

State of Arkansas

76th General Assembly

Regular Session, 1987

AS ENGROSSED 3/7/87

HOUSE BILL 1364

By: Joint Budget Committee

"AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES OF THE DEPARTMENT OF LABOR - EMPLOYMENT SECURITY DIVISION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1989; AND FOR OTHER PURPOSES."

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

SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for the Department of Labor - Employment Security Division for the 1987-89 biennium, the following maximum number of regular employees and the grades to be assigned to the respective positions, and the maximum annual salaries for each such position shall be determined in accordance with, but shall not exceed the maximum annual amount, for the grades assigned herein, as established in Section 5 of Act 199 of 1969, as amended, the same being the Uniform Classification and Compensation Act. Except where otherwise specifically provided herein, the Classification and Compensation Plan of the Agency shall be governed by Act 199 of 1969, as amended, with respect to grade assignments, class titles, position reclassifications, salary adjustments, special entry rates, and salary increase eligibility requirements. The Regular Salary Procedures and Restrictions Act shall be applicable to all positions contained herein.

In addition to the following positions, extra help and additional regular positions are authorized by this Act only as provided in Section 2, EXTRA HELP, and Section 11, ADDITIONAL POSITIONS.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate	
				1987-88	1988-89
(1)	9926	ESD ADMINISTRATOR	1	\$64,631	\$64,631

(2)	9927 ESD DEPUTY ADMINISTRATOR	1	\$53,403	\$53,403
(3)	9928 ESD CHAIRMAN OF THE BOARD OF REVIEW	1	\$38,767	\$38,767
(4)	714Z ESD DIR OF FIELD OPERATIONS	1		GRADE 26
	720Z ESD DIRECTOR OF BUSINESS MANAGEMENT	1		
	727Z ESD CHIEF COUNSEL	1		
	728Z ESD DIRECTOR OF ADMIN SERVICES	1		
	731Z ESD DIRECTOR OF EMPLOYMENT SVCS	1		
	732Z ESD DIR OF UNEMPLOYMENT INSURANCE	1		
(5)	716Z ESD ASSISTANT DIRECTOR	4		GRADE 24
	734Z ESD CHIEF APPEALS REFEREE	1		
	735Z ESD CHIEF OF BENEFITS	1		
	736Z ESD CHIEF OF CONTRIBUTIONS	1		
	740Z ESD CHIEF OF RESEARCH & ANALYSIS	1		
	827Z DATA PROCESSING CENTER MANAGER	1		
(6)	D080 APPLICATIONS & SYSTEMS MANAGER	1		GRADE 23
	710Z ESD AREA OPERATIONS CHIEF	6		
	711Z ESD DIVISION CHIEF	3		
(7)	A032 AGENCY FISCAL MANAGER	1		GRADE 22
	D046 SYSTEMS APPLICATIONS SUPERVISOR	4		
	R036 ATTORNEY	7		
	R042 ESD BUDGET MANAGER	1		
	R176 ESD RECORDS MGT SYSTEMS MGR	1		
	V042 GENERAL SERVICES MANAGER	1		
	712Z ESD DISLOCATED WORKERS PRGM CHIEF	1		
	744Z ESD EQUAL OPPORTUNITY MANAGER	1		
	786Z ESD JTPA PROGRAM MGR	1		
	795Z ESD MANAGER II	17		
(8)	R182 ESD COST MODEL COORDINATOR	1		GRADE 21
	794Z DATA PROCESSING OPERATIONS MANAGER	1		
	799Z ESD MANAGER I	14		
(9)	A008 ACCOUNTING SUPV II	7		GRADE 20
	A056 INTERNAL AUDITOR	2		
	C018 ESD COMMUNICATIONS & MEDIA OFFICER	1		
	D036 SR PROGRAMMER/ANALYST	7		
	D038 SYSTEMS PROGRAMMER	5		
	R426 ESD RESEARCH & ANALYSIS MGR	5		

