

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 86th General Assembly
3 Regular Session, 2007

A Bill

HOUSE BILL 2273

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO REVISE THE COMPENSATION PLAN UNDER THE
10 UNIFORM CLASSIFICATION AND COMPENSATION ACT FOR
11 THE 2007-2009 BIENNIAL PERIOD; AND FOR OTHER
12 PURPOSES.
13

Subtitle

14 AN ACT TO REVISE THE COMPENSATION PLAN
15 UNDER THE UNIFORM CLASSIFICATION AND
16 COMPENSATION ACT FOR THE 2007-2009
17 BIENNIAL PERIOD.
18
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20

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

23 SECTION 1. Arkansas Code § 21-5-209 is amended to read as follows:
24 21-5-209. Compensation plan.

25 (a) There is established for state agencies and institutions covered
26 by the provisions of this subchapter a compensation plan for the setting of
27 salaries and salary increases, when deserved, of all employees serving in
28 positions covered by this subchapter.

29 (b)(1) No employee shall be paid at a rate of pay higher than the
30 appropriate rate in the grade assigned to his or her class, and no employee
31 shall be paid more than the maximum for his or her grade.

32 (2) However, an employee presently employed in a position who is
33 being paid at a rate in excess of the maximum for his or her assigned grade
34 may continue to receive his or her rate of pay.

35 (c) It is the specific intent of the General Assembly to authorize, in
36 the enactment of this compensation plan, maximum rates of pay for each of the



1 appropriate grades assigned to a class, but it is not the intent that any pay
 2 increases shall be automatic or that any employee shall have a claim or a
 3 right to pay increases unless the department head of the state agency or the
 4 institution shall determine that the employee, by experience, ability, and
 5 work performance, has earned the increase in pay authorized for the
 6 appropriate rate.

7 (d)(1) The following grades and pay levels shall be the authorized
 8 compensation plan, effective July 1, ~~2005~~ 2007, for the state service for all
 9 positions of state agencies and institutions covered by this subchapter to
 10 which a classification title and salary grade have been assigned, in
 11 accordance with this subchapter and the appropriation act of the state agency
 12 or institution:

	<u>I</u>	<u>IM</u>	<u>II</u>	<u>IIM</u>	<u>III</u>	<u>IIIM</u>	<u>IV</u>
14 <u>PAY LEVEL</u>							
15 <u>Grade 1</u>	<u>\$12,605</u>	<u>\$12,605</u>	<u>\$12,605</u>	<u>\$12,605</u>	<u>\$12,605</u>	<u>\$12,687</u>	<u>\$12,768</u>
16 <u>Grade 2</u>	<u>\$12,605</u>	<u>\$13,685</u>	<u>\$14,764</u>	<u>\$16,167</u>	<u>\$17,570</u>	<u>\$20,468</u>	<u>\$23,367</u>
17 <u>Grade 3</u>	<u>\$13,009</u>	<u>\$14,037</u>	<u>\$15,065</u>	<u>\$16,484</u>	<u>\$17,902</u>	<u>\$20,873</u>	<u>\$23,843</u>
18 <u>Grade 4</u>	<u>\$13,009</u>	<u>\$14,186</u>	<u>\$15,363</u>	<u>\$16,817</u>	<u>\$18,270</u>	<u>\$21,315</u>	<u>\$24,358</u>
19 <u>Grade 5</u>	<u>\$13,009</u>	<u>\$14,337</u>	<u>\$15,664</u>	<u>\$17,152</u>	<u>\$18,639</u>	<u>\$21,704</u>	<u>\$24,768</u>
20 <u>Grade 6</u>	<u>\$13,206</u>	<u>\$14,586</u>	<u>\$15,966</u>	<u>\$17,485</u>	<u>\$19,004</u>	<u>\$22,161</u>	<u>\$25,317</u>
21 <u>Grade 7</u>	<u>\$13,482</u>	<u>\$14,891</u>	<u>\$16,299</u>	<u>\$17,853</u>	<u>\$19,406</u>	<u>\$22,600</u>	<u>\$25,794</u>
22 <u>Grade 8</u>	<u>\$13,756</u>	<u>\$15,195</u>	<u>\$16,632</u>	<u>\$18,203</u>	<u>\$19,774</u>	<u>\$23,058</u>	<u>\$26,342</u>
23 <u>Grade 9</u>	<u>\$14,270</u>	<u>\$15,752</u>	<u>\$17,234</u>	<u>\$18,871</u>	<u>\$20,506</u>	<u>\$23,886</u>	<u>\$27,265</u>
24 <u>Grade 10</u>	<u>\$15,196</u>	<u>\$16,783</u>	<u>\$18,369</u>	<u>\$20,107</u>	<u>\$21,842</u>	<u>\$25,444</u>	<u>\$29,044</u>
25 <u>Grade 11</u>	<u>\$16,191</u>	<u>\$17,865</u>	<u>\$19,539</u>	<u>\$21,393</u>	<u>\$23,246</u>	<u>\$27,103</u>	<u>\$30,960</u>
26 <u>Grade 12</u>	<u>\$17,220</u>	<u>\$19,014</u>	<u>\$20,808</u>	<u>\$22,795</u>	<u>\$24,782</u>	<u>\$28,881</u>	<u>\$32,979</u>
27 <u>Grade 13</u>	<u>\$18,353</u>	<u>\$20,265</u>	<u>\$22,177</u>	<u>\$24,282</u>	<u>\$26,386</u>	<u>\$30,760</u>	<u>\$35,133</u>
28 <u>Grade 14</u>	<u>\$19,554</u>	<u>\$21,584</u>	<u>\$23,614</u>	<u>\$25,852</u>	<u>\$28,090</u>	<u>\$32,758</u>	<u>\$37,426</u>
29 <u>Grade 15</u>	<u>\$20,822</u>	<u>\$22,986</u>	<u>\$25,150</u>	<u>\$27,539</u>	<u>\$29,927</u>	<u>\$34,875</u>	<u>\$39,822</u>
30 <u>Grade 16</u>	<u>\$22,194</u>	<u>\$24,490</u>	<u>\$26,786</u>	<u>\$29,325</u>	<u>\$31,863</u>	<u>\$37,160</u>	<u>\$42,457</u>
31 <u>Grade 17</u>	<u>\$23,428</u>	<u>\$25,977</u>	<u>\$28,525</u>	<u>\$31,231</u>	<u>\$33,935</u>	<u>\$39,564</u>	<u>\$45,192</u>
32 <u>Grade 18</u>	<u>\$25,142</u>	<u>\$27,752</u>	<u>\$30,361</u>	<u>\$33,250</u>	<u>\$36,138</u>	<u>\$42,136</u>	<u>\$48,134</u>
33 <u>Grade 19</u>	<u>\$26,824</u>	<u>\$29,595</u>	<u>\$32,365</u>	<u>\$35,437</u>	<u>\$38,510</u>	<u>\$44,895</u>	<u>\$51,282</u>
34 <u>Grade 20</u>	<u>\$28,538</u>	<u>\$31,504</u>	<u>\$34,470</u>	<u>\$37,743</u>	<u>\$41,016</u>	<u>\$47,843</u>	<u>\$54,669</u>
35 <u>Grade 21</u>	<u>\$30,426</u>	<u>\$33,566</u>	<u>\$36,707</u>	<u>\$40,181</u>	<u>\$43,654</u>	<u>\$50,958</u>	<u>\$58,261</u>
36 <u>Grade 22</u>	<u>\$32,382</u>	<u>\$35,731</u>	<u>\$39,079</u>	<u>\$42,786</u>	<u>\$46,493</u>	<u>\$54,208</u>	<u>\$61,921</u>

