

Following are administrative directives and administrative memoranda issued by Arkansas Community Correction with an effective date from **October 1, 2017 through December 31, 2017.**

Document Title	Effective Date
Supervision Sanction Program AD 17-36	10/1/2017
Supervision Sanction Program AD 17-40	11/17/2017
Supervision Sanction Program AD 17-43	12/25/2017
Employee Timekeeping and Compensation AD 17-39	10/24/2017
Employee Associations AD 17-41	12/31/2017
Extra Help and Temporary Employees Administrative Directive 06-10	Rescinded



Arkansas Community Correction

Two Union National Plaza Building
105 West Capitol, 3rd Floor
Little Rock, AR 72201-5731
501-682-9510 (office) 501-682-9513 (fax)

Administrative Directive: ~~17-01 Technical Violator~~ 43 Supervision Sanction Program

TO: Arkansas Community Correction Employees

FROM: Sheila Sharp, Director

SUPERSEDES: AD ~~16-14~~ 17-40

APPROVED: _____ Signature on File
December 25, 2017

EFFECTIVE: January

- I. **APPLICABILITY.** This policy applies to Arkansas Community Correction (ACC) employees ~~and~~, parolees ~~released from an ADC or ACC facility,~~ and probationers.
- II. **POLICY.** The ACC will operate ~~an alternative~~ sanction program for male and female parole ~~and probation~~ technical violators. The bed capacity of each program location will be ~~as~~ established by the Board of Corrections.
- III. **DESCRIPTION.** The ~~Technical Violator Supervision Sanction~~ Program (~~TVPSSP~~) is a residential program followed by aftercare under community supervision.

Program Length. SSP confinement will be for 90 days for a technical conditions violation and 180 days for a serious conditions violation. The period of confinement may be reduced for good behavior and successful program completion. It cannot be reduced by more than fifty percent of the total time of incarceration ordered to be served. Any period of confinement prior to being received at the SSP will not count toward the SSP sanction time ordered.

IV. SUPERVISION SANCTION PROGRAM EXCLUSIONS. ~~If an offender completes the program by progressing through this~~ is excluded from participation in the SSP, other sanctions and submission of a violation report will be considered. The following ~~phases~~ exclude an offender from being sanctioned to the SSP:

- ~~A. Intake.~~ Intake is the initial three-day in-processing period.
- ~~B. Orientation.~~ One-day period for receiving institutional clothing; receiving information on the TVP purpose, structure, expected behavior and responsibilities; assessing and identifying factors contributing to violations; and developing strategies for compliance.
- ~~C. Work.~~ The period following orientation of 30 days for an offender's first TVP confinement or 60 days for the second confinement when the offender is assigned to work details.
- ~~D. Program Length.~~ Admissions will be for 90 days for the first TVP confinement and 120 days An arrest for a second.
- ~~E. Re-entry.~~ A portion of the programming focusing on successful transition to the community including job readiness, employment and relapse prevention.
- ~~F. Telephone Privileges.~~ Offenders will not have telephone privileges for the first two weeks of their confinement except in emergency situations as approved by the Center Supervisor.

~~IV. TECHNICAL VIOLATOR PROGRAM ELIGIBILITY CRITERIA. A parolee is eligible for the TVP as follows:~~

- ~~• — A. Does not have any outstanding warrants, court dates, or any pending charges for felonies or felony or a violent/ misdemeanor or sexual misdemeanors; and misdemeanor offense.~~

~~— B. Violated the terms or conditions release; and~~

- ~~• — C. An arrest for a misdemeanor offense for which a conviction would require the person to register as a sex offender.~~
- ~~• An arrest for a misdemeanor offense of harassment or stalking or one that contains a threat of violence to a victim or a threat of violence to a family member of the victim of the offense for which the defendant was placed on probation or parole.~~
- ~~• An arrest for a misdemeanor offense of driving or boating while intoxicated when the probationer or parolee is currently being supervised for a felony offense of driving or boating while intoxicated, manslaughter, or negligent homicide and the felony offense was alcohol- or drug-related.~~
- ~~• Except for an offense under the Uniform Controlled Substances Act, an arrest for a misdemeanor offense that is a lesser included offense or falls within the same chapter of the Arkansas Criminal Code of the offense for which the defendant was placed on probation or parole.~~
- ~~• Has not previously been in a TVP sanctioned to the SSP two or more times; within the current supervision period.~~
- ~~• Has been sanctioned six times to any combination of SSP and Act 570 jail days within the current supervision period.~~

~~D. Waived a sanction hearing and agreed to participate in the TVP or was referred by a Parole Board Parole Revocation Judge either as the outcome of a Sanction Hearing or Revocation Hearing; and~~

- ~~• — E. Has at least 30 Has been designated as a PREA predator within the past five years.~~
- ~~• Has a battery and/or physical assault on a law enforcement officer in criminal history.~~
- ~~• Has a battery and/or physical assault on a correctional officer in disciplinary or criminal history.~~
- ~~• Has a battery with a weapon on an inmate in disciplinary or criminal history within the past five years.~~

- Has seven or fewer days left on his/hersupervision.
- Has a Suspended Imposition of Sentence as the only sentence; and (with no active probation or parole supervision).

~~F. Has NOT been identified as a PREA sex offender while incarcerated at an Arkansas Department of Correction facility, and~~

V. SANCTION HEARINGS

A. Parole

1. A parolee may waive the sanction hearing.
2. Sanction hearings for parolees will be conducted by an ACC employee.
3. Sanction hearings may be held by electronic means.

B. Probation

1. ACC will conduct sanction hearings for Interstate Compact probationers; sanction hearings for other probationers will be conducted by a Parole Board Parole Revocation Judge the sentencing court.

~~B~~ 2. Sanction hearings may be held by electronic means.

~~C. An offender~~ 3. The probationer may waive the sanction hearing.