	791Z ESD PROGRAM OPERATIONS MGR	17	
(10)	A154 ESD FIELD TAX REP III	15	GRADE 19
	R050 JTPA PROGRAM REVIEW SUPERVISOR	2	
	R059 ESD APPEALS REFEREE	15	
	R266 MANAGEMENT PROJECT ANALYST II	11	
	R298 AGENCY PROGRAM COORDINATOR	1	
	R344 ESD SATELLITE OFFICE SUPERVISOR	6	
	R496 ESD EMPLOYMENT SVC TEST ANALYST	2	
	X308 ESD TECHNICIAN III	5	
	Y031 ESD PRINT SHOP SUPERVISOR	1	
	Y116 MAINTENANCE SYSTEMS SUPV	1	
	724Z CIVIL RIGHTS COORDINATOR	2	
(11)	A006 ACCOUNTING SUPV I	1	GRADE 18
	A040 FINANCIAL EXAMINER I	1	
	A070 ESD FIELD TAX REPRESENTATIVE II	23	
	D032 JR SYSTEMS PROGRAMMER	1	
	D034 PROGRAMMER ANALYST	12	
	D060 ESD DATA PROCESSING COORDINATOR	2	
	R014 ESD EXECUTIVE ASSISTANT	1	
	R048 BUDGET SPECIALIST	2	
	R136 PLANNING SPECIALIST III	4	
	R168 SUB-GRANT ADMINISTRATOR III	8	
	R237 ESD PROGRAM SUPERVISOR	68	
	R264 MANAGEMENT PROJECT ANALYST I	13	
	R327 ESD RESEARCH & ANALYSIS ANALYST	28	
	V040 PURCHASE AGENT II/PURCHASE AGENT	1	
	W030 RECORDS MANAGEMENT ANALYST II	2	
	X310 ESD TECHNICIAN II	26	
	X355 ESD U I INVESTIGATOR II	11	
(12)	A004 ACCOUNTANT II	17	GRADE 17
	D030 JR PROGRAMMER ANALYST	4	
	G028 BUILDING PLANT MAINTENANCE SUPV II	1	
	R134 PLANNING SPECIALIST II	3	
	R221 ESD EMPLOYMENT COUNSELOR	20	
	R257 ESD INTERVIEWER II	286	
	X312 ESD TECHNICIAN I	7	

	X353 ESD U I INVESTIGATOR I	1	
(13)	D017 DATA PROCESSING SHIFT SUPV I	3	GRADE 16
	K040 ESD UNIT SUPERVISOR II	7	
	R010 ADMINISTRATIVE ASSISTANT II	8	
	Y055 JOURNEYMAN ELECTRICIAN	1	
(14)	A002 ACCOUNTANT I	3	GRADE 15
	A055 ESD FIELD TAX REPRESENTATIVE I	3	
	D011 DATA CONTROL SUPERVISOR	2	
	D061 TELEPROCESSING MONITOR	2	
	R190 PERSONNEL OFFICER II	1	
	R259 ESD INTERVIEWER I	18	
	W028 RECORDS MANAGEMENT ANALYST I	1	
(15)	D005 COMPUTER OPERATOR II	3	GRADE 14
	D035 PROGRAMMER TRAINEE	1	
	K044 ESD UNIT SUPERVISOR I	8	
	R009 ADMINISTRATIVE ASSISTANT I	1	
	V039 PURCHASE AGENT I/ASST PURCHASE AGENT	1	
	X336 ESD CLAIMS ADJUDICATOR	31	
(16)	A012 ESD ACCOUNTING CLERK	11	GRADE 13
	D013 DATA CONTROL TECHNICIAN	3	
	K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	5	
	K079 MICRO-PHOTOGRAPHER SUPERVISOR	1	
	K105 REPRO EQUIP OPR SUPV	1	
	K133 MANAGEMENT SUPPORT TECHNICIAN	6	
	K163 DATA ENTRY SUPV II	4	
	V051 STOREROOM SUPV/STORE SUPV	1	
(17)	D003 COMPUTER OPERATOR I	4	GRADE 12
	K039 DOCUMENT EXAMINER II	18	
	K115 STATISTICIAN ASST II/STATISTICIAN I	2	
	K117 MEDICAL OR LEGAL SECRETARY	3	
	K181 ESD MAILROOM SUPERVISOR	1	
	X330 ESD CLAIMS ADJUDICATOR TRAINEE	1	
(18)	D007 COMPUTER OPERATOR TRAINEE	1	GRADE 11
	K011 CLERICAL SUPERVISOR	2	
	K153 SECRETARY II	44	
	K161 DATA ENTRY SUPV I/DATA ENTRY OP SUP	1	

