



STATE OF ARKANSAS
**Department of Finance
and Administration**

OFFICE OF PERSONNEL MANAGEMENT
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June 13, 2017

Senator John Cooper, Co-Chairperson
Representative Les Eaves, Co-Chairperson
Uniform Personnel Classification and
Compensation Plan Subcommittee
Arkansas Legislative Council
State Capitol Building, Room 315
Little Rock, Arkansas 72201

Dear Co-Chairs;

The Office of Personnel Management submits a request to continue on-call compensation differentials from the Arkansas Department of Emergency Management (ADEM) in accordance with Ark. Code Ann. §21-5-221:

(k) (1) On-call duty or standby duty differential may be authorized for an employee whose job requires him or her to provide services on nights, weekends, or holidays or other situations when the agency or institution does not have regularly scheduled staff coverage.

(2) On-call duty or standby duty differential is to be used for officially scheduled duty outside regular work hours during which an employee is required to be accessible by telephone, pager, or other means and must return to the designated work site upon notification of need within a specified time.

(3) (A) An employee who is required to be available for duty on nights, weekends, and holidays will be eligible to receive on-call or standby duty pay equivalent of an hourly rate not to exceed twenty percent (20%) of his or her base hourly pay rate for each on-call or standby hour for not more than forty-eight (48) hours during any seven-day work period.

(B) (i) Compensation shall not be paid to any employee required to be on-call and standby who fails to respond after the second notification that his or her services are needed.

(ii) If the equipment or paging device malfunctions, the penalty shall not apply.

(C) (i) An employee on on-call or standby duty who is called in to work shall be compensated for the actual hours worked at the appropriate rate of pay with a minimum of two (2) hours for each call back.

(ii) The employee shall not be paid on-call or standby pay for hours actually worked during a call back.

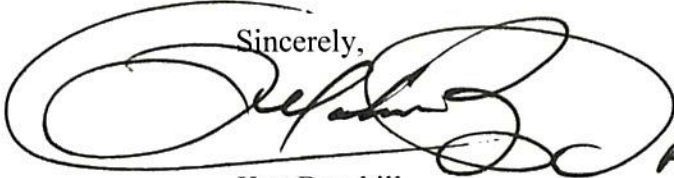
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(I) If granting additional compensation would have the effect of exceeding the maximum or the career pay level for the grade assigned to the employee's classification, the additional compensation shall not be considered as exceeding the maximum allowable rate for that grade.

ADEM requests approval to continue its current on-call duty compensation differential. ADEM employees take shifts in being on-call 24 hours per day, seven days per week. The differential is needed in order to ensure employee availability in the event their services are needed. ADEM requires every position within the agency to provide/assist with emergency services on nights, weekends, holidays or other situations when the agency does not have regularly scheduled staff coverage. The differential is only paid when an employee is actually on-call. According to ADEM, the cost for this differential in fiscal year 2017 was \$7,972.

The Office of Personnel Management has reviewed ADEM's request and recommends continuation of on-call duty compensation differentials through fiscal year 2018.

Your consideration of this request is appreciated.

Sincerely,

Kay Barnhill
State Personnel Administrator

For KB


Chief Fiscal Officer of the State

JUN 02 2017
Date

KB/ab: 1-2



ASA HUTCHINSON
GOVERNOR

STATE OF ARKANSAS
DEPARTMENT OF EMERGENCY MANAGEMENT

PC



A.J. Gary
DIRECTOR

May 24, 2017

Kay Barnhill Terry, OPM Administrator
DF&A Office of Personnel Mgmt.
P.O. Box 3278
Little Rock, AR 72203

Dear Ms. Terry,

The Arkansas Department of Emergency Management is requesting a continuance of the following approved On-Call Differential Compensation Plan. This will include the position listed in this letter as well as the new positions approved by the Personnel Committee.

Documented Need

The Arkansas Department of Emergency Management (ADEM) is a 24 hour/7 day a week facility which must always be prepared to respond to a myriad of natural and man-made disasters and events which endanger the lives and property of the citizens of Arkansas. All employees of the agency train and exercise this response to be ready for these situations and must respond immediately when called on to the State Emergency Operations Center (SEOC) to provide assistance to local jurisdictions when these events go beyond their response capabilities. To ensure staffing needs are met during times of anticipated threats, whether man made or natural, on-call teams are identified. While on-call employees have restrictions put on their personal lives in order to be ready if called. This is not optional. When Inclement Weather is offered to most State employees, those identified on-call teams are considered critical personnel and are not offered this benefit. For some it is necessary to stay at ADEM overnight while on-call in lieu of risking their safety on icy roads. Restrictions are also imposed on staff in making choices on their personal time and in their ability to travel when identified as on call in preparation for potential activation in the SEOC.

A condition of employment at ADEM is the assignment of a position within this SEOC. SEOC functions are completely separate from the functions of assigned classified positions worked during regular business hours. There are separate training requirements for SEOC positions as well. Since the mission of the SEOC supersedes the duties of their classified positions during times of disaster, these positions are assigned to all ADEM employees regardless of the FLSA status of the classified positions.

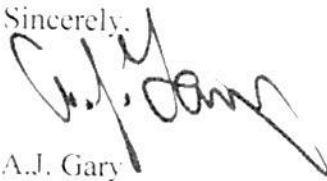
Eligibility Criteria

It is a condition of employment at ADEM to be available to work assigned positions within the SEOC. Each employee is graded on their level of availability and participation in these assigned SEOC positions. Employees are assigned to on-call teams when threat of severe weather is anticipated. Outside of extenuating circumstances, all ADEM staff is required to be available for on-call team assignment. When on-call there is a restriction of personal activities that may cause an inability to report upon notification for duty. The following restrictions are mandatory during on-call:

- Respond as soon as possible not to exceed 90 minute response time
- Prohibit the use of any impairing substance
- Must make personal arrangements so that response time does not exceed 90 minutes
- Agency phone must be charged, ready, and monitored for phone calls, emails, or text messages during restricted on-call status.

The position number and authorized titles for the 20% differential that would be affected are enclosed.

Sincerely,



A.J. Gary
Director and Homeland Security Advisor