

Hall of the House of Representatives
89th General Assembly - Regular Session, 2013
Amendment Form

Subtitle of House Bill No. 1205

AN ACT CONCERNING STATE EMPLOYEE GRIEVANCES AND POSSIBLE RELIEF FOR GRIEVANCES,
INCLUDING WITHOUT LIMITATION CREDIT UNDER A RETIREMENT SYSTEM.

Amendment No. 1 to House Bill No. 1205

Amend House Bill No. 1205 as originally introduced:

Page 1, delete line 32 and substitute the following:

"programs and to assist in maintaining a roster of third-party neutrals";

AND

Page 1, line 34, delete "§ 6-7-108" and substitute "§ 16-7-108"

AND

Page 2, line 3, delete "arbitrators for appeals" and substitute "panels of potential arbitrators for appeals"

AND

Page 2, line 16, delete "arbitrators" and substitute "panels of potential arbitrators"

AND

Page 2, delete line 19 and substitute the following:

"roster of arbitrators maintained under this section, including without limitation the fee to be paid by an arbitrator to be included on the roster of arbitrators eligible to hear appeals under § 21-1-701 et seq."

AND

Page 3, delete lines 11 through 13 and substitute the following:

"(ii) A public school district;
(iii) The Arkansas State Highway and Transportation
Department; and
(iv) The Arkansas State Game and Fish Commission;"



AND

Page 4, line 19, delete "office" and substitute "Office of Personnel Management"

AND

Page 4, line 23, delete "arbitrators" and substitute "five (5) potential arbitrators"

AND

Page 4, line 24, delete "under § 16-7-104"

AND

Page 4, delete line 31 and substitute the following:

"to be an attorney to hear appeals under this subchapter.

(3) Upon the selection of an arbitrator under subdivision (b)(1) of this section, the employee filing the appeal shall pay a fee to the commission in an amount determined by rule of the commission for providing the panel of potential arbitrators.

(4) The employee filing the appeal and the state agency shall split the arbitrator's costs for hearing the appeal."

AND

Page 6, delete lines 9 through 11 and substitute the following:

"(B)(i) Credit under an applicable state retirement system that the employee would have earned or received during the period affected by the personnel action.

(ii) The state agency shall pay to the applicable state retirement system the employee and employer contributions that would have otherwise been paid during the period affected by the personnel action."

AND

Page 6, line 22, delete "ten thousand dollars (\$10,000)" and substitute "twelve thousand five hundred dollars (\$12,500)"

AND

Page 6, line 25, delete "office" and substitute "Office of Personnel Management"

AND

Page 6, line 26, delete "ten thousand dollars (\$10,000)" and substitute "twelve thousand five hundred dollars (\$12,500)"

AND

Page 6, delete lines 33 through 36

AND

Page 7, delete line 1

AND

Page 7, delete lines 4 and 5 and substitute the following:

"(a)(1) In lieu of requesting an appeal under § 21-1-702, an employee may request that the appeal be mediated.

(2) The employee shall file a request for mediation with the Office of Personnel Management of the Division of Management Services of the Department of Finance and Administration within thirty (30) days of the conclusion of any employee grievance procedures mandated by the executive branch.

AND

Page 7, line 6, delete "(b)" and substitute "(b)(1)"

AND

Page 7, delete line 9 and substitute the following:

"commission's guidelines for that type of case.

(2) The employee filing the appeal and the state agency shall split the mediator's costs for conducting the mediation."

AND

Page 7, delete lines 11 through 13 and substitute the following:

"shall provide a copy of the mediation agreement to the Office of Personnel Management, and the matter shall be considered resolved and"

AND

Page 7, line 16, delete "commission" and substitute "Office of Personnel Management"

AND

Page 7, line 26, delete "arbitrators" and substitute "arbitrators and mediators"

AND

Page 7, line 32, delete "2015" and substitute "2014"

The Amendment was read _____

By: Representative Nickels
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MBM130

Chief Clerk