	<u>\$29,251</u>	<u>\$31,052</u>	<u>\$40,367</u>	<u>\$49,683</u>	<u>\$53,657</u>
23	<u>C116</u>	<u>\$30,713</u>	<u>\$32,604</u>	<u>\$42,386</u>	<u>\$52,167</u>	<u>\$56,340</u>
24	<u>C117</u>	<u>\$32,249</u>	<u>\$34,234</u>	<u>\$44,505</u>	<u>\$54,775</u>	<u>\$59,157</u>
25	<u>C118</u>	<u>\$33,861</u>	<u>\$35,946</u>	<u>\$46,730</u>	<u>\$57,514</u>	<u>\$62,115</u>
26	<u>C119</u>	<u>\$35,554</u>	<u>\$37,743</u>	<u>\$49,067</u>	<u>\$60,390</u>	<u>\$65,221</u>
27	<u>C120</u>	<u>\$37,332</u>	<u>\$39,631</u>	<u>\$51,124</u>	<u>\$62,616</u>	<u>\$67,626</u>
28	<u>C121</u>	<u>\$39,199</u>	<u>\$41,612</u>	<u>\$53,264</u>	<u>\$64,915</u>	<u>\$70,108</u>
29	<u>C122</u>	<u>\$41,159</u>	<u>\$43,693</u>	<u>\$55,490</u>	<u>\$67,287</u>	<u>\$72,670</u>
30	<u>C123</u>	<u>\$43,217</u>	<u>\$45,877</u>	<u>\$57,806</u>	<u>\$69,734</u>	<u>\$75,312</u>
31	<u>C124</u>	<u>\$45,377</u>	<u>\$48,171</u>	<u>\$60,214</u>	<u>\$72,257</u>	<u>\$78,038</u>
32	<u>C125</u>	<u>\$47,646</u>	<u>\$50,580</u>	<u>\$62,719</u>	<u>\$74,858</u>	<u>\$80,847</u>
33	<u>C126</u>	<u>\$50,029</u>	<u>\$53,109</u>	<u>\$65,324</u>	<u>\$77,539</u>	<u>\$83,742</u>
34	<u>C127</u>	<u>\$52,530</u>	<u>\$55,764</u>	<u>\$68,032</u>	<u>\$80,301</u>	<u>\$86,725</u>
35	<u>C128</u>	<u>\$55,156</u>	<u>\$58,553</u>	<u>\$70,849</u>	<u>\$83,145</u>	<u>\$89,796</u>
36	<u>C129</u>	<u>\$57,914</u>	<u>\$61,480</u>	<u>\$73,776</u>	<u>\$86,072</u>	<u>\$92,958</u>

1 C130 \$60,810 \$64,554 \$76,819 \$89,085 \$96,212

2

3 (2) The following grades and pay levels are the authorized  
 4 professional and executive pay plan, effective July 1, 2017, and thereafter,  
 5 for the state service for all positions of institutions covered by this  
 6 subchapter to which a classification title and professional and executive  
 7 salary grade have been assigned in accordance with this subchapter and the  
 8 appropriation act of the institution:

9

10	<u>GRADE</u>	<u>BASE</u>	<u>MIDPOINT</u>	<u>MAXIMUM</u>
11	<u>N901</u>	<u>\$65,000</u>	<u>\$73,125</u>	<u>\$81,250</u>
12	<u>N902</u>	<u>\$67,600</u>	<u>\$76,050</u>	<u>\$84,500</u>
13	<u>N903</u>	<u>\$70,304</u>	<u>\$79,092</u>	<u>\$87,880</u>
14	<u>N904</u>	<u>\$73,116</u>	<u>\$82,256</u>	<u>\$91,395</u>
15	<u>N905</u>	<u>\$76,041</u>	<u>\$85,546</u>	<u>\$95,051</u>
16	<u>N906</u>	<u>\$79,082</u>	<u>\$88,968</u>	<u>\$98,853</u>
17	<u>N907</u>	<u>\$82,246</u>	<u>\$92,526</u>	<u>\$102,807</u>
18	<u>N908</u>	<u>\$85,536</u>	<u>\$96,228</u>	<u>\$106,919</u>
19	<u>N909</u>	<u>\$88,957</u>	<u>\$100,077</u>	<u>\$111,196</u>
20	<u>N910</u>	<u>\$92,515</u>	<u>\$104,080</u>	<u>\$115,644</u>
21	<u>N911</u>	<u>\$96,216</u>	<u>\$108,243</u>	<u>\$120,270</u>
22	<u>N912</u>	<u>\$100,065</u>	<u>\$112,573</u>	<u>\$125,081</u>
23	<u>N913</u>	<u>\$104,067</u>	<u>\$117,075</u>	<u>\$130,084</u>
24	<u>N914</u>	<u>\$108,230</u>	<u>\$121,759</u>	<u>\$135,287</u>
25	<u>N915</u>	<u>\$112,559</u>	<u>\$126,629</u>	<u>\$140,699</u>
26	<u>N916</u>	<u>\$117,061</u>	<u>\$131,694</u>	<u>\$146,327</u>
27	<u>N917</u>	<u>\$122,914</u>	<u>\$138,279</u>	<u>\$153,643</u>
28	<u>N918</u>	<u>\$130,289</u>	<u>\$146,575</u>	<u>\$162,862</u>
29	<u>N919</u>	<u>\$139,410</u>	<u>\$156,836</u>	<u>\$174,262</u>
30	<u>N920</u>	<u>\$150,562</u>	<u>169,383</u>	<u>\$188,203</u>
31	<u>N921</u>	<u>\$164,113</u>	<u>\$184,627</u>	<u>\$205,141</u>
32	<u>N922</u>	<u>\$180,524</u>	<u>\$203,090</u>	<u>\$225,655</u>