~~D. The Parole Revocation Judge may decide a parole revocation hearing is appropriate for a particular offender. If so, the revocation judge will notify the offender's parole officer who will submit a new violation report. The Parole Revocation Judge will set a revocation hearing no sooner than 72 hours from the end of the sanction hearing. The offender will be held in jail or placed on GPS monitoring at least until the revocation hearing is held. The offender may waive the revocation hearing.~~

VI. PREPARATION, SCHEDULING AND TRANSPORTATION.

- The Parole/Probation Officer (PPO) must ~~work with~~ conduct ACIC/NCIC criminal background checks to determine whether the offender to develop a parole plan. The officer must investigate is eligible for the plan and enter approvals in eOMIS program.
- ~~The parole plan must be prepared, investigated and approved before the parolee is transported to the TVP. However, lack of a parole plan or approval must not delay placing the parolee on the TVP waiting list.~~

~~C. PPOs must process requests for TVP beds through their Parole/Probation Managers or Assistant Managers SSP beds by sending the requests to the Referral Office with the required paperwork following guidance in the Parole/Probation Supervision Manual.~~

~~D. Prior to transport, the PPO must conduct an Arkansas Crime Information Center (ACIC) background check to determine whether the offender is eligible for the program.~~

~~E. A PPO, ICO~~

~~C. The Referral Office staff must ensure proper and expeditious scheduling of offenders for intake.~~

~~D. With approval of a Parole/Probation manager, an offender may self-report to the SSP. If ACC is arranging transportation, an authorized ACC officer or another law enforcement officer must transport offenders to the TVP and must ensure the following documents accompany the offender: to the SSP.~~

~~1. Copy of Violation Report or Sanction to TVP Request~~

~~2. Copy of the Notice of Parole Violation Action~~

~~3. Copy of the Arkansas Parole Board warrant, if any~~

~~4. Disposition of Parole Revocation or Sanction Hearing or waiver of the hearing~~

~~VII. INTAKE. The TVP Intake Officer must ensure proper and expeditious intake of offenders, coordinating with parole/probation or CCC staff for transportation to the TVP.~~

~~A. High risk offenders have priority and will be fast tracked for admission to the TVP. Parole/Probation staff must designate high risk and jailed parolees on the TVP admissions list. TVP staff must organize the waiting list to ensure admissions comply with the priority sequence.~~

~~B~~

~~VII. INTAKE.~~

~~A. Personal Property. The Intake Officer will ensure intake processing pursuant to existing policies and procedures concerning the offender's personal property.~~

~~C. Exams/Assessments at Intake.~~

~~1. Medical Records from prior incarceration will be retrieved and updated as necessary by medical staff.~~

~~2. The medical contractor will conduct medical exams according to established policy.~~

~~3. The TVP counselor will conduct a psychological/social assessment and obtain information from eOMIS to initially assess the offender.~~

~~B. The SSP counselor will interview the offender to obtain the suitability of the release plan entered in eOMIS. If the release plan is not appropriate, the counselor will work with the offender in collaboration with the IRO to obtain a release plan to best fit the needs~~

of the offender.

C. Privileges. During intake and orientation, offenders are not allowed commissary privileges except as outlined in the Resident Handbook. Telephone privileges are allowed only in emergencies and must be approved by the Center Supervisor or ~~Senior Residential Assistant Center~~ Supervisor.

~~**E. Housing, Contact, Movement During D.**~~ **Intake at a Community Correction Center (CCC).** ~~In addition to the TVP, a CCGA Community Correction Center~~ may conduct intake of and transport ~~technical violators, sanctioned offenders regardless of whether it has an SSP.~~ When conducting intake relevant aspects of this is the case, the following measures policy must be maintained:

~~1. **Secure Movements.** Technical violator housing areas must be staffed applied to include separation and secured at all times. Contact with CCC residents must be limited. All movement of violators beyond their designated living areas, whether inside or outside the building, must be supervised by staff. Violators will be in restraints, as deemed necessary, and as described in standard operating procedures. secure movements.~~

~~2. **Programming.** Programming, orientation counselor screening, medical screening, classroom activities, etc. must be conducted separately from that of the CCCs.~~

VIII. GENERAL OPERATIONS.

~~**A. Classification.**~~ Upon intake into the ~~TVP~~**SSP**, intake staff will classify the offender as “inmate” class II. ~~No meritorious good time or earned discharge credit will be awarded while at TVP.~~

~~**B. TVP**~~

~~**B. Separation.** Parole Sanctioned Offenders and Probationer Sanctioned Offenders should when possible remain separated from each other and from the general population for housing and all intake, programming and activities.~~

~~**C. SSP Counselor and PPO Interaction.** As needed, the ~~TVP~~**SSP** counselor and PPO should communicate about progress and aftercare needs prior to release to help ensure a smooth transition back into the community. The ~~TVP~~**SSP** counselor must ~~forward~~scan a copy of the Discharge Summary and Aftercare Plan ~~to~~into eOMIS upon offender discharge for review by the supervising PPO and the Substance Abuse Program Leader (SAPL) for the officer's location treatment staff for case plan and aftercare program needs.~~

~~**ED. Offender No Longer Meets TVP**~~**SSP Eligibility Criteria.** If it is determined that an offender in a ~~TVP~~**SSP** no longer meets eligibility requirements, the Records Supervisor must inform the ~~Parole/Probation supervision officer~~**Center Supervisor** and the ~~officer~~**Center Supervisor** must ~~write~~ensure a violation report. ~~One situation that results in ineligibility is when a new felony or a violent or sexual misdemeanor charge is filed against an offender who is currently in TVP-submitted.~~

~~D. Parole (Release) Plans~~**E. Residence Plan and Release.** The Institutional Release Officer ~~(or other person designated by the Center Supervisor)~~ must check the SSP Sanction Packet or eOMIS soon after an offender arrives to determine whether a ~~release~~residence plan has been prepared and approved. If not, ~~this person~~the IRO must work with the ~~parolee~~offender to prepare a plan and enter it in eOMIS for the supervising ~~Parole/Probation officer~~PPO to investigate. ~~The supervising Parole/Probation Officer is primarily responsible for ensuring a~~

~~If an offender does not have a viable residence plan is developed, investigated and approved before the scheduled~~maximum release date. ~~However, TVP staff should monitor eOMIS and if the plan is not approved in a timely manner or changes are needed, work to get this done.~~ is approaching, the IRO must work with the Transitional Housing Coordinator or Transitional Housing Manager at the Central Office to secure placement in a transitional facility.