(19)	K178 SECRETARY/WORD PROCESSING OPERATOR	6	GRADE 10
	V043 SHIPPING & RECEIVING CLERK	1	
	W023 RECORDS CENTER OPERATOR II	1	
(20)	A011 BOOKKEEPER I/ACCOUNTING ASST I	1	GRADE 09
	D072 TAPE LIBRARY TECHNICIAN	1	
	K077 MICRO-PHOTOGRAPHER II	2	
	K103 REPRO EQUIP OPR II/REPRO EQUIP OPR	1	
	K113 STATISTICIAN ASST I	1	
	K155 SECRETARY I	5	
	K159 DATA ENTRY OPERATOR II	15	
(21)	K065 MAIL OFFICER	1	GRADE 08
(22)	W021 RECORDS CENTER OPERATOR I	2	GRADE 07
(23)	G107 BLDG/EQUIP MAINT REPAIRMAN I	1	GRADE 05
	K015 CLERK II	1	
(24)	G175 MAINTENANCE WORKER II	1	GRADE 03
(25)	G171 CUSTODIAL WORKER I	5	GRADE 02
	MAX NO. OF EMPLOYEES	975	

SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of Labor - Employment Security Division for the 1987-89 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: four hundred (400) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, for the appropriate classification. Any of these positions utilized in a manner which are funded by federal sources are specifically exempt from limitation of hours, either by Act or Regulation.

SECTION 3. OVERTIME. The Employment Security Division is authorized to pay overtime pay for overtime work to State employees covered by this appropriation act in accordance with Act 876 of 1973, as amended, and the rules and regulations promulgated thereunder by the Chief Fiscal Officer of the State.

SECTION 4. APPROPRIATIONS - OPERATIONS. There is hereby appropriated, to the Department of Labor - Employment Security Division, to be payable from

the cash funds of the Department of Labor - Employment Security Division, for personal services and operating expenses of the Department of Labor - Employment Security Division for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(01) REGULAR SALARIES	\$ 19,773,715	\$ 19,773,715
(02) EXTRA HELP	3,393,000	3,393,000
(03) PERSONAL SERV MATCHING	4,945,406	4,945,406
(04) OVERTIME	1	1
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 5,869,000	\$ 6,045,000
(B) CONF. & TRAVEL	200,000	206,001
(C) PROF. FEES	500,000	500,000
(D) CAPITAL OUTLAY	920,000	920,000
(E) DATA PROCESSING	_____0_	_____0_
TOTAL MAINT. & GEN. OPER.	7,489,000	7,671,001
(06) DISASTER RELIEF PAYMENTS	2,000,000	2,000,000
(07) TRAINING ALLOWANCES	4,000,000	4,000,000
(08) PAY TO PART CONTRACTORS	4,000,000	4,000,000
(09) UI LOAN REPAYMENT	1	20,000,000
(10) ESD SPECIAL FUND	100,000	100,000
(11) FED. EMP. BENEFIT PAYMENTS	19,000,000	19,000,000
(12) U.I. BENEFITS-TAXABLE EMPLOYERS	200,000,000	200,000,000
(13) U.I. BENEFITS-REIMBURSABLE EMPLOYERS	_____8,500,000	_____8,500,000
TOTAL AMOUNT APPROPRIATED	\$273,201,123	\$293,383,123

SECTION 5. APPROPRIATIONS. "REED ACT FUNDS." There is hereby appropriated out of funds made available to this state under Section 903 of the Social Security Act, as amended, for construction and improvement of buildings, rent/lease costs, and/or acquisition of land for the Employment Security Division of the Arkansas Department of Labor for the biennial period ending June 30, 1989, the sum of \$500,000.

No part of the funds hereby appropriated may be obligated after the expiration of the two year period beginning on the date of enactment of this

Act in accordance with above referenced Section 903 of the Social Security Act, as amended.

The amount obligated pursuant to this Act during any twelve-month period shall not exceed the amount by which (1) the aggregate of the amounts credited to the account of the State pursuant to Section 903 of the Social Security Act, as amended, during the same twelve-month period and the thirty-four (34) preceding twelve-month periods, exceeds (2) the aggregate of the amounts obligated for administration and paid out for the benefits and charged against the amounts credited to the account of the State during such thirty-five (35) twelve-month periods beginning on July 1 and ending on the next, June 30.