33

34 (f) It is the intent of the General Assembly that the compensation  
 35 plans in this section shall be implemented and function in compliance with  
 36 other provisions in this subchapter and other fiscal control laws of this

1 state, when applicable.

2  
3 21-5-1408. Implementation of plan – Changes in class specifications.

4 (a) For the purposes of implementing the higher education uniform  
5 classification and compensation plan for the institutions of higher education  
6 covered by this subchapter, the General Assembly determines that the class  
7 specifications prepared by the Department of Higher Education in classifying  
8 the positions authorized in the appropriation act of each institution be the  
9 class specifications to be followed in implementing the respective  
10 appropriations for all part-time and full-time employees of the institutions  
11 covered by this subchapter.

12 (b) Changes in class specifications may be made, in whole or in part,  
13 by rule of the department, and the changes shall be reported on a quarterly  
14 basis to the Legislative Council.

15  
16 21-5-1409. Implementation procedure for grade changes – Salary  
17 adjustments.

18 (a) The Department of Higher Education has administrative  
19 responsibility for enforcing compliance by institutions of higher education  
20 affected by this subchapter in implementing classification and grade changes.

21 (b)(1)(A) The maximum annual salary for which an employee covered by  
22 this subchapter is eligible on July 1, 2017, shall be determined by  
23 increasing the salary of the employee as it existed on June 30, 2017:

24 (i) By a percentage up to two percent (2%) with  
25 written approval by the Director of the Department of Higher Education; or

26 (ii) More than two percent (2%) only with written  
27 approval of director after review by the Legislative Council or, if the  
28 General Assembly is in session, the Joint Budget Committee.

29 (B) The salary increase may be established as an increase  
30 to the employee's salary or as a lump sum.

31 (2) The salary increase authorized by subdivision (b)(1) of this  
32 section shall not allow an employee's compensation to exceed the maximum pay  
33 level amount set out for the position unless the employee is eligible for the  
34 career pay level as established in § 21-5-1410.

35 (3) If an employee does not meet the service requirements in §  
36 21-5-1410, the increase shall be paid as a lump sum on the last pay period of

1 the fiscal year of the year in which the increase is to occur.

2 (4)(A) An employee compensated at the highest pay level  
3 authorized for the grade assigned to his or her classification may receive  
4 the July 1, 2017 salary increase authorized in this section as a lump-sum  
5 payment.

6 (B) However, the salary increase shall be paid as a lump  
7 sum on the last pay period of the 2018 fiscal year, and the payment shall not  
8 be construed as exceeding the maximum pay level described in subdivision  
9 (b)(2) of this section.

10 (c)(1) An employee covered by this subchapter is eligible for an  
11 additional salary increase or lump-sum payment of two percent (2%) each  
12 fiscal year upon approval by the director if:

13 (A) The director determines that sufficient revenues  
14 become available; and

15 (B) The additional salary increase of two percent (2%)  
16 does not result in an employee's compensation exceeding the maximum pay level  
17 amount set out for the position unless the employee is eligible for the  
18 career pay level on the career service pay plan as established in § 21-5-  
19 1410.

20 (2)(A) An employee compensated at the highest pay level rate  
21 authorized for his or her classification is eligible to receive the salary  
22 increase of two percent (2%) authorized in this section as a lump-sum  
23 payment.

24 (B) However, the increase shall be paid as a lump sum on  
25 the last pay period of the fiscal year of the year in which the increase is  
26 to occur, and the payment shall not be construed as exceeding the maximum  
27 salary under subdivision (b)(2) of this section.

28 (d) Salary adjustments made by the director under this section shall  
29 be reported to the Legislative Council or, if the General Assembly is in  
30 session, the Joint Budget Committee.