~~The IRO (or other designated person) must check with the offender near the scheduled release date to determine whether there are any problems with the plan. If there are problems, promptly work with the parolee to come up with an alternative plan and notify the supervising Parole/Probation Officer. If a parolee does not have an approved plan within a few days of the release date, the Area Manager and/or Assistant Area Manager must be notified by TVP staff.~~

~~If an offender does not have an approved plan on the scheduled release date, the appropriate Assistant Director of Parole/Probation Services must be notified so he/she can attempt to place the offender in an approved transitional home. The IRO at the TVP must continue to attempt to find a suitable home plan. Until placed or transferred, the offender will remain at the TVP.~~

~~E. The offender must be released no later than the maximum length of the sanction.~~

~~F. Furloughs.~~ Only emergency furloughs are allowed, and they must be processed in accordance with the ACC Furlough Program policy.

~~FG. Visitation.~~ Visitation procedures are as indicated in the visitation policy with the following exceptions, which do not apply to the offender's attorneys:

- ~~1. The approved visitation list is limited to~~ 5~~five~~ persons per resident; and
- ~~2. Personal visitation may occur only~~ after orientation has been completed and only as approved by the last four weeks of the offender's stay.~~Center Supervisor.~~

IX. RELEASES.

A. General.

- The aspects of release are addressed in this and other policies such as the "Resident Conduct" and "Transfer Eligibility ~~policy~~to Community Correction" policies.

2. If an offender is released from the TVPSSP for any reason other than a routine release, the Parole Board for parolees or the sentencing prosecutor for probationers must be notified.

~~3. PPOs will transport released~~ **B. Transportation Upon Release.**

~~SSP offenders as scheduled.~~ are responsible for arranging their release transportation.

~~The Institutional Release Officer, with the approval~~ preferred method of transportation is for the PPO, may allow resident to arrange for an authorized family members and friends to pick up the offender when released member or friend, who must be on the resident's approved visitation list, to provide transportation from the Center to the supervision plan location.

~~**B. Requirements for Sex Offenders.** Before releasing or discharging a sex offender, the Records Supervisor must require the sex offender to complete the "Sex Offender Change of Information" (ACIC) form Sex Offender Acknowledgment (ACIC) form and the Sex Offender Obligations and Acknowledgment of Duty to Register (ACC) form. The Records Supervisor must send the ACIC forms to ACIC – Sex Offender Section or process them in the Centralized Electronic Network of Sex Offender Registries (CENSOR) computer system to reflect the change of address and any other changes. The Records Supervisor must remind the sex offender of the requirement to report to local law enforcement within 10 calendar days of release/discharge. A refusal to provide information must be reported to local law enforcement in the appropriate jurisdiction. If resident is unable to secure transportation with an authorized family member or friend, either public non-departmental transportation will be arranged or ACC officers will be designated to provide transportation to the residence plan location or the local Parole/Probation office.~~

C. Discharge Summary and After Care Plan. The Discharge Summary (developed by the TVPSSP counselor); outlines the offender's progress. The After-Care Plan Summary details the activities and services needed after TVPSSP completion. Planning for after-care should begin at intake, and the after-care plan must be compatible with any ongoing conditions of supervision and available resources.

X. CONDUCT AND DISCIPLINE

A. Rules of Conduct. The cardinal and major rules of conduct addressed in the Resident Conduct Administrative Directive apply to offenders in the TVPSSP. House Rules are specific to the TVPSSP and are listed in the TVPSSP Resident Handbook.

Disciplinary violations can result in the ~~offender being transferred to ADC.~~ revocation of parole or probation.

B. Negative Report. TVPSSP staff may respond to negative behavior by sending a report to the offender's Parole/Probation Manager with a copy to the PPO. Before such a report is sent, the case must be reviewed by a panel of the counselor and at least two

senior treatment employees, usually the Treatment Supervisor and Treatment Coordinator. The form for this report is explained in the Clinical File Manual.

- XI. eOMIS DATA.** All employees involved with the TVPSSP must ensure correct and timely eOMIS entries.



Arkansas Community Correction

Two Union National Plaza Building
105 West Capitol, 3rd Floor
Little Rock, AR 72201-5731
501-682-9510 (office) 501-682-9513 (fax)

ADMINISTRATIVE DIRECTIVE: AD 17-~~2639~~ Employee Timekeeping and Compensation

TO: Arkansas Community Correction (ACC) Employees

FROM: Sheila Sharp, Director

SUPERSEDES: AD ~~15-0417- 26~~

APPROVED: _____ Signature on file _____

EFFECTIVE: ~~June 1~~ October 24, 2017

- I. **APPLICABILITY.** This policy applies to all ACC employees.
- II. **POLICY.** All ACC positions are classified as exempt, nonexempt or 207(k) (7K) law enforcement exempt from the Fair Labor Standards Act (FLSA). Supervisors of nonexempt and 7K law enforcement employees are required to hold employees accountable to the established regular workweek standard unless overtime hours of work are necessary and approved to facilitate operations.
- III. **DEFINITIONS.**
 - A. **Banked Time.** Balance of accrued leave (annual, sick, overtime or holiday).
 - B. **Overtime.** Time physically worked in excess of 40 hours in a workweek for nonexempt employees and in excess of 86 hours in a 2-week pay period for 7K exempt employees.
 - C. **Straight Time.** Time physically worked up to 40 hours in a pay period for non-exempt employees and up to 86 hours in a pay period for 7K exempt employees.
 - D. **Promotion.** An employee's change in duty assignment from a position in one classification to a position in another classification of a higher salary grade within the same pay table.
 - E. **Demotion.** An employee's change in duty assignment from a position in one classification to a position in a lower classified position within the same pay table.

- F. ~~Lateral Transfer~~. Transferring to another position within the state under the same job classification of title, grade, and pay as their current position or between pay tables.

IV. TIME KEEPING.

- A. **Time Sheets**. All time sheets must reflect the exact time the employee physically worked, any paid leave, and leave without pay.
- B. **Time Entry Requirements**. All employees must have ALL time entered by noon on the second Wednesday of each bi-weekly pay period. Supervisors are to have all leave and time approved by 8:00 a.m. the very next morning (Thursday). It is mandatory for employees to contact their local timekeeper with any time entry questions that would affect payroll after the noon deadline. Timekeepers are to verify time is entered for employees from their area/center and are to contact HRS with any time entry questions that would affect payroll.

~~C. Light Duty and/or Part Time~~. ACC is a full time employer only and does not have any positions that can be utilized as light duty and/or part time.

