

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005

# A Bill

SENATE BILL 150

4  
5 By: Joint Budget Committee  
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## For An Act To Be Entitled

8  
9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
10 SERVICES AND OPERATING EXPENSES FOR THE  
11 DEPARTMENT OF LABOR FOR THE BIENNIAL PERIOD  
12 ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.  
13

## Subtitle

14  
15 AN ACT FOR THE DEPARTMENT OF LABOR  
16 APPROPRIATION FOR THE 2005-2007  
17 BIENNIUM.  
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20

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

23 SECTION 1. REGULAR SALARIES. There is hereby established for the  
24 Department of Labor for the 2005-2007 biennium, the following maximum number  
25 of regular employees whose salaries shall be governed by the provisions of  
26 the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et  
27 seq.), or its successor, and all laws amendatory thereto. Provided, however,  
28 that any position to which a specific maximum annual salary is set out herein  
29 in dollars, shall be exempt from the provisions of said Uniform  
30 Classification and Compensation Act. All persons occupying positions  
31 authorized herein are hereby governed by the provisions of the Regular  
32 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
33 successor.  
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Maximum Annual  
Maximum Salary Rate



1	Item	Class		No. of	Fiscal Years	
2	No.	Code	Title	Employees	2005-2006	2006-2007
3	(1)	9963	LABOR DIRECTOR	1	\$104,841	\$107,323
4	(2)	7343	LABOR DEPUTY DIRECTOR	1	\$71,998	\$73,915
5	(3)	R038	ATTORNEY SUPERVISOR	1	GRADE	26
6	(4)	R170	ATTORNEY SPECIALIST	2	GRADE	25
7	(5)	037Z	INFORMATION SYSTEMS MANAGER	1	GRADE	25
8	(6)	973Z	LABOR SAFETY ADMINISTRATOR	1	GRADE	24
9	(7)	409Z	LABOR CODE ENFORCEMENT ADMIN	1	GRADE	23
10	(8)	410Z	LABOR FINANCE & PERSONNEL MANAGER	1	GRADE	23
11	(9)	909Z	PROGRAM SUPPORT MANAGER	1	GRADE	22
12	(10)	Q004	OCCUPATIONAL HYGIENIST SUPERVISOR	1	GRADE	22
13	(11)	Q092	LABOR CHIEF BOILER INSPECTOR	1	GRADE	22
14	(12)	R065	LABOR MEDIATOR	1	GRADE	21
15	(13)	R298	AGENCY PROGRAM COORDINATOR	1	GRADE	21
16	(14)	R356	INDUSTRIAL CONSULTANT	6	GRADE	21
17	(15)	D122	USER SUPPORT SUPERVISOR	1	GRADE	21
18	(16)	A008	ACCOUNTING SUPERVISOR II	1	GRADE	21
19	(17)	417Z	LABOR SAFETY COORDINATOR	1	GRADE	21
20	(18)	Y010	CHIEF STATE ELECTRICAL INSPECTOR	1	GRADE	21
21	(19)	Q008	LABOR SAFETY CONSULTANT SUPERVISOR	2	GRADE	20
22	(20)	Q012	BOILER ASSISTANT CHIEF	1	GRADE	20
23	(21)	R266	MANAGEMENT PROJECT ANALYST II	3	GRADE	20
24	(22)	D121	USER SUPPORT ANALYST	1	GRADE	20
25	(23)	Q064	BLASTING INSPECTOR SUPV	1	GRADE	20
26	(24)	Q090	STATE ELECTRICAL INSPECTOR	5	GRADE	19
27	(25)	Q013	STATE BOILER INSPECTOR II	5	GRADE	19
28	(26)	Q015	SAFETY AND HEALTH SPECIALIST II	20	GRADE	19
29	(27)	Q036	CHIEF ELEVATOR INSPECTOR	1	GRADE	19
30	(28)	D128	P C SUPPORT SPECIALIST	1	GRADE	18
31	(29)	E072	TRAINING INSTRUCTOR	5	GRADE	18
32	(30)	A111	ACCOUNTANT	1	GRADE	18
33	(31)	V040	PURCHASE AGENT II/PURCHASE AGENT	1	GRADE	18
34	(32)	X345	LABOR STANDARDS INVESTIGATOR	6	GRADE	18
35	(33)	Q003	STATE BOILER INSPECTOR I	4	GRADE	18
36	(34)	R162	STATISTICIAN/STATISTICIAN II	2	GRADE	17