31 (e) All percentage calculations stipulated in this subchapter or any  
32 other law affecting salaries of employees of institutions of higher education  
33 may be rounded to the nearest even-dollar amount by the Department of Higher  
34 Education when making the increases to employee salaries as provided under  
35 subdivision (b)(1) of this section.

36

1 21-5-1410. New appointments - Other compensation plan provisions.

2 (a) A new appointment to a position in an institution of higher  
3 education covered by this subchapter shall not be compensated at a rate of  
4 pay greater than the base pay level established for the grade of the position  
5 unless a special rate of pay is requested and approved as follows:

6 (1)(A) An institution may request a special rate of pay for  
7 either a current or prospective employee within the institution if:

8 (i) Prevailing market rates of pay for a specific  
9 classification title are such that the institution is unable to competitively  
10 recruit at the base pay level for the grade assigned to that classification;

11 (ii) An acute shortage of qualified applicants for a  
12 position within a specific classification exists;

13 (iii) The institution desires to obtain the services  
14 of an exceptionally well-qualified applicant for a specific position;

15 (iv) The institution desires to retain trained,  
16 competent employees; or

17 (v) It enables the institution to meet any  
18 requirements of state or federal laws.

19 (B)(i) An institution may request a special rate of pay  
20 for a specific classification due to prevailing market rates of pay to hire a  
21 new employee up to the midpoint pay level of the appropriate grade of a  
22 classification on the appropriate pay plan with the written approval of the  
23 Director of the Department of Higher Education.

24 (ii) An institution may request a special rate of  
25 pay for a specific classification due to prevailing market rates of pay to  
26 hire a new employee up to the maximum pay level annual rate authorized for  
27 the grade assigned to a classification only with the approval of the director  
28 after review by the Legislative Council or, if the General Assembly is in  
29 session, the Joint Budget Committee.

30 (iii) A special rate of pay shall not be approved  
31 under this section unless the classification is properly reviewed and the  
32 special rate of pay is approved as a market-rate classification for the grade  
33 and listed on a register of such pay levels by classification maintained by  
34 the Department of Higher Education.

35 (iv) The department shall file a report of all such  
36 classifications with the Legislative Council, or if the General Assembly is



1 in session, the Joint Budget Committee within the month following the  
2 approval.

3 (C)(i) If a special rate of pay has been approved for a  
4 position within a specific classification due to prevailing market rates of  
5 pay or an acute shortage of qualified applicants, current employees within  
6 the institution assigned to the affected classification may be compensated at  
7 the new approved rate of pay by the institution upon written approval by the  
8 director.

9 (ii) The department shall file a report of all the  
10 employee salary adjustments under subdivision (a)(1)(C)(i) of this section  
11 with the Legislative Council or, if the General Assembly is in session, the  
12 Joint Budget Committee, within the month following the approval; or

13 (2)(A) An institution may request a special rate of pay for a  
14 specific individual applicant due to exceptional qualifications to hire a new  
15 employee at a salary level up to and including the midpoint pay level of the  
16 appropriate pay grade of a specific position with the written approval of the  
17 director and up to the maximum pay level of the appropriate grade with the  
18 approval of the director after review by the Legislative Council or, if the  
19 General Assembly is in session, the Joint Budget Committee.

20 (B) An institution may request a special rate of pay to  
21 retain a trained, competent employee at a salary level up to and including  
22 the midpoint pay level of the appropriate pay grade of a specific position  
23 with the written approval of the director and up to the maximum pay level of  
24 the appropriate grade with the approval of the director after review by the  
25 Legislative Council or, if the General Assembly is in session, the Joint  
26 Budget Committee.

27 (C) This subdivision (a)(2) applies only for the:

28 (i) Hiring of an exceptionally well-qualified  
29 applicant whose background and experience qualify the applicant to perform  
30 the job with very little or substantially less orientation and training than  
31 would be the case for another qualified applicant; or

32 (ii) Retention of a trained, competent employee.

33 (D) Requests by an institution for a special rate of pay  
34 for a position based on the exceptional qualifications of a prospective  
35 employee may be approved if the:

36 (i) Institution has documented to the satisfaction

1 of the director that no current employee of the affected institution applied  
2 for the position and who was determined by the institution to not be an  
3 equivalent alternative to the exceptionally well-qualified applicant. The  
4 director shall supply upon request any supporting documentation to the  
5 Legislative Council or, if the General Assembly is in session, the Joint  
6 Budget Committee; and

7 (ii) Prospective employee possesses a level of  
8 experience or educational credentials that would permit him or her to perform  
9 the duties and responsibilities of the position for which the special rate is  
10 requested with significantly less training and orientation than all other  
11 qualified applicants.

12 (E) The hiring of a new employee under this subdivision  
13 (a)(2) shall not affect the salary level or salary eligibility of any current  
14 employee within the institution.