~~D.C.~~ **Timekeeping Records**. Non-exempt and all 7K exempt employees must accurately complete and submit time sheets through Empowering Arkansas State Employees (EASE) in sufficient time for the timekeeper to meet the payroll schedule. All employees must complete leave request forms and comply with guidance in this policy.

~~E.D.~~ **Determining FLSA Designation**. FLSA designations for each position classification within the state Classification and Compensation Act are determined and assigned by OPM. If the FLSA designation of the position occupied by the employee is in question, the appropriate Deputy Director must contact the HRS Administrator and request a classification status review. The HRS Administrator will submit the Request for Review to OPM.

~~F.E.~~ **Non-Exempt**. Non-exempt employees are those whose functional job duties and responsibilities do not meet the FLSA exemption test and who are compensated with time on a multiple of their hourly rate of pay for overtime. All time sheets must reflect the exact time the non-exempt employee physically worked. Actual time physically worked above 40 hours in a scheduled workweek is accrued at the rate of time and one-half. The employee will be paid for overtime exceeding 240 hours.

~~G.F.~~ **Exempt**. Employees whose positions meet specific tests established by the FLSA and state law and are exempt from the FLSA overtime provisions requirements. Exempt employees are paid on an annual salary basis.

~~H.G.~~ **7K Law Enforcement (Partially Exempt)**. Employees categorized as 7K law enforcement personnel are partially exempt from the FLSA and will record time based

on a standard 14-day work period (80 to 86 hours). The partial exemption provides that employees are paid at their regular work schedule rate of pay for the first 80 hours they physically work. Those hours physically worked between 80 and 86 hours will be counted as ~~straight time~~ [7K Exemption Gap](#) and placed in the employee's banked ~~straight time~~ [7K Exemption Gap](#) account. Any time physically worked in excess of 86 in the 14-day work period is counted at a rate of one and one half times and is banked in the employee's overtime account. The 7K exempt employee will be paid for overtime exceeding 480 hours.

I.H. Leave Records. Supervisors and timekeepers must ensure timekeeping records are forwarded to the new supervisor and timekeeper when an employee transfers, promotes or demotes to another position within the ACC. When an employee leaves the agency, leave records are to be maintained by the timekeeper under the records retention policy. All records are electronic after April 22, 2017.

J.I. Use of Banked Holidays, Straight Time, [7K Exemption Gap](#), and Overtime.

Overtime may only be worked with the approval of an Assistant Area Manager, Assistant Center Supervisor, staff supervisor, or higher. "Authorization to Work Overtime" form must be used to request overtime. Employees are required to use banked leave in the following sequence: holiday, overtime, [7K Exemption Gap](#), straight time, annual leave, and leave without pay (LWOP) unless an exception is permitted in this policy. If an employee requests annual leave, the timekeeper must check leave balances and charge leave in the same sequence. The timekeeper will correct the employee's time sheet, ~~initial the change, explain the change to the employee and have the employee initial the change.~~ An employee who requests to use banked holidays, [7K Exemption Gap](#), straight time, overtime or annual leave may be permitted to do so within a reasonable period after making the request as long as it does not affect critical operations of the agency. The minimum amount of banked holiday, [7K Exemption Gap](#), straight time or overtime that can be requested is fifteen (15) minutes. If an employee is in danger of losing annual leave at the end of the year, a supervisor may allow the employee to use annual leave before using banked holiday, straight time, and overtime.

K.J. Leave Time. Benefit vs. Entitlement. Benefits consist of holidays, annual and sick leave. Entitlements are overtime, [7K Exemption Gap](#), and straight time. Under no circumstance must a benefit be converted into an entitlement by counting it toward the hours the employee physically works. For example, a non-exempt employee uses 8 hours sick leave on Monday, then physically works 10 hours on Tuesday, 9 hours on Wednesday, 8 hours on Thursday and 8 hours on Friday. The employee would have a total of 35 hours physically worked and 8 hours of sick leave for a total of 43 hours. Forty (40) hours is all that is required for the pay week; therefore, the number of sick leave hours charged must be reduced from 8 to 5. Timekeepers should inform the supervisor and employee of the necessary corrections, ~~have the changes to a time sheet and leave slip initialed by the employee and supervisor~~ and then make the appropriate changes to AASIS. Under no circumstance will 3 hours be added to the employee's banked straight time account.

V. COMPENSATION.

- A. Upon Hire.** The ACC will not transfer holidays, 7K Exemption Gap, straight time, or overtime from other State agencies.
- B. Promotion.** An employee who is promoted shall receive the maximum annual salary for which he or she is eligible as follows:
1. For a promotion to a position of a higher grade on the same pay plantable, the employee's maximum rate of pay shall be increased by up to ten percent (10%).
 - ~~2. For a promotion from a position on the career service pay plan to a position on the professional and executive pay plan, the employee's maximum rate of pay shall be increased by twelve percent (12%).~~
 - ~~3~~ 2. An employee who upon promotion is receiving a rate of pay below the lowest entrance pay level established for the new grade will be adjusted to that lowest entrance pay level for that grade; however, an employee's rate of pay upon promotion cannot exceed the maximum pay level of the grade assigned to the classification, ~~unless the employee is eligible for the career pay level on the career service pay plan.~~
 - 4 ~~3.~~ When an employee promotes to a different agency or institution, the originating agency or institution must pay all accumulated compensatory time and overtime to the employee at the time of transfer.
 - 5 ~~4.~~ Non-exempt employees promoting to an exempt classification must have all accumulated compensatory time and overtime paid at the time of transfer. Payment will be at the rate prior to promotion.

C. Job Series Promotions.

1. Correctional Officer (Residential Supervisors)).

Only a CO I may become eligible to be promoted to a Corporal. This promotion will be processed following Human Resources' (HR) receipt of a Promotion Recommendation Form with authorized signatures. The authorized signatures verify that the CO I have met the following criteria:

- completed the one year probationary period
- completed the RSBT Training Academy within the first 9 months of employment with ACC
- successfully completed the Security Officer Training Program
- obtained an overall a "satisfactory" in the most current performance evaluation rating,
- and is free from disciplinary action greater than a verbal warning.

Promotion will result in an increase of one salary grade; however, the promotion will not go into effect until the Promotion Recommendation Form is received in HR. The documentation provided to HR will be placed in the employee's personnel file.

If an employee cannot attend the required RSBT Academy within the first 9 months of employment due to extenuating circumstances, the Deputy Director of Residential Services must approve a requested extension. If approved, the employee will not receive a promotion to a Corporal until completion of the required RSBT Academy and previously stated eligibility criteria.

