



STATE OF ARKANSAS
**Department of Finance
and Administration**

OFFICE OF PERSONNEL MANAGEMENT
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March 24, 2015

Senator Bart Hester, Co-Chairperson
Representative Douglas House, Co-Chairperson
Uniform Personnel Classification and
Compensation Plan Subcommittee
Arkansas Legislative Council
State Capitol Building, Room 315
Little Rock, Arkansas 72201

Dear Co-Chairs:

The Office of Personnel Management submits a request from the Arkansas Department of Labor (ADL) for your review:

ADL has requested the establishment of a plan to determine and provide differential pay for employees who demonstrate proficiency in a second language. The differential pay request is based upon Arkansas Code 21-5-221 which states:

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

The agency has submitted the following differential pay plan based on three levels of proficiency:

Advanced	10.0 %
Fluent	7.5 %
Intermediate	5.0 %

Proficiency determination is accomplished through employee testing provided by a preapproved third party testing facility. Additionally, the second language must be utilized **at least 25% of the time** in performing job duties. Employees receiving the differential whose job duties change and no longer require the use of the second language will no longer be eligible to receive the differential.

At the current time, ADL has one employee who may be eligible to receive a second language differential if the request is approved and the employee passes the proficiency exam.

Due to the high volume of non-English speaking individuals, ADL has to answer questions and

Senator Bart Hester, Co-Chairperson
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March 24, 2015
Page 2

provide information about labor standards issues such as wage claims, minimum wage, and overtime in Spanish. The employee's second language skills would also be utilized by other divisions within the agency when needed.

The Office of Personnel Management has reviewed the submitted documentation by ADL and **recommends** the establishment of a second language pay differential plan. Your consideration of this request is appreciated.

Sincerely,



Kay Terry
State Personnel Administrator



Chief Fiscal Officer of the State

MAR 20 2015

Date

KBT/dc:1-2

Asa Hutchinson
Governor

Leon Jones, Jr
Director



STATE OF ARKANSAS

ARKANSAS DEPARTMENT OF LABOR

10421 WEST MARKHAM • LITTLE ROCK, ARKANSAS 72205-2190
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February 26, 2015

Kay Terry, Administrator
Office of Personnel Management
Department of Finance Administration
1509 West 7th Street, Suite 200
Little Rock, AR 72201

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**OFFICE OF PERSONNEL MGMT
CLASS & COMP**

Dear Ms. Terry:

Pursuant to ACA 21-5-221, we are submitting a plan to determine and provide differential pay for one (1) employee in an Administrative Specialist III position that demonstrates language proficiency in Spanish. The Labor Department works directly with the public, the primary responsibility of a person in this classification would be to work with the public concerning labor standards issues, in particular wage claims, minimum wage and overtime. Written and verbal interpretations in the Labor Standards Division are required daily. The language skills of a person in this classification would also be utilized by other divisions ranging from our Arkansas Occupational Safety & Health – Amusement Ride section, which inspects amusement rides within the State, to our agency receptionist who routes incoming calls throughout the agency and also to other state and federal entities.

We petition to have our candidate tested and rated, on both oral and written communication, by Arkansas Spanish Interpreters and Translators, Inc.. We propose to award pay differential on three levels of proficiency:

Advanced (90 % - 100% proficient)	10% increase in hourly rate
Fluent (75% - 89% proficient)	7.5% increase in hourly rate
Intermediate (60 – 74% proficient)	5% increase in hourly rate

Spanish interpretative skills must be utilized 25% of the time in performing job duties and the candidate must have successfully completed their 90 day probationary period in order to be

considered for a pay differential for language skills. An employee receiving differential whose job duties change and no longer require the use of language skills would no longer receive the differential.

Thank you for your consideration in this matter. If you have any questions, please contact me at 682-4540.

Sincerely,

Becky Bryant, Manager
Administrative Services Division