15 (F)(i) This section applies to both prospective and  
16 current employees of institutions.

17 (ii) Except as provided in subdivision (a)(2)(B) of  
18 this section, this section applies only to current employees in positions in  
19 which the position has been advertised and the employee has competitively  
20 applied for the position by submitting an application with an institution for  
21 consideration for the position. Otherwise, employees shall be compensated in  
22 accordance with subsection (d) of this section.

23 (b) If approval has been granted to a requesting institution for a  
24 special rate of pay at or below the midpoint pay level under this section,  
25 the director shall report all approvals monthly to the Legislative Council  
26 or, if the General Assembly is in session, the Joint Budget Committee.

27 (c) An employee who is compensated at the maximum pay level in a  
28 position assigned to the career service pay plan is eligible for salary  
29 adjustments authorized in this subchapter as an addition to his or her base  
30 salary up to the career pay level if the:

31 (1) Employee meets or exceeds the eligibility requirements  
32 approved by the department after review by the Legislative Council or, if the  
33 General Assembly is in session, the Joint Budget Committee, which shall  
34 include at a minimum:

35 (A) Fifteen (15) cumulative years of full-time equivalent  
36 state service that may be in either classified or nonclassified regular

1 positions but not in extra-help positions; and

2 (B) A performance evaluation rating at or above the  
3 satisfactory level for the preceding rating period; and

4 (2) Additional salary increase does not result in the employee's  
5 annual salary's exceeding the career pay level for the grade by  
6 classification of the employee's position.

7 (d)(1) An employee promoted on or after July 1, 2017, to a position of  
8 a higher grade, may receive a maximum annual salary increase of up to ten  
9 percent (10%).

10 (2)(A) An employee who upon promotion receives an annual salary  
11 below the lowest entry pay level established for the new grade may be  
12 adjusted to that lowest entry pay level for that grade.

13 (B) However, an employee's annual salary upon promotion  
14 shall not exceed the highest pay level of the grade assigned to the  
15 classification, unless the employee is eligible for career pay level on the  
16 career service pay plan as established in subdivision (c)(1) of this section.

17 (e)(1) When an employee is demoted for cause or voluntarily solicits a  
18 demotion, his or her rate of pay shall be fixed in the lower-graded position  
19 at a rate equal to ten percent (10%) less than the employee's rate of pay at  
20 the time of demotion for demotions of one (1) or more grades on the career  
21 service pay plan or on the professional and executive pay plan.

22 (2) If the employee's salary falls below the lowest entry pay  
23 level of the new grade upon demotion, his or her annual salary may be  
24 adjusted to that lowest entry level for that grade.

25 (3) An employee's annual salary upon a demotion shall not exceed  
26 the highest pay level within the grade assigned to the classification, unless  
27 the employee is eligible for the career pay level on the career pay service  
28 pay plan under this section.

29 (f)(1) An employee who returns to a position within a classification  
30 the employee formerly occupied within a twelve-month period after promotion  
31 from the classification is eligible for an annual salary no greater than that  
32 for which the employee would have been eligible had the employee remained in  
33 the lower-graded classification.

34 (2) An employee who is placed in a lower-graded position on  
35 either compensation plan because the original position has expired due to  
36 lack of funding, program changes, or withdrawal of federal grant funds may

1 continue to be paid at the same rate as the employee was being paid in the  
2 higher-graded position upon approval of the department after seeking the  
3 review of the Legislative Council or, if the General Assembly is in session,  
4 the Joint Budget Committee.

5 (g)(1) If an employee has been terminated for more than thirty (30)  
6 working days returns to a position within the institution, the institution  
7 may offer up to the employee's last annual salary not to exceed the maximum  
8 pay level established for the grade.

9 (2) A former institution employee may return as a new employee  
10 should this section provide a lower annual salary than he or she could  
11 otherwise receive upon entering state service.

12 (h) Upon transfer of employment from one institution to another, an  
13 employee shall receive a lump-sum payment from the original institution for  
14 any overtime that has been accrued and not paid and for any compensatory time  
15 accrued that has not been used at the final regular rate of pay received by  
16 the employee.

17  
18 21-5-1411. Shift differential.

19 (a)(1) Upon the approval of the Department of Higher Education, an  
20 employee whose working hours do not conform to normal state business hours  
21 shall be eligible for additional compensation up to twelve percent (12%) of  
22 the hourly rate for which he or she is eligible under this subchapter as a  
23 shift differential if:

24 (A) The institution of higher education routinely  
25 schedules more than one (1) work shift per day;

26 (B) The shift to which the employee is assigned is a full  
27 work shift; and

28 (C) The employee is regularly assigned to the late shift  
29 or is assigned to the shift on a regularly scheduled rotating basis.