1	Grade 23	\$34,475	\$38,046	\$41,617	\$45,574	\$49,532	\$57,745	\$65,958
2	Grade 24	\$36,738	\$40,529	\$44,321	\$48,530	\$52,739	\$61,487	\$70,235
3	Grade 25	\$39,104	\$43,150	\$47,194	\$51,686	\$56,178	\$65,482	\$74,785
4	Grade 26	\$41,642	\$45,954	\$50,267	\$55,044	\$59,820	\$69,749	\$79,676

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6	<u>PAY GRADE</u>	<u>Level I</u>	<u>Level II</u>	<u>Level III</u>	<u>Level IV</u>
7	<u>Grade 1</u>	<u>\$13,243</u>	<u>\$13,243</u>	<u>\$13,243</u>	<u>\$13,414</u>
8	<u>Grade 2</u>	<u>\$13,243</u>	<u>\$15,511</u>	<u>\$18,459</u>	<u>\$24,549</u>
9	<u>Grade 3</u>	<u>\$13,667</u>	<u>\$15,827</u>	<u>\$18,808</u>	<u>\$25,050</u>
10	<u>Grade 4</u>	<u>\$13,667</u>	<u>\$16,140</u>	<u>\$19,194</u>	<u>\$25,591</u>
11	<u>Grade 5</u>	<u>\$13,667</u>	<u>\$16,457</u>	<u>\$19,582</u>	<u>\$26,021</u>
12	<u>Grade 6</u>	<u>\$13,874</u>	<u>\$16,774</u>	<u>\$19,965</u>	<u>\$26,599</u>
13	<u>Grade 7</u>	<u>\$14,164</u>	<u>\$17,123</u>	<u>\$20,388</u>	<u>\$27,099</u>
14	<u>Grade 8</u>	<u>\$14,451</u>	<u>\$17,474</u>	<u>\$20,774</u>	<u>\$27,675</u>
15	<u>Grade 9</u>	<u>\$14,992</u>	<u>\$18,106</u>	<u>\$21,543</u>	<u>\$28,645</u>
16	<u>Grade 10</u>	<u>\$15,964</u>	<u>\$19,298</u>	<u>\$22,947</u>	<u>\$30,513</u>
17	<u>Grade 11</u>	<u>\$17,010</u>	<u>\$20,528</u>	<u>\$24,422</u>	<u>\$32,526</u>
18	<u>Grade 12</u>	<u>\$18,091</u>	<u>\$21,861</u>	<u>\$26,036</u>	<u>\$34,648</u>
19	<u>Grade 13</u>	<u>\$19,281</u>	<u>\$23,299</u>	<u>\$27,722</u>	<u>\$36,911</u>
20	<u>Grade 14</u>	<u>\$20,543</u>	<u>\$24,808</u>	<u>\$29,512</u>	<u>\$39,320</u>
21	<u>Grade 15</u>	<u>\$21,875</u>	<u>\$26,423</u>	<u>\$31,440</u>	<u>\$41,837</u>
22	<u>Grade 16</u>	<u>\$23,316</u>	<u>\$28,142</u>	<u>\$33,475</u>	<u>\$44,605</u>
23	<u>Grade 17</u>	<u>\$24,614</u>	<u>\$29,969</u>	<u>\$35,652</u>	<u>\$47,479</u>
24	<u>Grade 18</u>	<u>\$26,415</u>	<u>\$31,897</u>	<u>\$37,967</u>	<u>\$50,570</u>
25	<u>Grade 19</u>	<u>\$28,182</u>	<u>\$34,003</u>	<u>\$40,458</u>	<u>\$53,876</u>
26	<u>Grade 20</u>	<u>\$29,982</u>	<u>\$36,214</u>	<u>\$43,092</u>	<u>\$57,435</u>
27	<u>Grade 21</u>	<u>\$31,966</u>	<u>\$38,564</u>	<u>\$45,863</u>	<u>\$61,209</u>
28	<u>Grade 22</u>	<u>\$34,021</u>	<u>\$41,056</u>	<u>\$48,846</u>	<u>\$65,055</u>
29	<u>Grade 23</u>	<u>\$36,220</u>	<u>\$43,722</u>	<u>\$52,038</u>	<u>\$69,296</u>
30	<u>Grade 24</u>	<u>\$38,597</u>	<u>\$46,564</u>	<u>\$55,407</u>	<u>\$73,789</u>
31	<u>Grade 25</u>	<u>\$41,083</u>	<u>\$49,582</u>	<u>\$59,021</u>	<u>\$78,570</u>
32	<u>Grade 26</u>	<u>\$43,749</u>	<u>\$52,811</u>	<u>\$62,847</u>	<u>\$83,708</u>