1	(35)	R010	ADMINISTRATIVE ASSISTANT II	12	GRADE 17
2	(36)	R061	ELECTRICIAN LICENSING COORDINATOR	1	GRADE 17
3	(37)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 14
4	(38)	K117	MEDICAL OR LEGAL SECRETARY	1	GRADE 14
5	(39)	K153	SECRETARY II	<u>5</u>	GRADE 13
6			MAX. NO. OF EMPLOYEES	103	

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 8 SECTION 2. APPROPRIATION - ADMINISTRATIVE SERVICES PROGRAM. There is  
 9 hereby appropriated, to be payable from the funds and fund accounts as set  
 10 out herein, to the Department of Labor for the biennial period ending June  
 11 30, 2007, the following:

12 (a) For the Administrative Services Program, the sum of \$1,333,015 for the  
 13 2005-2006 fiscal year and \$1,360,119 for the 2006-2007 fiscal year.

14 (1) Program Description. This program encompasses Finance and Personnel,  
 15 Information Technology, Planning and Publications, and Legal services. These  
 16 divisions provide support and resources to all Department of Labor programs  
 17 and external customers, including payroll and human resource management,  
 18 budgeting and accounting, purchasing, grants management, internal auditing,  
 19 printing, public information and media development assistance, information  
 20 technology planning, installation, and training, and legal advice and  
 21 enforcement assistance.

22	(2) Appropriation payable from:		FISCAL YEARS	
23			<u>2005-2006</u>	<u>2006-2007</u>
24	(A) General Revenue:			
25	Department of Labor Fund Account	\$	<u>917,969</u>	\$ <u>920,829</u>
26	TOTAL General Revenue	\$	917,969	\$ 920,829
27	(B) Federal Funds as designated by			
28	the Chief Fiscal Officer of the			
29	State	\$	30,000	\$ 30,000
30	(C) Special Revenue	\$	384,254	\$ 408,474

31	(3) Performance Targets:			
32	(A) Number of prior year state or			
33	federal audit findings repeated			
34	in subsequent audit.		<2	0
35	(B) Percent of agency Administration			
36	budget to total agency budget.		<20%	<20%

1 (C) Percent of agency key  
 2 performance measures met. 92% 94%

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 4 SECTION 3. APPROPRIATION - OCCUPATIONAL SAFETY AND HEALTH PROGRAM. There  
 5 is hereby appropriated, to be payable from the funds and fund accounts as set  
 6 out herein, to the Department of Labor for the biennial period ending June  
 7 30, 2007, the following:

8 (a) For the Occupational Safety and Health Program, the sum of \$2,547,612  
 9 for the 2005-2006 fiscal year and \$2,659,171 for the 2006-2007 fiscal year.

10 (1) Program Description. This program has overall responsibility for  
 11 occupational safety and health in Arkansas. The program provides on-site  
 12 consultation services, as well as comprehensive education and training  
 13 services to Arkansas employers and employees. The program is the enforcement  
 14 authority with respect to occupational safety and health in the public  
 15 sector. The program also compiles statistical information on occupational  
 16 injuries and illnesses.