30 (2) An employee assigned to an evening shift shall not receive  
31 additional compensation that exceeds six percent (6%) above that for which he  
32 or she is eligible under this subchapter.

33 (3) An employee assigned to a night shift shall not receive  
34 additional compensation that exceeds twelve percent (12%) above that for  
35 which he or she is eligible under this subchapter.

36 (4)(A) An employee at or near the maximum authorized salary

1 level for the grade assigned to his or her classification may be compensated  
2 at an additional rate not to exceed twelve percent (12%) of his or her  
3 eligible salary under this subchapter.

4 (B) When granting additional compensation has the effect  
5 of temporarily exceeding the highest pay level for the grade assigned to the  
6 employee's classification, the additional compensation shall not be construed  
7 as exceeding the highest pay level for that grade.

8 (b)(1) A person employed in areas providing critical support, custody,  
9 and care to designated client service units at state-operated inpatient  
10 hospital facilities, at state-operated human development centers, and at  
11 maximum security units at correctional facilities during weekend hours is  
12 eligible to receive up to twenty percent (20%) of the hourly rate for which  
13 he or she is eligible under this subchapter paid as a shift or weekend  
14 differential.

15 (2) Designated weekend hours begin no earlier than 2:30 p.m. on  
16 Friday and end no later than 8:00 a.m. on the following Monday.

17 (c)(1) If a facility uses shifts other than traditional eight-hour  
18 shifts, a shift differential may be paid for those shifts exceeding the  
19 normal day shift of the facility.

20 (2) If shift and weekend differentials are provided to an  
21 employee, the total compensation may exceed the highest pay level for the  
22 grade for those positions included in this subchapter.

23 (3)(A) The institution shall identify the shifts, job  
24 classifications, and positions to be eligible for the shift differential and  
25 the differential percentage for which each classification is eligible within  
26 each shift.

27 (B) The shift schedule, classifications, positions, and  
28 the percentage of shift differential for which the class titles are eligible  
29 shall be submitted to the department for approval by the Director of the  
30 Department of Higher Education.

31 (C) Subsequent changes to the shift schedule,  
32 classifications, grades, positions, and shift differential percentages shall  
33 receive prior approval by the director.

34 (d) An employee who is receiving additional compensation under this  
35 section and then is reassigned to a normal shift shall revert on the day of  
36 the reassignment to the rate of pay for which he or she is eligible under

1 this subchapter.

2 (e) The department shall report all shift differential approvals to  
3 the Legislative Council or, if the General Assembly is in session, the Joint  
4 Budget Committee.

5  
6 21-5-1412. Compensation differentials.

7 (a) To address specific employee compensation needs not otherwise  
8 provided for in this subchapter, an institution of higher education may pay  
9 additional compensation for current employees in specific positions or for  
10 classifications of positions assigned to a compensation plan authorized by  
11 the General Assembly for one (1) or more compensation differentials.

12 (b)(1) Authorization for one (1) or more compensation differentials  
13 may be approved if the:

14 (A) Institution has documented the need for a compensation  
15 differential for specified positions or classifications;

16 (B) Institution submits a plan of the terms and conditions  
17 for eligibility that directly address the needs of the targeted positions or  
18 classifications for any requested compensation differential;

19 (C) Cost of implementing and maintaining a compensation  
20 differential is within the institution's existing appropriation and shall not  
21 be implemented using funds specifically set aside for other programs within  
22 the institution; and

23 (D) Compensation differential plan has been approved by  
24 the Department of Higher Education after review by the Legislative Council  
25 or, if the General Assembly is in session, the Joint Budget Committee.

26 (2) Any compensation differential authorized under this section  
27 shall be renewed each fiscal year.

28 (3) The cumulative total of any compensation differentials paid  
29 to an employee shall not exceed twenty-five percent (25%) of the employee's  
30 base pay level.

31 (c)(1) Hazardous duty differential of up to six percent (6%) may be  
32 authorized for the increased risk of personal physical injury for an employee  
33 occupying a certain identified high-risk position if the:

34 (A) Position classification is determined to be physically  
35 hazardous or dangerous due to location, facility or unit, services provided,  
36 or other factors directly related to the duty assignment of the position; and

1                   (B) Employee's regularly assigned work schedule exposes  
2 him or her to clear, direct, and unavoidable hazards during at least fifty  
3 percent (50%) of the work time and the employee is not compensated for the  
4 hazardous exposure.

5                   (2)(A) The head of the requesting institution shall identify the  
6 facility or unit, location, and eligible positions and classifications within  
7 the facility that are identified as high-risk.

8                   (B) The positions shall be certified by the head of the  
9 institution as having been assigned to a work environment that poses an  
10 increased risk of personal injury and shall be submitted as part of the plan  
11 for payment of hazardous duty differential to the department for approval by  
12 the Director of the Department of Higher Education after review and approval  
13 of the Legislative Council or, if the General Assembly is in session, the  
14 Joint Budget Committee.