33

34 (2) The following grades and pay levels shall be the authorized
 35 compensation plan, effective July 1, ~~2006~~ 2008, and thereafter, for the state
 36 service for all positions of state agencies and institutions covered by this

1 subchapter to which a classification title and salary grade have been
 2 assigned, in accordance with this subchapter and the appropriation act of the
 3 state agency or institution:

4	5	<u>PAY LEVEL</u>	<u>I</u>	<u>IM</u>	<u>II</u>	<u>IIM</u>	<u>III</u>	<u>IIM</u>	<u>IV</u>
6	GRADE 1	\$12,983	\$12,983	\$12,983	\$12,983	\$12,983	\$13,068	\$13,151	
7	GRADE 2	\$12,983	\$14,095	\$15,207	\$16,652	\$18,097	\$21,082	\$24,068	
8	GRADE 3	\$13,399	\$14,458	\$15,517	\$16,979	\$18,439	\$21,499	\$24,559	
9	GRADE 4	\$13,399	\$14,612	\$15,824	\$17,321	\$18,818	\$21,954	\$25,089	
10	GRADE 5	\$13,399	\$14,767	\$16,138	\$17,666	\$19,198	\$22,355	\$25,511	
11	GRADE 6	\$13,602	\$15,023	\$16,445	\$18,010	\$19,574	\$22,826	\$26,077	
12	GRADE 7	\$13,886	\$15,337	\$16,787	\$18,389	\$19,988	\$23,278	\$26,568	
13	GRADE 8	\$14,168	\$15,650	\$17,131	\$18,749	\$20,367	\$23,750	\$27,132	
14	GRADE 9	\$14,698	\$16,224	\$17,751	\$19,437	\$21,121	\$24,602	\$28,083	
15	GRADE 10	\$15,651	\$17,286	\$18,920	\$20,710	\$22,497	\$26,207	\$29,915	
16	GRADE 11	\$16,676	\$18,401	\$20,125	\$22,035	\$23,943	\$27,916	\$31,888	
17	GRADE 12	\$17,736	\$19,584	\$21,432	\$23,479	\$25,525	\$29,747	\$33,969	
18	GRADE 13	\$18,903	\$20,873	\$22,842	\$25,011	\$27,178	\$31,683	\$36,187	
19	GRADE 14	\$20,140	\$22,231	\$24,322	\$26,627	\$28,933	\$33,741	\$38,549	
20	GRADE 15	\$21,446	\$23,676	\$25,905	\$28,365	\$30,824	\$35,921	\$41,017	
21	GRADE 16	\$22,859	\$25,225	\$27,590	\$30,205	\$32,819	\$38,275	\$43,730	
22	GRADE 17	\$24,131	\$26,756	\$29,381	\$32,168	\$34,953	\$40,751	\$46,548	
23	GRADE 18	\$25,897	\$28,585	\$31,272	\$34,248	\$37,223	\$43,400	\$49,578	
24	GRADE 19	\$27,629	\$30,483	\$33,336	\$36,500	\$39,665	\$46,242	\$52,820	
25	GRADE 20	\$29,394	\$32,450	\$35,504	\$38,876	\$42,247	\$49,279	\$56,309	
26	GRADE 21	\$31,339	\$34,573	\$37,808	\$41,387	\$44,964	\$52,487	\$60,009	
27	GRADE 22	\$33,354	\$36,802	\$40,251	\$44,070	\$47,888	\$55,834	\$63,779	
28	GRADE 23	\$35,510	\$39,187	\$42,865	\$46,941	\$51,018	\$59,477	\$67,937	
29	GRADE 24	\$37,840	\$41,745	\$45,651	\$49,986	\$54,321	\$63,331	\$72,342	
30	GRADE 25	\$40,277	\$44,444	\$48,610	\$53,237	\$57,864	\$67,447	\$77,029	
31	GRADE 26	\$42,891	\$47,333	\$51,775	\$56,695	\$61,615	\$71,841	\$82,067	