SECTION 6. APPROPRIATIONS - ESD SPECIAL FUND. There is hereby appropriated, to the Department of Labor - Employment Security Division, to be payable from the Employment Security Special Fund, for the use of the Department of Labor - Employment Security Division for the biennial period ending June 30, 1989, the following:

- (A) For maintenance, repairs, equipment, furnishings, and upkeep of the Administration Building and all other agency-owned buildings, and maintenance of adjacent parking areas of the Department of Labor - Employment Security Division, the sum of \$160,000.
- (B) For the acquisition of buildings, acquisitions of land, construction of buildings, and/or modification of existing buildings outside of the Pulaski County area, the sum of \$200,000.
- (C) For rent of buildings, the sum of \$ 96,708.
- (D) For payment of special improvement district taxes, the sum of \$1,000.

SECTION 7. APPROPRIATIONS - ANNUAL ASSESSMENT. There is hereby appropriated, to the Department of Labor - Employment Security Division, to be payable from the Employment Security Special Fund, for payment of annual assessment to maintain voting member rights in the Interstate Conference of Employment Security Agencies for the Department of Labor - Employment Security Division for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(01) ANNUAL ASSESSMENT	\$ 10,000	\$ 10,000

SECTION 8. APPROPRIATIONS - EXCESS UNEMPLOYMENT BENEFITS AND EXPENSES.

There is hereby appropriated, to the Department of Labor - Employment Security Division, to be payable from the Employment Security Special Fund, for the payment of unemployment benefits and of expenses incurred in the administration of the Employment Security Law when such expenses exceed funds available from other sources for services performed and/or costs incurred in the administration of such law by the Department of Labor - Employment Security Division for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(01) PAYMENT/EXPENSES	\$ 2,000,000	\$ 2,000,000

SECTION 9. APPROPRIATIONS - JOBS TRAINING PARTNERSHIP ACT. There is hereby appropriated, to the Department of Labor - Employment Security Division, to be payable from the Department of Labor - Employment Security Division Federal Fund, for grant payments of the Jobs Training Partnership Act by the Department of Labor - Employment Security Division for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(01) GRANT PAYMENTS	\$ 40,000,000	\$ 40,000,000

SECTION 10. APPROPRIATIONS. There is hereby appropriated, to the Department of Labor - Employment Security Division, to be payable from the Employment Security Advance Interest Trust Fund, to allow transfer of funds from the Advance Interest Trust Fund to the Unemployment Insurance Trust Fund, for payment of unemployment insurance benefits, and to pay Unemployment Insurance Trust Fund loan interest, if needed, for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(01) UI TRUST FUND TRANSFER	\$ 750,000	\$ 750,000

(02) LOAN INTEREST	_____ 5,000,000 _____ 1
TOTAL AMOUNT APPROPRIATED	\$ 5,750,000 \$ 750,001

SECTION 11. ADDITIONAL POSITIONS. The Administrator of the Employment Security Division, after receiving the approval of the Office of Personnel Management, and after seeking the advice of the Arkansas Legislative Council, shall have the authority to establish such new or additional full time positions as may become necessary to carry out the objectives of the program and/or to meet Federal requirements of new and/or expanded programs where such needs are financed by federal funds; provided that not more than two hundred persons may be employed in addition to those authorized in the salary schedule and that the rate of pay shall not exceed those set out in the salary schedule for comparable positions as authorized under the provisions of Section 1 of this Act.

Furthermore, the Administrator of the Employment Security Division, after receiving the approval of the Office of Personnel Management, and after seeking the advice of the Arkansas Legislative Council, shall have the authority to add or transfer one (1) position to the State Board of Review if federal funding becomes available.

SECTION 12. TRANSFER OF APPROPRIATION. Subject to such rules and regulations as may be implemented by the Chief Fiscal Officer of the State and after having sought the advice of the Arkansas Legislative Council, the Administrator of the Employment Security Division is hereby authorized to make transfers from any appropriation made by this Act to any other appropriation made by this Act with the exception of the "Reed Act Funds" appropriations set forth in Section 5 of this Act, and of the appropriation made for Regular Salaries or Maintenance and General Operation. Such transfers may be made whenever it appears, by projecting the expenditures of any of the appropriations in this Act, that there will be a deficiency of appropriation in one item and that there will be a corresponding excess of appropriation in another item or items which may be transferred. The transfer of appropriation shall be effected only on approval of the Chief Fiscal Officer of the State. Provided, however, that no transfer of appropriations may be authorized to increase the total amount appropriated for Regular Salaries, or Maintenance

and General Operations, except as may be authorized elsewhere by law.