15                   (C) Subsequent changes to the facility or unit, location,  
16 and eligible positions or classifications within the facility or unit on file  
17 with the department shall receive prior approval by the director after review  
18 and approval of the Legislative Council or, if the General Assembly is in  
19 session, the Joint Budget Committee.

20                   (d) It is the intent of this subsection that hazardous duty  
21 compensation shall be awarded at the discretion of the director and the head  
22 of the institution and shall not be paid using funds specifically set aside  
23 for other programs within the institution.

24                   (e) An employee who is receiving additional compensation for hazardous  
25 duty and then is reassigned to normal duty shall revert on the day of the  
26 reassignment to the rate of pay for which he or she is eligible under this  
27 subchapter.

28                   (f)(1) A professional certification differential of up to six percent  
29 (6%) for job-related professional certifications for individual positions or  
30 for specific classifications within an institution may be authorized if the  
31 certification is:

32                   (A) From a recognized professional certifying organization  
33 and is determined to be directly related to the predominant purpose and use  
34 of the position or classification; and

35                   (B) Not included as a minimum qualification established or  
36 as a special requirement for the classification by the official class

1 specification.

2 (2)(A) A professional certification differential may be paid  
3 only while the certification is current and maintained by the employee and  
4 while the employee is employed in a position or a classification covered by  
5 the plan.

6 (B) Documentation of continuation or renewal of the  
7 certification of the employee is required for continuation of the  
8 certification differential.

9 (g)(1) An education differential of up to six percent (6%) for job-  
10 related education for individual positions or for specific classifications  
11 within an institution may be authorized if:

12 (A) Attainment of additional education is from an  
13 accredited institution of higher education, documented by official  
14 transcript, certificate, or degree award, and directly related to the  
15 predominant purpose and use of the position or classification; and

16 (B) The education to be compensated is not included as a  
17 special requirement or minimum qualification established for the  
18 classification by the official class specification.

19 (2) The education differential may be established as an increase  
20 to the employee's salary or as a lump sum.

21 (h) A geographic area differential of up to six percent (6%) may be  
22 authorized to address the documented inability to recruit and retain certain  
23 employees in a specific geographic area of the state if the additional  
24 geographic area differential is based on documented recruitment, turnover, or  
25 other competitive pay issue in a specific geographic area but that does not  
26 justify a statewide labor market special entry rate.

27 (i)(1) A second language differential of up to ten percent (10%) may  
28 be authorized for an employee who has the demonstrated ability and skill to  
29 communicate in a language other than English, including American Sign  
30 Language, and that skill is determined by the institution to be directly  
31 related to the effective performance of the job duties for the position  
32 occupied by the employee.

33 (2) An employee who receives additional compensation under this  
34 section and who moves into a position that does not need the skill to  
35 communicate in a language other than English shall revert on the effective  
36 date of the change to the rate of pay that the employee would otherwise



1 receive.

2 (j)(1) An on-call duty or standby duty differential may be authorized  
3 for an employee whose job requires him or her to provide services on nights,  
4 weekends, or holidays, or other situations when the institution does not have  
5 regularly scheduled staff coverage.

6 (2) An on-call duty or standby duty differential shall be used  
7 for officially scheduled duty outside of regular work hours during which an  
8 employee is required to be accessible by telephone, pager, or other means and  
9 is required to return to the designated work site upon notification of need  
10 within a specified response time.

11 (3)(A) An employee who is required to be available for duty on  
12 nights, weekends, and holidays shall be eligible to receive an on-call duty  
13 or standby duty pay equivalent of an hourly rate not to exceed twenty percent  
14 (20%) of his or her base hourly pay rate for each on-call or standby hour for  
15 not more than forty-eight (48) hours during any seven-day work period.

16 (B)(i) Compensation shall not be paid to any employee  
17 required to be on-call and standby who fails to respond after the second  
18 notification that his or her services are needed.

19 (ii) If the equipment or paging device malfunctions,  
20 the penalty shall not apply.

21 (C)(i) An employee on on-call duty or standby duty who is  
22 called in to work shall be compensated for the actual hours worked at the  
23 appropriate rate of pay with a minimum of two (2) hours for each call back.

24 (ii) The employee shall not be paid on-call or  
25 standby pay for hours actually worked during a call back.

26 (k) If granting additional compensation would have the effect of  
27 exceeding the maximum or the career pay level for the grade assigned to the  
28 employee's classification, the additional compensation shall not be construed  
29 as exceeding the maximum annual salary for that grade.

30  
31 21-5-1413. Salary administration grids.