33	<u>PAY GRADE</u>	<u>Level I</u>	<u>Level II</u>	<u>Level III</u>	<u>Level IV</u>
34	GRADE 1	\$13,508	\$13,508	\$13,508	\$13,682
35	GRADE 2	\$13,508	\$15,821	\$18,828	\$25,040
36	GRADE 3	\$13,940	\$16,144	\$19,184	\$25,551

1	<u>GRADE 4</u>	<u>\$13,940</u>	<u>\$16,463</u>	<u>\$19,578</u>	<u>\$26,103</u>
2	<u>GRADE 5</u>	<u>\$13,940</u>	<u>\$16,786</u>	<u>\$19,974</u>	<u>\$26,542</u>
3	<u>GRADE 6</u>	<u>\$14,152</u>	<u>\$17,109</u>	<u>\$20,365</u>	<u>\$27,131</u>
4	<u>GRADE 7</u>	<u>\$14,447</u>	<u>\$17,465</u>	<u>\$20,796</u>	<u>\$27,641</u>
5	<u>GRADE 8</u>	<u>\$14,740</u>	<u>\$17,823</u>	<u>\$21,190</u>	<u>\$28,228</u>
6	<u>GRADE 9</u>	<u>\$15,292</u>	<u>\$18,468</u>	<u>\$21,974</u>	<u>\$29,218</u>
7	<u>GRADE 10</u>	<u>\$16,283</u>	<u>\$19,684</u>	<u>\$23,406</u>	<u>\$31,124</u>
8	<u>GRADE 11</u>	<u>\$17,350</u>	<u>\$20,938</u>	<u>\$24,910</u>	<u>\$33,176</u>
9	<u>GRADE 12</u>	<u>\$18,453</u>	<u>\$22,298</u>	<u>\$26,556</u>	<u>\$35,341</u>
10	<u>GRADE 13</u>	<u>\$19,667</u>	<u>\$23,765</u>	<u>\$28,276</u>	<u>\$37,649</u>
11	<u>GRADE 14</u>	<u>\$20,954</u>	<u>\$25,305</u>	<u>\$30,102</u>	<u>\$40,106</u>
12	<u>GRADE 15</u>	<u>\$22,312</u>	<u>\$26,952</u>	<u>\$32,069</u>	<u>\$42,674</u>
13	<u>GRADE 16</u>	<u>\$23,783</u>	<u>\$28,705</u>	<u>\$34,145</u>	<u>\$45,497</u>
14	<u>GRADE 17</u>	<u>\$25,106</u>	<u>\$30,568</u>	<u>\$36,365</u>	<u>\$48,429</u>
15	<u>GRADE 18</u>	<u>\$26,943</u>	<u>\$32,535</u>	<u>\$38,727</u>	<u>\$51,581</u>
16	<u>GRADE 19</u>	<u>\$28,745</u>	<u>\$34,683</u>	<u>\$41,267</u>	<u>\$54,954</u>
17	<u>GRADE 20</u>	<u>\$30,582</u>	<u>\$36,938</u>	<u>\$43,954</u>	<u>\$58,584</u>
18	<u>GRADE 21</u>	<u>\$32,605</u>	<u>\$39,335</u>	<u>\$46,781</u>	<u>\$62,433</u>
19	<u>GRADE 22</u>	<u>\$34,702</u>	<u>\$41,877</u>	<u>\$49,823</u>	<u>\$66,356</u>
20	<u>GRADE 23</u>	<u>\$36,945</u>	<u>\$44,597</u>	<u>\$53,079</u>	<u>\$70,682</u>
21	<u>GRADE 24</u>	<u>\$39,369</u>	<u>\$47,495</u>	<u>\$56,516</u>	<u>\$75,265</u>
22	<u>GRADE 25</u>	<u>\$41,904</u>	<u>\$50,574</u>	<u>\$60,202</u>	<u>\$80,141</u>
23	<u>GRADE 26</u>	<u>\$44,624</u>	<u>\$53,867</u>	<u>\$64,104</u>	<u>\$85,383</u>