2. Parole/Probation Officer.

a. Promotion from PPO I to PPO II

Only a PPO I may become eligible to be promoted to a PPO II. This promotion will be processed following Human Resources' (HR) receipt of a copy of the signed F7 (Application for Award of Law Enforcement Officer Certificate) submitted to the Commission on Law Enforcement Standards and Training (CLEST) authorized signatures. The authorized signatures verify that the PPO I have met the following criteria:

- completed the one year probationary period
- successfully completed ACC basic PPO Training Academy, as well as Firearms Qualification
- successfully completed the Field Training Officer Program
- obtained an overall "satisfactory" in the most current performance evaluation rating,
- ~~and~~ is free ~~from~~of disciplinary action greater than a verbal warning.

Promotion will result in an increase of one salary grade; however, the promotion will not go into effect until the official certification is received in HR from CLEST. The documentation provided to HR will be placed in the employee's personnel file.

If an employee cannot attend the required PPO Academy within the first 9 months of employment due to extenuating circumstances, the Deputy Director of Parole/Probation Services must approve a requested extension. If approved, the employee will not receive a promotion to a PPO II until completion of the required PPO Academy and previously stated eligibility criteria.

b. Promotion from PPO II to an Agent

Only ACC employees in PPO II positions (excluding those assigned to institutions) may voluntarily apply for promotion to a Parole/Probation Agent (Agent). The PPO II must meet the following criteria for the promotion:

- served in a PPO II position for two consecutive years immediately prior to application for Agent
- ~~must~~ be current on firearms requalification prior to his/her scheduled Promotion Board interview
- obtained an overall satisfactory for the past 2 years as a PPO II, with no disciplinary action (excluding verbal warnings) during the same period

- ~~must~~ be current on defensive tactics refresher course prior to his/her scheduled PB interview
- passed the PPA written examination with a minimum of 80%. If an employee fails the written examination, that employee will have an additional opportunity to take and pass the examination with a minimum score of 80%. If the employee fails the examination the second time, the employee must wait a period of six months to retake the examination and must pass with a minimum score of 80%; and
- successfully complete ACC's Leadership Course before scheduled Promotion Board interview
- must have current First Aid/CPR certifications
- ~~receive~~received a favorable promotion recommendation by the Promotion Board.

If a PPO II receives a disciplinary of a written warning or greater, the employee's two consecutive years will start over.

Promotions will result in an increase of one salary grade; however, the promotion will not go into effect until the completed Parole–Probation Recommendation Summary form is received in HR. The documentation provided to HR will be placed in the employee's personnel file.

D. Demotion. When an employee is demoted for cause or voluntarily solicits a demotion, his or her rate of pay shall be:

- ~~—1. Fixed at the rate equal to ten percent (10%) less than the employee's rate of pay at the time of the demotion for demotions of one or more grades on the career service pay plan or on the professional and executive pay plan.~~
- ~~—2. Fixed at a rate equal to twelve percent (12%) less than the employee's rate of pay at the time of demotion for demotions of one (1) or more grades from a position on the professional and executive pay plan to a position on the career service pay plan.~~
- ~~—3. 1. For a demotion to a position of a lower grade on the same pay table, the employee's maximum rate of pay shall be decreased up to ten percent (10%).~~
- 2. If the employee's salary falls below the entry pay level of the new grade upon demotion, his/her salary will be adjusted to entry level for that grade.
- 43. An employee's rate of pay upon a demotion cannot exceed the amount provided by the maximum pay level of the grade assigned to the classification, ~~unless the employee is eligible for career pay level of the career service pay plan.~~
- 54. An employee returning within 12 months after a promotion to a position or classification that they previously occupied is eligible for a rate of pay not greater

than that for which the employee would have been eligible had they remained in the lower-graded classification.

~~E.~~

E. Transfer. An employee transferring positions from one pay table, either within the same agency or a different agency, may receive a change in pay if one of the following occurs:

1. The employee's salary falls below the entry pay level of the new grade then the employee's salary will be adjusted to the entry pay level.
2. The rate of pay must not exceed the maximum pay level.
3. When an employee transfers to another agency, the originating agency must pay the employee for all accumulated compensatory time and overtime accrued at the time of transfer.

F. Retirement. Employees are permitted to defer to the State 457 Deferred Compensation Plan for all, or a portion, of their final lump sum monies (comprised of unused sick or vacation leave) provided the employee follows the requirements of the program. For more information on Deferred Compensation please click this link [Arkansas Diamond Deferred Compensation Plan information](#). Employees should discuss this option with HRS before their termination due to retirement.

FG. Termination. Upon termination from employment, the employee shall receive payment for any unused [annual leave, birthdays, and](#) holidays, [not to exceed 240 hours, and](#) straight time and overtime at the employee's final regular rate of pay. [7K Exempt employees will receive all unused holidays. Time will be paid the first full pay period after the termination.](#)

GH. Pay Periods. Biweekly pay periods run from Sunday of one week through Saturday of the following week. Employees are paid every other Friday for time worked through the preceding payroll cycle. The time sheet is used to record hours worked by non-exempt and [all](#) 7K exempt employees during the pay period. A pay period schedule is retained in HRS.

HI. Meal, Rest and Fitness Breaks. Generally, non-exempt employees assigned to posts or workstations requiring constant staffing are allowed a 15-minute paid rest break in the morning and in the afternoon, at times approved by the supervisor. They must be completely relieved of their duties and free to leave the post during this time. Although other employees may be allowed the same, it is not a right, but a privilege at the discretion of the supervisor. When rest breaks are authorized, they may be combined for the purpose of participating in fitness activities and may not exceed 30 minutes.

All employees are allowed a 30 to 60 minute unpaid lunch break, depending on their approved work schedule. This break may not be combined with rest breaks, nor taken to leave work early or arrive late. When an employee does not take a break during the day the benefit is lost. Aside from the breaks described above, there are no other authorized breaks (e.g., smoking, etc.).