32 (a)(1) An institution of higher education may request that a salary  
33 administration grid be approved for specific classifications of positions  
34 assigned to the career service compensation plan if the:

35 (A) Institution has documented the need for a salary  
36 administration grid for specified positions or classifications;

1                   (B) Terms and conditions of a grid proposed by the  
2 institution address the needs of the targeted positions;

3                   (C) Cost of implementing and maintaining a salary  
4 administration grid is within the institution's existing appropriation and  
5 the implementation does not use funds specifically set aside for other  
6 programs within the institution; and

7                   (D) Salary administration grid has been approved by the  
8 Director of the Department of Higher Education after review by the  
9 Legislative Council or, if the General Assembly is in session, the Joint  
10 Budget Committee.

11                  (2)(A) Special rates of pay may be authorized up to the highest  
12 pay level authorized for the grade assigned the classification of a career  
13 service position for specific classifications only.

14                  (B) An approved salary administration grid shall be used  
15 for establishing entry pay level for an employee in a position.

16                  (C) A person hired above the entry pay level shall meet or  
17 exceed the minimum qualifications for the job classification.

18                  (D) Subsequent salary determinations within a salary  
19 administration grid shall be based on the employee's qualifications, relevant  
20 competitive compensation rates, professional or educational achievements, and  
21 internal equity within the institution.

22                  (E) A plan of implementation and salary progression shall  
23 be approved by the Department of Higher Education on a biennial basis.

24                  (3) An approved salary administration grid may be amended only  
25 upon approval by the department after review by the Legislative Council or,  
26 if the General Assembly is in session, the Joint Budget Committee.

27                  (4) Compensation differentials that are included in an  
28 institution's grid plan shall not exceed rates provided in § 21-5-1412.

29                  (b)(1) A monthly report shall be made to the Legislative Council or,  
30 if the General Assembly is in session, the Joint Budget Committee, describing  
31 all personnel transactions involving applications of this section.

32                  (2) The hiring of a new employee under this section shall not  
33 affect the salary, grade, or classification of any current employee within  
34 the institution.

35                  (3) The department shall promulgate rules regarding the  
36 implementation and use of a salary administration grid with the review of the

1 Legislative Council or, if the General Assembly is in session, the Joint  
2 Budget Committee.

3  
4 21-5-1414. Extra help positions.

5 (a)(1) A position authorized as extra help in an institution of higher  
6 education shall be assigned an authorized career service classification or a  
7 professional and executive classification by the institution, and any person  
8 hired in an extra help position shall meet the minimum qualifications and any  
9 other requirements set by the class specification of the classification and  
10 grade assigned to the position.

11 (2) The rates of pay for extra help employees shall be set in  
12 accordance with and shall not exceed those provided in this subchapter for  
13 the appropriate classification.

14 (3) Extra help employees of institutions shall not exceed one  
15 thousand five hundred (1,500) hours per fiscal year as set out in § 6-63-314.

16 (b) The salary eligibility for an employee transferring or returning  
17 from an extra help position to a regular position shall be established at the  
18 minimum entry pay level for the grade assigned by classification with the  
19 following exceptions:

20 (1) The classification has an established current labor market  
21 special entry pay level;

22 (2) The position is approved for shift differential in  
23 accordance with this subchapter;

24 (3) The employee's eligibility is based on prior state service  
25 in a regular position; or

26 (4) A base range salary has been approved under § 21-5-1410.

27 (c) A former employee from a state agency, institution, board, or  
28 commission who is rehired in an extra-help position is ineligible for  
29 benefits except holiday pay.

30  
31 21-5-1415. Position pools.

32 (a)(1) The Department of Higher Education shall establish and maintain  
33 a central pool of four hundred (400) positions to be used to establish  
34 additional positions in an institution of higher education when an  
35 institution does not have sufficient positions available to meet  
36 unanticipated enrollment growth, industry training demands, or its mandated

1 responsibilities.

2 (2) Central pool positions shall be used by the institution if  
3 the personnel service needs exceed the number of positions authorized by the  
4 General Assembly and were not anticipated at the time of the passage of the  
5 institution's operating appropriation act.

6 (3) A position established under this section shall not exceed a  
7 salary rate of the highest maximum annual salary rate or the highest grade  
8 level position authorized by the General Assembly in the requesting  
9 institution's appropriation act.

10 (4) The institution shall provide justification to the  
11 department for the need to allocate positions from the central pool.

12 (5) Titles shall not be assigned to the institution from the  
13 central pool until specific positions are requested by the institution,  
14 recommended by the department, and reviewed by the Legislative Council or, if  
15 the General Assembly is in session, the Joint Budget Committee.

16 (6) If an institution requests any central pool position to be  
17 continued during the subsequent fiscal year, the position shall be requested  
18 as a new position in the institution's subsequent fiscal year budget request.

19  
20 21-5-1416. Annual career service recognition payments for employees of  
21 institutions of higher education.