24

25 (e) It is the intent of the General Assembly that the compensation
 26 plan provided for in this section shall be implemented and function in
 27 compliance with other provisions in this subchapter, the Regular Salary
 28 Procedures and Restrictions Act, § 21-5-101, and other fiscal control laws of
 29 this state, when applicable.

30

31 SECTION 2. Arkansas Code § 21-5-211 is amended to read as follows:
 32 21-5-211. Implementation procedure for grade changes - Salary
 33 adjustments.

34 (a) The Office of Personnel Management of the Division of Management
 35 Services of the Department of Finance and Administration shall have
 36 administrative responsibility for enforcing compliance by state agencies and

1 institutions affected by this subchapter in implementing classification grade
 2 changes.

3 (b) Subject to funds and appropriations being provided, the following
 4 implementation procedures shall apply to state agencies and institutions
 5 covered by the provisions of this subchapter, commencing on July 1 of each
 6 fiscal year:

7 (1) The maximum annual salary rate for which an employee covered
 8 by the provisions of this subchapter shall be eligible for each year of the
 9 biennium shall be determined as follows:

10 (A)(i) The maximum rate of compensation for which an
 11 employee shall be eligible on July 1, 2007, shall be determined by increasing
 12 the employee's June 30, 2007 salary by two percent (2.0%). For an employee
 13 whose annual salary rate on June 30 is:

14 (a) ~~Twenty thousand dollars (\$20,000) or less,~~
 15 ~~the employee is eligible for an annual increase of six hundred dollars~~
 16 ~~(\$600);~~

17 (b) ~~More than twenty thousand dollars~~
 18 ~~(\$20,000) but not more than fifty thousand dollars (\$50,000), the employee is~~
 19 ~~eligible for an annual salary increase of six hundred dollars (\$600) plus~~
 20 ~~three percent (3%) of the amount by which the employee's June 30 salary~~
 21 ~~exceeds twenty thousand dollars (\$20,000);~~

22 (c) ~~More than fifty thousand dollars (\$50,000)~~
 23 ~~but not more than ninety thousand dollars (\$90,000), the employee is eligible~~
 24 ~~for an annual salary increase of one thousand five hundred dollars (\$1,500)~~
 25 ~~plus one and nine tenths percent (1.9%) of the amount by which the employee's~~
 26 ~~June 30 salary exceeds fifty thousand dollars (\$50,000); and-~~

27 (d) ~~More than ninety thousand dollars~~
 28 ~~(\$90,000), the employee is eligible for an annual salary increase of two~~
 29 ~~thousand two hundred sixty dollars (\$2,260) plus one and five tenths percent~~
 30 ~~(1.5%) of the amount by which the employee's June 30 salary exceeds ninety~~
 31 ~~thousand dollars (\$90,000).~~

32 (ii) An employee whose salary falls below Pay Level
 33 I for the grade assigned to his or her classification may be adjusted to the
 34 entry level.

35 (iii) All other employees' salaries shall be
 36 adjusted to the appropriate pay level for the grade assigned to their

1 classification but may not exceed the maximum rate provided for that grade
 2 unless otherwise provided for by this section.