J. On-Call Time. Time spent on-call, under circumstances where the time can be used effectively for personal purposes, is not compensable. Generally, an employee who is not required to remain on ACC premises but is merely required to leave word with ACC officials where he/she may be reached or carry a cell phone while “on-call.” To be considered as compensable on-call time, an employee must be restricted from using the time for his or her personal pursuits. Should an employee be called in while on-call, pay begins when the employee receives the call. The employee must report immediately and no later than 1 hour after receiving the call. An employee who reports later than 1 hour will be paid beginning upon arrival. Should the employee be released before the end of the shift or the end of their regular work schedule, on-call pay will be stopped when the employee leaves the premises.

I. Workers Compensation. Employees who are absent from work due to a temporary occupational injury or illness and who are entitled to Workers’ Compensation benefits may use their accrued leave as a supplement to such benefits not to exceed the employee’s regular salary rate of pay per pay period. Contact the ACC [Benefits Analyst/Agency Human Resources Manager](#) in Human Resources for more information.

J. Over-payments. Employees are responsible for monitoring personal bank account direct deposits from ACC to ensure accurate compensation. In the event of an overpayment, the employee must contact his/her supervisor and Human Resources Section immediately for corrective action. Employees will be held accountable for refunding all overpayments back to the agency. An employee’s lack of cooperation in refunding the agency can lead to disciplinary action up to termination.

K. Compensable Time for Training/Travel. If an ACC employee is required to attend training or a meeting on a weekend or regular day off, the time must be counted as time worked. It must be counted toward the pay period. Any time worked over these scheduled hours may be counted as straight or over time, whichever applies. Travel to and from training is also compensable as time worked. Travel time for training begins from the employee’s physical place of employment and ends upon return to the employee’s work location. If unforeseeable events prevent an employee from arriving at their destination in a timely manner, the supervisor must be notified immediately. Specific questions regarding whether training time is compensable should be directed to the HRS Administrator. Employees must receive approval before attending training. Hours in preparation for a license or certification exam cannot be counted toward compensated time.

VI. FORMS LIST.

- Authorization to Work Overtime
- ~~Leave Request for Employee~~
- ~~Time Sheet Weekly~~
- Application for Promotion to Agent
- Promotion Recommendation Form



Arkansas Community Correction

Two Union National Plaza Building
105 West Capitol, 3rd Floor
Little Rock, AR 72201-5731
501-682-9510 (office) 501-682-9513 (fax)

ADMINISTRATIVE DIRECTIVE: 15-0317-41 Employee Associations

TO: Arkansas Community Correction Employees

FROM: Sheila Sharp, Director

SUPERSEDES: ~~None~~ AD 15-03

**APPROVED Signature on File EFFECTIVE: ~~May 1,~~
2015 December 31, 2017**

- I. APPLICABILITY.** This policy applies to Arkansas Community Correction (ACC) employees.
- II. POLICY.** Arkansas Community Correction allows and encourages Employee Associations to operate on department property in accordance with this policy, applicable laws and the association's established by-laws. Employee Associations may provide social, recreational, professional and charitable events as a method of maintaining or improving employee morale. Employee Associations may not function as political or collective bargaining groups.
- III. GUIDANCE.**
 - A.** Prior to forming an association, organizers must obtain permission of their Center Supervisor or Area Manager. Associations at the Central Office must obtain the Director's permission.
 - B. Bylaws.**
 1. Each association must have its own bylaws and provide a current copy and any amendments to the applicable Center Supervisor or Area Manager. Central Office associations must provide a copy to the Deputy Director of Administrative Services.
 2. The attached "Employee Association Bylaws Template" is provided for guidance in developing bylaws.

C. Fundraising. An Employee Association may collect dues from its members and conduct lawful fundraising activities for the benefit of the association, its members or charitable efforts.

1. Detailed financial records must be kept on the receipt of funds, bank deposits, fund disbursements, contracts and any other financial transaction of the association.
2. Employee associations must comply with all provisions of the attachment, Employee Association Financial Requirements, ~~AD-15-03 Form 2~~.

D. Audits.

- ~~1. The financial records of an Employee Association are subject to audit by the ACC Internal Auditor. 1.~~
Employee associations are encouraged to have independent audits on an annual basis.
2. A copy of the most recent audit must be provided to the Deputy Director of Administrative Services no later than 30 days after the completion of the audit.

IV. ATTACHMENTS AND FORMS.

- ~~AD-15-03~~ Employee Association Bylaws Template
- ~~AD-15-03~~ Employee Association Financial Requirements
- AD ~~15-03~~17-41 Form 1 Approval of By-Laws Form
- AD ~~15-03~~17-41 Form 2 Financial Requirements Obligations Form

[EMPLOYEE ASSOCIATION BYLAWS TEMPLATE]

**[Name, such as: ACC CENTRAL OFFICE EMPLOYEE ASSOCIATION]
BYLAWS**

ARTICLE I: NAME, PURPOSE, POWERS AND STATUS

Section 1. Name. This association is named [Name] (hereinafter referred to as association). The association's main office is located at: [full address]

Section 2. Purpose. The association is a non-profit association and must be operated for the charitable, educational and recreational interests of its members and its community. The association may develop and maintain liaisons with other associations affiliated with Arkansas Community Correction for mutual assistance and for the interchange of ideas and information.

Section 3. Powers. The association has the power, directly or indirectly, alone or in conjunction or cooperation with other associations, to do any and all lawful acts which may be necessary or convenient to affect the association's purpose and to aid or assist others whose activities further accomplish, foster or attain such purpose. In the furtherance of its purpose the association may collect membership dues and engage in fund-raising activities. The powers of the association may include, but are not limited to the acceptance of contributions from the public and private sectors, whether financial or in kind contributions.

Section 4. Non Profit Status. Required state and federal reports are submitted in order to establish and maintain nonprofit status.

ARTICLE II. MEMBERSHIP

Section 1. Membership. All members have the same rights and obligations with respect to voting, dissolution, and transfer. No member may transfer a membership to any other person. Membership is open to all persons who are employed by Arkansas Community Correction. A member may resign at any time. A member may not be expelled, suspended, or terminated as long as such member is actively employed by ACC and is not in arrears on the payment of membership dues. Expulsion, suspension, or termination of a member must be fair and reasonable. It is fair and reasonable when the member is given notice not less than 15 days prior to the expulsion, suspension or termination and the reasons therefore, and an opportunity for the member to be heard, orally or in writing, not less than 5 days before the effective date of the action or it is fair and reasonable taking into consideration all of the relevant facts and circumstances.