22 (a)(1)(A) Nonfaculty and classified employees of institutions of  
23 higher education shall become eligible for annual career service recognition  
24 payments upon completion of ten (10) or more years of service in either  
25 elected positions or classified or nonclassified positions with a state  
26 agency or an institution.

27 (B) To receive the full amount authorized in subsection  
28 (c) of this section, the service shall have been in either elected positions  
29 or regular full-time positions.

30 (C) Nonfaculty and classified employees of institutions  
31 who work part-time in regular salary positions may receive annual career  
32 service recognition payments on a pro rata basis.

33 (2) Periods of authorized leave without pay and leave of absence  
34 for military service when veterans' reemployment rights are exercised shall  
35 not negate eligibility for the payment, provided all other eligibility  
36 requirements are met.

1 (b) The Department of Higher Education shall establish and publish  
 2 policies and procedures for the administration of career service recognition  
 3 payments to employees of institutions upon a determination by the Director of  
 4 the Department of Higher Education that the respective institution has  
 5 sufficient funds available for that purpose.

6 (c) Nonfaculty and classified employees of institutions who meet  
 7 eligibility requirements established by subsection (a) of this section shall  
 8 become eligible for annual career service recognition payments on the  
 9 anniversary date of the completion of such service according to the following  
 10 schedule:

11  
 12 STATE SERVICE ANNUAL PAYMENT

13 <u>10 through 14 years of state service</u>	<u>\$600</u>
14 <u>15 through 19 years of state service</u>	<u>700</u>
15 <u>20 through 24 years of state service</u>	<u>800</u>
16 <u>25 or more years of state service</u>	<u>900</u>

17  
 18 (d) Career service recognition payments authorized by this section  
 19 are:

20 (1) Subject to withholding of all applicable state and federal  
 21 taxes; and

22 (2) Included by retirement systems in determining benefits.

23  
 24 21-5-1417. Merit Increase Pay System.

25 (a) The Department of Higher Education may develop and implement a  
 26 merit increase pay system in accordance with the performance evaluation  
 27 process under § 21-5-1001 for the employees of all institutions covered by  
 28 the Higher Education Classification and Compensation Act, § 21-5-1401 et seq.

29 (b)(1) Except as provided in subdivision (b)(2) of this section, to be  
 30 eligible to be evaluated under the merit increase pay system an employee  
 31 shall have continuous employment with the state in a regular full-time  
 32 position for twelve (12) months.

33 (2) A part-time employee in a regular salary position who has  
 34 had continuous part-time employment with the state for twelve (12) months  
 35 shall be eligible to be evaluated for a pay increase under the merit increase  
 36 pay system and to receive the merit pay increase on a pro rata basis.

1           (c) For the purpose of this subchapter, "merit increase pay system"  
2 means a merit-based pay system that incorporates pay and performance  
3 evaluation standards according to § 21-5-1001 and establishes criteria for  
4 lump-sum payments for employees who meet requisite performance categories.

5           (d) Merit payments may be awarded to employees who satisfy performance  
6 evaluation-based criteria developed by institutions in accordance with rules  
7 and policies developed and approved by Department of Higher Education after  
8 review by the Legislative Council.

9           (e) Effective July 1, 2017:

10           (1) Employees who receive an overall satisfactory rating under  
11 an approved performance evaluation system shall be eligible for a merit  
12 increase of up to one and five-tenths percent (1.5%);

13           (2) Employees who receive an overall above-average rating under  
14 an approved performance evaluation system shall be eligible for a merit  
15 increase of up to three percent (3%); and

16           (3) Employees who receive an overall exceeds-standards rating  
17 under an approved performance evaluation system shall be eligible for a merit  
18 increase of up to four and five-tenths percent (4.5%).

19           (f)(1) Employees are eligible for a merit increase to be paid as a  
20 lump sum on the employee's merit increase date or as an increase in salary,  
21 and the payment shall not be construed as exceeding maximum salary.

22           (2) The lump-sum payments authorized in this section shall be  
23 considered as salary for the purposes of retirement eligibility.

24           (g) Management or supervisory personnel who fail to complete annual  
25 evaluations of employees under their administrative control are not eligible  
26 for merit payments.

27  
28           SECTION 5. EMERGENCY CLAUSE. It is found and determined by the  
29 General Assembly of the State of Arkansas that the fiscal year for employees  
30 of institutions of higher education begins annually on July 1; and that the  
31 implementation of the Higher Education Uniform Classification and  
32 Compensation Act is necessary to ensure the continued services and operations  
33 of the state. Therefore, an emergency is declared to exist, and this act  
34 being necessary for the preservation of the public peace, health, and safety  
35 shall become effective on July 1, 2017.

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**APPROVED: 03/23/2017**