3 (iv) An employee whose June 30 annual salary rate is
 4 at Pay Level IV shall be eligible for the increase provided in ~~subdivisions~~
 5 subdivision (b)(1)(A)(i)-(a)-(d) of this section, but the increase shall be
 6 paid as a lump sum on ~~June 30~~ the last pay period of the fiscal year of the
 7 year in which the increase is to occur;

8 (B)(i) The maximum rate of compensation for which an
 9 employee shall be eligible on July 1, 2008, shall be determined by increasing
 10 the employee's June 30, 2008 salary by two percent (2.0%).

11 (ii) An employee whose salary falls below Pay Level
 12 I for the grade assigned to his or her classification may be adjusted to the
 13 entry level.

14 (iii) All other employees' salaries shall be
 15 adjusted to the appropriate pay level for the grade assigned to their
 16 classification but may not exceed the maximum rate provided for that grade
 17 unless otherwise provided for by this section.

18 (iv) An employee whose June 30 annual salary rate is
 19 at Pay Level IV shall be eligible for the increase provided in subdivision
 20 (b)(1)(B)(i) of this section, but the increase shall be paid as a lump sum on
 21 the last pay period of the fiscal year in which the increase is to occur;

22 ~~(B)(C)~~ Salary adjustments provided for in this section
 23 shall be made for all employees covered by the provisions of this subchapter
 24 prior to all other salary adjustments;

25 ~~(C)(D)~~ When an employee is demoted for cause or
 26 voluntarily solicits a demotion, his or her rate of pay shall be fixed in the
 27 lower-graded position at a rate equal to six percent (6%) less than the
 28 employee's rate of pay at the time of demotion for demotions of one (1) grade
 29 and a maximum of eight percent (8%) less than the employee's rate of pay at
 30 the time of demotion for demotions of two (2) or more grades;

31 ~~(D)(E)(i)~~ An employee covered by the provisions of this
 32 subchapter shall be eligible for an additional salary increase of two percent
 33 (2%) each year of the biennium, provided that:

34 (a) The Chief Fiscal Officer of the State
 35 determines that sufficient general revenues become available; and

36 (b) The additional salary increase of two

1 percent (2%) shall not allow an employee's compensation to exceed the amount
 2 set out for Pay Level IV for the position.

3 (ii) An employee compensated at Pay Level IV shall
 4 be eligible to receive the salary increase of two percent (2%) authorized in
 5 this section during the biennium as lump sum payments, and the payments shall
 6 not be construed as exceeding the maximum salary;

7 ~~(E)~~(F)(i) An employee who due to legislative enactment is
 8 to be compensated at a higher grade, that is, an upgrade, than that which was
 9 in effect on June 30 of the previous fiscal year shall be eligible for an
 10 additional increase of six percent (6%) in his or her maximum annual salary
 11 in the new grade.

12 (ii) An employee who due to legislative enactment is
 13 to be compensated at a lower grade, that is, a downgrade, than that which was
 14 in effect on June 30 of the previous year shall not have his or her maximum
 15 salary rate reduced due to the grade reduction, and the employee's salary
 16 shall remain constant until that employee's assigned grade maximum is equal
 17 to or exceeds the employee's established salary; and

18 ~~(F)~~(G)(i) Any employee whose specific job assignment
 19 requires the skill to communicate in a language other than English, including
 20 American Sign Language, and that skill is required as a secondary minimum
 21 qualification by the classification specification for the position occupied
 22 by the employee, shall be eligible to be paid up to an additional ten percent
 23 (10%) of the employee's annual salary as set by § 21-5-209.

24 (ii) In those instances in which the granting of the
 25 additional compensation would have the effect of exceeding the maximum annual
 26 rate for the grade assigned to the employee's classification, the additional
 27 compensation shall not be considered as exceeding the maximum allowable rate
 28 for that grade.