Section 2. Dues. In the event that membership dues are collected, the dues must be paid [quarterly, semi-annually and/or annually]. If monthly, the dues will be payable on the first day of the month. . Membership dues will not be refunded regardless of the circumstances.

Section 3. Meetings. The association must hold a minimum of 3 meetings each year, spaced reasonably throughout the year and written minutes of those meetings will be recorded. All minutes shall include a treasurer's report. Reasonable efforts must be made to announce to the membership at least 5 business days in advance of regular and special meetings to include time, date, place, and anticipated substantial agenda items such as those requiring a vote.

Section 4. Voting. A majority of the members present at a pre-announced meeting are required to approve an act of the association.

ARTICLE III. OFFICERS

Section 1. Officers and Duties. The officers shall be the President, Vice-President, Treasurer, and Secretary. The officer duties are as implied by their respective titles and duties specified in these Bylaws. Each officer must keep accurate records of his/her work and turn them over to his/her successor.

The President is expected to preside at scheduled meetings. The President's role is to lead the association in performing its duties and responsibilities.

The Vice-President is expected to preside at meetings in the absence or disability of the President. In such situations he/she will perform the President's duties. When acting as President, the Vice-President has all the powers and restrictions of the President's position.

The Treasurer is responsible for oversight of the financial condition and affairs of the association and must keep the officers and members informed. The Treasurer must ensure appropriate financial reports, including an account of transactions, are made available upon request to ACC ~~Internal Audit~~, association officers, and members. The Treasurer is responsible for ensuring association funds are properly deposited in a checking/savings account, maintaining a proper receipt process as evidence of the payment of dues, and keeping an itemized record of all receipts and expenditures. The Treasurer must follow the accounting procedures for procurement, disbursement and money management as outlined in the document entitled "Arkansas Community Correction Financial Requirements." The Treasurer must make reasonable efforts to ensure others involved with financial transactions understand and comply with the financial requirements.

The Secretary must keep an accurate and permanent set of written minutes of all meetings and actions of the association and officers and maintain a current list of all members. The minutes of each meeting must state the date, time and place that it was held and such other necessary information to determine the actions. The Secretary must provide the required meeting notices or ensure another person accomplishes this. The Secretary will perform other duties and powers as may be prescribed. The Secretary must preserve records and letters of value to the association and its members. The Secretary must present previous meeting minutes at each meeting.

All officers have an affirmative duty to ensure adherence to all provisions of the Bylaws and the document entitled "Arkansas Community Correction Financial Requirements."

Section 2. Officer Eligibility. Only members in good standing are eligible for office. The ACC Director, Chief Deputy Director, Deputy Directors, Assistant Directors, Center Supervisors and Area Managers may serve as advisors and will have the discretion to amend or deny any recommendations that are voted into action by the members if the event is in conflict with agency rules and regulations and/or would be perceived to be out of line with the agency's image and direction.

Section 3. Election and Term of Office. The term of office is one year. An exception to the one-year term of office will be if any officer resigns or is removed from office for cause by a vote of the membership present at a meeting. No person may serve in the same elected position for more than one year, or as an officer in the association for more than 4 consecutive years. Elections must be held annually.

Section 4. Vacancies. An officer may resign at any time by delivering written notice to the President or Secretary. A resignation is effective when the notice is given unless the notice specifies a date. In the event an officer resigns, his/her duties may be assumed by one of the remaining officers until a special election is held to fill the vacant office.

ARTICLE IV. FINANCIAL REQUIREMENTS

The "Arkansas Community Correction [Employee Association](#) Financial Requirements" document governs association financial matters. Refer to that document for information on such topics as bookkeeping, purchasing, and receiving funds and/or donations.

ARTICLE V: COMMITTEES

Section 1. Creation. The officers of the association may create one or more committees and appoint officers to serve on the committees in conjunction with volunteers of the association membership.

ARTICLE VII: DISSOLUTION

Section 1. Procedure. Dissolution is authorized if it is approved by the members by a 2/3 vote. The officers must give fair and reasonable notice to the members of the meeting stating the purpose, or one of the purposes, of the meeting is to consider dissolving the association and contain or be accompanied by a copy or summary of the plan of dissolution. If the officers seek to have the dissolution approved by the members by written consent or written ballot, the material soliciting the approval must contain or be accompanied by a copy or summary of the plan of dissolution which must indicate to whom the assets owned or held by the association will be distributed after any creditors have been paid.

Section 2. Articles of dissolution. At any time after dissolution is authorized, the association may dissolve by delivering to the Arkansas Secretary of State articles of dissolution with provisions contained in A.C.A. 4-33-1404. Also, appropriate documentation must be provided to the Internal Revenue, such as the final tax form indicating dissolution.

Section 3. Effect. A dissolved association continues its corporate existence but may not carry on any activities except those appropriate to wind up and liquidate its affairs.

ARTICLE VIII: MISCELLANEOUS

Section 1. Benefits of Membership. The association may establish benefits commensurate with tax rules for the members and must make such information available to the members. The members may vote to change or amend the benefits provided by the organization as the circumstances, needs, and desires of the members dictate by a majority vote of the members.

ARTICLE IX: RULES OF ORDER

Section 1. Rules of Order. When not in conflict with these By-Laws, Robert's Rules of Order should be the parliamentary authority for all matters of procedure.

ARTICLE X: BYLAWS

Section 1. Amending the Bylaws. The Bylaws may be amended by a majority of the membership in attendance at the regular meeting. At least 30 days written notice is given to the membership of the intention to alter, amend, repeal or adopt new Bylaws at such meeting.

Section 2. Adoption. By-Laws must be adopted by a majority vote of the membership at the regular meeting of the members.

**Arkansas Community Correction
EMPLOYEE ASSOCIATION FINANCIAL REQUIREMENTS**

1. Authorization for Handling Association Funds and Contracts.

- a. Before serving in an association position with access to any association funds; a person must sign a copy of these procedures and keep this on file with association paperwork. ACC employees who are prohibited from holding office pursuant to the bylaws may be a secondary co-signer on any checking account or other financial account provided they have submitted a signed copy of these procedures.
- b. Except as otherwise provided by resolution of the association, all contracts, leases, grants, and other agreements of the association must be executed on its behalf by the Treasurer or other person in the association who has been appropriately delegated to execute such document in accordance with policies approved by the officers.
- c. All checks, drafts, or other orders for payment of money, notes in the name of the association must be signed by two authorized signatures.