SECTION 13. CARRY FORWARD. Any unexpended balance of appropriation made by this Act, with the exception of appropriation made for Regular Salaries and Maintenance and General Operation, which remains at the close of the fiscal year ending June 30, 1988, shall be transferred forward and made available for the same purpose for the fiscal year ending June 30, 1989.

SECTION 14. SERVICE TO FOOD STAMP APPLICANTS. To insure that job finding assistance is being adequately provided to food stamp applicants and recipients, the Employment Security Division shall periodically station appropriate staff for some portion of a work day in each county or district office of the Department of Human Services. The Administrator of the Employment Security Division and the Director of the Department of Human Services shall enter into a written agreement regarding the provision of such services to food stamp applicants, provided the Employment Security Division has federal funds available and specifically identified for use in providing such services.

SECTION 15. REPORTING. The Employment Security Division shall report quarterly to the Arkansas Legislative Council the number of registrants or recipients of Food Stamps interviewed, the number of job referrals made, and the number of registrants or recipients of Food Stamps placed in jobs. This report shall be made for each county or district office; provided the Employment Security Division has federal funds available and specifically identified for use in providing such services.

SECTION 16. RESTRICTIONS. Upon approval and implementation of the Office of Personnel Management's (OPM) classification recommendations of September 17, 1984, to be effective July 1, 1985, incumbents who occupied specified positions in the following recommended classifications or titles on or before September 17, 1984, and who remain in those classifications and/or specified positions, shall continue to be paid at the grade authorized for that classification and position which was in effect on June 30, 1985. Employees who entered these classifications and/or specified positions after September 17, 1984, shall be paid at the OPM recommended classification and pay grade,

as specified below:

ESD FY 85-87		OPM		
Payroll		June 30, 1985		Recom.
Position	Class	Authorized	Pay	
Numbers	Code	Title/Class	Grade	Grade
8100-0042	R042	ESD Budget Mgr.	22	21
0030	A032	Agan. Fiscal Mgr.	22	21
0044	V042	ESD Gen. Svs. Mgr.	22	21
0043	R176	ESD Records Mgmt. Systems Mgr.	22	21
0048	786Z	ESD JTPA Prog. Mgr.	22	21
0181; 0182; 0183	X308	ESD Tech. III (Reclassify to	19	18
0184		X310 ESD Tech. II, Grade 18)		
0128	A154	ESD Field Tax Repr. III (Re-	19	18
		classify to X355 UI Investi-		
		gator II, Grade 18)		
0192; 0193; 0195	A070	ESD Field Tax Repres. II	18	17
0196; 0197; 0198				
0199; 0200; 0201				
0202; 0203; 0204				
0205; 0206; 0207				
0208; 0209; 0210				
0211				
0229	R014	ESD Exec. Asst.	18	17
0755; 0756	X312	ESD Tech. I (Reclassify to K040,17		16
0757		ESD Unit Supv. II, Grade 16)		
0866; 0867; 0868	A012	ESD Acctg. Clerk III (Reclas-	13	12
0869; 0870; 0872		sify to K039, Document		
0874		Examiner II, Grade 12)		

SECTION 17. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this Act shall be limited to the appropriation for such agency and funds made available by law for the support of such appropriations; and the restrictions of the State Purchasing Law, the General Accounting and Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures and Restrictions Act, or their successors, and other fiscal control laws of this State, where applicable, and regulations promulgated by the

Department of Finance and Administration, as authorized by law, shall be strictly complied with in disbursement of said funds.

SECTION 18. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this Act shall be in compliance with the stated reasons for which this Act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 19. CONTRACT RESTRICTIONS. The agency, board, commission, department or institution to whom funds are appropriated by this Act shall not enter into any contract for any professional or consultant services which shall extend for more than twenty (20) actual working days or the total compensation exceeds five thousand dollars (\$5,000) during any one fiscal year without first seeking the advice of the Arkansas Legislative Council. Provided further, that all contracts for professional or consultant services shall be submitted monthly to the Chief Fiscal Officer of the State for reporting to the Legislative Council.

SECTION 20. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Sixth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1987 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1987 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1987.

/s/ John E. Miller