29 (iii) An employee who is receiving additional
 30 compensation under the provisions of this section and who moves into a
 31 position that does not require the skill to communicate in a language other
 32 than English or whose position no longer requires the use of the skill shall
 33 revert on the effective date of the change to the rate of pay that the
 34 employee would otherwise receive.

35 (iv) Authority to implement the provisions of this
 36 subsection may be approved by the office after review of the Legislative

1 Council for specific positions identified by agencies and institutions of
 2 higher education;

3 (2)(A) An employee promoted on or after July 1, 1999, shall have
 4 the maximum annual salary for which he or she is eligible established as
 5 follows:

6 (i) For a minor promotion, the employee's maximum
 7 rate of pay shall be increased by six percent (6%); and

8 (ii) For a major promotion, the employee's maximum
 9 rate of pay shall be increased by eight percent (8%).

10 (B)(i)(a) An employee who upon promotion is receiving a
 11 rate of pay below Pay Level I for the new grade may be adjusted to the entry
 12 level for that grade.

13 (b) However, in no event may an employee's rate of
 14 pay upon promotion exceed the amount provided for by Pay Level IV of the
 15 grade assigned to the classification.

16 (ii) An employee's anniversary date shall not change due
 17 to promotion;

18 (3)(A) Any employee who is assigned to a position in a
 19 classification the employee formerly occupied within a twelve-month period
 20 after promotion from the classification shall be eligible for a rate of pay
 21 no greater than that for which the employee would have been eligible had the
 22 employee remained in the lower-graded classification.

23 (B) Any employee who is placed in a lower-graded position
 24 because the original position has expired due to lack of funding, program
 25 changes, or withdrawal of federal grant funds may continue to be paid at the
 26 same rate as the employee was being paid in the higher-graded position upon
 27 approval of the office after seeking the review of the Legislative Council;
 28 and

29 (4)(A)(i) When an employee's position has been approved for
 30 reclassification to a classification title of a higher salary grade, the
 31 employee shall be eligible for an additional increase of six percent (6%) in
 32 the new classification.

33 (ii) Upon reclassification, the salary of an
 34 employee who is receiving a rate of pay that is less than the entrance rate
 35 for the new grade may be adjusted to the new entrance rate.

36 (B) When an employee's position has been approved for

1 reclassification to a classification title of a lower salary grade, the
 2 employee's pay shall be fixed at a rate in the lower grade that does not
 3 exceed the employee's rate of pay in the higher-graded position at the time
 4 of reclassification.

5 (c)(1) In the event that the Chief Fiscal Officer of the State
 6 determines that general revenue funds are insufficient to implement the
 7 salary increases authorized in this subchapter or by any other law that
 8 affects salary increases for state employees, the Chief Fiscal Officer of the
 9 State, upon approval of the Governor, may reduce the percentage of all
 10 authorized salary increases for all state employees covered by this
 11 subchapter without regard to whether the employees are compensated from
 12 general or special revenues, federal funds, or trust funds.

13 (2) However, if sufficient general revenues should then become
 14 available at any time during the biennium to provide the maximum additional
 15 salary increases for all state employees without regard to the source of
 16 revenues, salary increases for state employees provided for in this
 17 subchapter or by any other law may then be fully implemented by the Chief
 18 Fiscal Officer of the State.

19 (d) All percentage calculations stipulated in this subchapter or any
 20 other law affecting salaries of state employees may be rounded to the nearest
 21 even-dollar amount by the office when making the percentage changes to state
 22 employee salaries.

23
 24 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
 25 General Assembly that provisions of this act changes the Uniform Attendance
 26 and Leave Policy Act and should become effective July 1, 2007, for consistent
 27 application and to avoid confusion and that unless this emergency clause is
 28 adopted, this act will not go into effect until after the beginning of the
 29 next fiscal year. Therefore, an emergency is hereby declared to exist and
 30 this act being necessary for the preservation of the public peace, health,
 31 and safety shall be in full force and effect from and after July 1, 2007.