2. Bookkeeping.

The association must use an appropriate bookkeeping system or software to maintain financial records and must keep records current.

3. Restrictions on ATM, Debit and Credit Cards.

ATM, debit and credit cards may not be obtained in the name of the association.

4. Disbursement Process and Purchasing Process

- a. When a purchase request is on the meeting agenda it must include the purchase items requested, cost and purpose. Notification of this must be given prior to the meeting. Substantial expenditures must be pre-approved in a meeting.
- b. Net earnings must not inure to the benefit of any individual. (tax code)
- c. All checks must be matched to an invoice or receipt. The receipt or check must be retained for backup and income tax purposes. In the case of donations a simple acknowledging email is adequate.
- d. Checks must only be written for "Cash" when money is needed to make change for an event.
- e. Loans of any kind are prohibited, including holding a check from an employee for cash.

- f. A check must have the payee and amount written on it before it is signed. There is one exception to this, if two signatories are not available to pick up items, one signatory can sign with everything completed except the amount with the condition that the second signatory sign when making the purchase. This person making the purchase must return within close of the next business day with the receipt and both signatories must sign the receipt indicating they are aware of the amount of that check and the check stub is completed at that time. This does not change the requirement for another person to check goods purchased against the receipt or invoice.
- g. Checks, including two authorized signatures, and stubs must be filled out completely and indicate the purpose of the expenditure such as luncheon or donation.
- h. Goods purchased must be checked against the receipt or invoice for accuracy; and the person performing the check must write "received," indicate any discrepancies, sign, and if signature is not legible, print his/her name. This duty must be performed by an individual not related to the direct purchase of the merchandise.
- i. A statement (bill) listing goods received on multiple invoices must be matched with the invoices before payment. Such invoices or related receipts must include proper documentation indicating receipt.
- j. Personal purchases must not be co-mingled with employee association fund purchases. For example, a receipt for employee association purchases must not have anything listed that is not an employee association purchase.

5. Receipting and Depositing Process

- a. Receipts must be pre-numbered with carbon copies in a bound record book. Receipts must be written for all money received, to include miscellaneous sales, dues received directly from employees, and donations. For an event such as a fundraiser, a receipt is not required for each transaction if the following procedure is used:
 - 1) association officers must establish reasonable controls to safeguard money being collected and
 - 2) at the conclusion of the event an officer and one or more other persons account for the money received and one receipt is written for the total amount received.
- b. The receipt must contain at a minimum the name of the entity, person from whom the money was received, date received, amount received, method of tender such as cash, check, or money order, and reason the money was received.
- c. Deposit tickets must reflect the amount of each check listed for deposit.
- d. Gift cards given out that have been received as donations do not have to be signed for by the recipient.

6. Monthly Reconciliation of Bank Statements and Association Records

Bank statements must be reconciled monthly and the statement signed and dated by the person reconciling. Reconciling requires the following:

- a. check to see that each receipt/check has been entered into the association's bookkeeping system.
- b. check to see that each deposit on the bank statement has been entered into the association's bookkeeping system.
- c. count the cash on hand and check to see that this amount agrees with the association's bookkeeping system.
- d. compare the bank statement total withdrawals to total withdrawals in the association's bookkeeping system.
- e. sign and date the bank statement, include an indication that the statement is in agreement with the association's records, or if discrepancies exist describe the discrepancy on the statement or on a separate report.
- f. if a discrepancy is found it must be corrected immediately by the treasurer and signature holders.

7. General Requirements

- a. Copies of canceled checks and deposit receipts must be filed with the monthly bank statements.
- b. Required state and federal documentation must be completed annually.
- c. Records must be kept of all gift cards whether purchased or donated.
- d. Net earnings of the association must not benefit or be distributed to its members, trustees, or officers.

8. Financial Requirements in the Event of Dissolution. Upon the dissolution of the association, assets must be distributed for one or more exempt purpose within the meaning of the Internal Revenue Code or corresponding section of any future federal tax code. Refer to the bylaws for additional information to include required financial documentation.

**Employee Association
Approval of By-Laws**

These By-Laws were duly adopted by a two-thirds (2/3) vote of the membership of the association on

Date: _____

Organization Name

Name

Title

State of Arkansas County of _____

These Bylaws were acknowledged before me on this date:

My commission Expires: _____

Notary Public, State of Arkansas

Employee Association Financial Requirement

I have read, understood and will comply with these Employee Association Financial Requirements and any subsequent revisions.

Signature

Printed Name

Date



*"Service with Excellence
and Integrity"*

Arkansas Department of Community Correction

Two Union National Plaza Building
105 West Capitol, 2nd Floor
Little Rock, Arkansas 72201-5731
(501) 682-9510 Fax: (501) 682-9513

ADMINISTRATIVE DIRECTIVE: 06-10

**EXTRA HELP AND
TEMPORARY EMPLOYEES**

TO: DEPARTMENT OF COMMUNITY CORRECTION (DCC) EMPLOYEES

FROM: G. DAVID GUNTARP, DIRECTOR

SUPERSEDES: NONE

APPROVED: Signature on File

EFFECTIVE: JUNE 5, 2006

- I. APPLICABILITY.** This policy applies to all supervisory staff with hiring authority.
- II. POLICY.** It is the policy of the Department of Community Correction (DCC) to only allow extra help and temporary personnel when justification and funds are available.
- III. RESPONSIBILITIES.**
 - A.** The requesting supervisor will submit a request, justification and number of hours to the Director through the established supervisory approval process. Approved requests will be forwarded to the Deputy Director of Administrative Services to determine the availability of funds. When funds are available, the Deputy Director of Administrative Services will forward the approved request to the Human Resources Administrator.
 - B.** The Human Resources Administrator will notify the requestor of the availability of an Extra Help position or return the request to the requestor advising that a position(s) is not available.
 - C.** Before making an offer of employment for an Extra Help position, the requesting supervisor will interview the applicant, check employment and character references, obtain a favorable NCIC/ACIC check, and if hired, forward the start date and necessary papers (including but not limited to, employment application, employment and/or character checks, NCIC/ACIC results, INS forms, W-4) to HRS.
 - D.** In case of an emergency, the Director may waive any and all of the above steps. In emergencies, personnel may be hired from a temporary employment service using

procedures identified by the Deputy Director of Administrative Services and with the Director's approval.