17 (2) Appropriation payable from:

	FISCAL YEARS	
	<u>2005-2006</u>	<u>2006-2007</u>
18		
19 (A) General Revenue:		
20 Department of Labor Fund Account	\$ <u>897,902</u>	\$ <u>966,396</u>
21 TOTAL General Revenue	\$ 897,902	\$ 966,396
22 (B) Federal Funds as designated by		
23 the Chief Fiscal Officer of the		
24 State	\$ 1,600,000	\$ 1,600,000
25 (C) Other Funds	\$ 71,665	\$ 64,824

26 (3) Performance Targets:

27 (A) Number of prior biannual OSHA		
28 program audit		
29 findings/recommendations repeated		
30 in subsequent audit.	<6	<5
31 (B) Percentage decrease in the		
32 number of injuries and illnesses		
33 reported in OSHA targeted small		
34 employer high hazard industries.	-4%	-5%
35 (C) Response rate on injury and		
36 illness surveys.	85%	85%

SECTION 4. APPROPRIATION - LABOR STANDARDS PROGRAM. There is hereby appropriated, to be payable from the funds and fund accounts as set out herein, to the Department of Labor for the biennial period ending June 30, 2007, the following:

(a) For the Labor Standards Program, the sum of \$602,967 for the 2005-2006 fiscal year and \$622,366 for the 2006-2007 fiscal year.

(1) Program Description. This program enforces the state's wage and hour laws and child labor laws. It also provides certain dispute resolution services to employers and employees.

(2) Appropriation payable from:	FISCAL YEARS	
	<u>2005-2006</u>	<u>2006-2007</u>
(A) General Revenue:		
Department of Labor Fund Account	\$ <u>536,379</u>	\$ <u>511,516</u>
TOTAL General Revenue	\$ 536,379	\$ 511,516
(B) Other Funds	\$ 84,251	\$ 65,163

(3) Performance Targets:

(A) % of complaints with investigation initiated in less than 30 days.	83%	88%
(B) % of wage claims investigations completed within 60 days.	87%	90%
(C) Maintain a response rate of 65% from targeted contractors on wage surveys.	66%	67%

SECTION 5. APPROPRIATION - CODE ENFORCEMENT PROGRAM. There is hereby appropriated, to be payable from the funds and fund accounts as set out herein, to the Department of Labor for the biennial period ending June 30, 2007, the following:

(a) For the Code Enforcement Program, the sum of \$1,636,614 for the 2005-2006 fiscal year and \$1,660,020 for the 2006-2007 fiscal year.

(1) Program Description. Protect the public from inherent dangers with respect to the use or operation of certain specialized devices and functions, such as boiler, elevators, amusement rides, blasting, and electrical installations.

1	(2) Appropriation payable from:	FISCAL YEARS	
2		<u>2005-2006</u>	<u>2006-2007</u>
3	(A) General Revenue:		
4	Department of Labor Fund Account	\$ <u>156,265</u>	\$ <u>164,987</u>
5	TOTAL General Revenue	\$ 156,265	\$ 164,987
6	(B) Special Revenue	\$ 1,200,000	\$ 1,200,000
7	(C) Other Funds	\$ 2,869,701	\$ 2,589,352
8	(3) Performance Targets:		
9	(A) Compliance inspections conducted		
10	at 100% of reported amusement		
11	rides and attractions.	100%	100%
12	(B) Conduct or verify compliance		
13	inspections within 60 days of due		
14	date on boilers and elevators.	88%	90%
15	(C) Ensure that 95% of cited safety		
16	violations are corrected within		
17	60 days of inspection.	88%	90%

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19 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized

20 by this act shall be limited to the appropriation for such agency and funds

21 made available by law for the support of such appropriations; and the

22 restrictions of the State Procurement Law, the General Accounting and

23 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary

24 Procedures and Restrictions Act, or their successors, and other fiscal

25 control laws of this State, where applicable, and regulations promulgated by

26 the Department of Finance and Administration, as authorized by law, shall be

27 strictly complied with in disbursement of said funds.

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29 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General Assembly

30 that any funds disbursed under the authority of the appropriations contained

31 in this act shall be in compliance with the stated reasons for which this act

32 was adopted, as evidenced by the Agency Requests, Executive Recommendations

33 and Legislative Recommendations contained in the budget manuals prepared by

34 the Department of Finance and Administration, letters, or summarized oral

35 testimony in the official minutes of the Arkansas Legislative Council or

36 Joint Budget Committee which relate to its passage and adoption.

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SECTION 8. EMERGENCY CLAUSE. It is found and determined by the 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, 2005 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, 2005 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, 2005.