

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

HOUSE BILL 1741

By: Representative Eaves
By: Senator J. Cooper

For An Act To Be Entitled

AN ACT TO AMEND THE HIGHER EDUCATION UNIFORM
CLASSIFICATION AND COMPENSATION ACT; TO DECLARE AN
EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE HIGHER EDUCATION UNIFORM
CLASSIFICATION AND COMPENSATION ACT; AND
TO DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code § 21-5-1402 is amended to read as follows:

21-5-1402. Definitions.

As used in this subchapter:

~~(1) "Base pay level" means the maximum entry pay level for
classifications assigned to the career service pay plan;~~

~~(2) "Base range" means the range of pay between the entry pay
level and the base pay level of the appropriate grade for classifications
assigned to the career service pay plan;~~

~~(3) "Career pay level" means the pay level established on the
career service compensation plan at a grade that is authorized only for
current employees who meet established eligibility criteria;~~

~~(4)~~(1) "Class" or "classification" means a group of positions
sufficiently similar as to duties performed, scope of discretion and
responsibility, minimum requirements of education or training, skill,
experience, and other characteristics that the same class title, the same



test of fitness, and the same grade have been or may be applied to each position in the group;

~~(5)~~(2) "Classified employee" means a person regularly appointed or employed in a position of state service by an institution of higher education for which:

(A) He or she is compensated on a full-time basis or on a pro rata basis; and

(B) A class title and grade are established in the appropriation act for the institution in accordance with the classification and compensation plan enacted in this subchapter;

~~(6)~~(3) "Class specification" means a written document that identifies a group of positions that require the same type of work and responsibility and sets out the general components of the job description for each position in the category by providing a class title, class code, distinguishing features and examples of work, knowledge, skills, and abilities, and the necessary minimum education and experience requirements to perform the assigned duties;

~~(7)~~(A)(4)(A) "Crossgrade" means a temporary reclassification of a position during the fiscal year.

(B) The Department of Higher Education may authorize a temporary crossgrade through a change in the classification of a position from the classification authorized in an institution's appropriation act between legislative sessions to assure correct classification and for other purposes with the following restrictions:

(i) A position shall not be crossgraded to a classification at a grade higher than the grade originally authorized for the position by the General Assembly in the institution's appropriation act;

(ii) A position may be crossgraded to a classification at the same or lower grade than the position as originally authorized for the position by the General Assembly in the institution's appropriation act;

(iii) Positions that have been crossgraded may be restored to the original authorized class during the fiscal year with the approval of the department for those positions within the same occupational group;

(iv) Position classifications may be crossgraded or

restored to their original classifications only after the review and approval of the department;

(v) Positions established under the ~~career-service compensation pay~~ plan may not be crossgraded to positions having an authorized line item maximum salary established by the General Assembly in the institution of higher education's appropriation act; and

(vi) Positions having an authorized line item maximum salary by the General Assembly in the institution's appropriation act may not be crossgraded from line-item status to classified status;

~~(8)~~(5) "Demotion" means the change in duty assignment of an employee from a position in one classification to a position in another classification of a lower grade;

~~(9)~~ "Entry pay level" means the minimum entry level pay rate for classifications assigned to the compensation plan;

~~(10)~~(A)(6) "Grade" means an authorized pay range for classifications assigned to the pay plan having an entrance a minimum salary rate pay level, intermediate midpoint rate pay level, and a maximum rate of pay level as provided in this subchapter.

~~(B)~~ The determination of lower or higher grade in relation to another grade is determined by comparing the base pay levels assigned to each grade;

~~(11)~~(7) "Head of the institution" means the executive head of an institution of higher education;

~~(12)~~(8) "Institution of higher education" or "institution" means a public institution of higher education supported, in whole or in part, by appropriation of state funds;

~~(13)~~(A)~~(i)~~(9)(A)(i) "Job sharing" means a form of employment in which the hours of work of two (2) or more persons are arranged in such a way as to cover one (1) regular full-time position.

(ii) The department may authorize job sharing for any regular full-time position.

(B) The Director of the Department of Higher Education or his or her designee shall promulgate necessary rules to carry out this subdivision ~~(13)~~(9);

~~(14)~~(10) "Maximum pay level" means the highest authorized level of pay for a grade for normal compensation administration purposes;

~~(15)~~(11) "Midpoint pay level" means the rate of pay midway between the ~~base~~ minimum pay level and the maximum pay level established for each grade;

~~(12)~~ "Minimum pay level" means the entry level pay rate for classifications assigned to the compensation plan;

~~(16)~~(A)~~(13)~~(A) "Occupational group" means a collection of classes having similar job description components and sharing a primary function.

(B) In determining the occupational group to which a class is assigned, consideration shall be given to the type of work performed, the education or experience required, job elements or tasks, and the purpose of the job;

~~(17)~~(14) "Pay level" means any single rate of pay in a grade, including the ~~entrance rate~~ minimum pay level, ~~intermediate rate~~ midpoint pay level, and ~~the maximum rate of pay level~~;

~~(18)~~(15) "Position" means an office or employment that is legislatively authorized in an institution of higher education, occupied or vacant, requiring the services of one (1) full-time equivalent employee;

~~(19)~~(16) "Promotion" means the change in duty assignment of an employee from a position in one classification to a position in another classification of a higher grade; and

~~(20)~~(A)~~(17)~~(A) "Reclassification" means a change in the assignment of a position from one classification title to another classification title of either a higher or lower grade when material and permanent changes in the duties and responsibilities of the position being recommended for reclassification have occurred or when it is necessary to establish a new classification title to meet federal standards as a prerequisite for federal programs.

(B) Positions eligible for reclassification within an institution of higher education are only those positions assigned a specific classification title and grade.

(C) Positions having a line-item maximum salary are exempt from the provisions in this section and may not be reclassified from line-item status to a classified designation bearing a salary grade.

(D) Positions within an institution of higher education designated within a classification title and grade shall not be reclassified

to a classification title for which a line-item maximum annual salary has been established.

(E) Interim reclassifications approved by the department shall be implemented through the crossgrading of existing positions within an institution of higher education or through the acquisition of pool positions as authorized in § ~~21-5-1414(a)(1)~~ 21-5-1415(a)(1).

SECTION 2. Arkansas Code § 21-5-1406(b), concerning classifications under the Higher Education Uniform Classification and Compensation Act, is amended to read as follows:

(b) The following classification titles with their assigned grades are approved for the classification and compensation plan under this subchapter, subject to the appropriation acts for the institutions:

Class Code	Title	Grade
D010G	DATA WAREHOUSE LEAD	G128
Q149G	FISCAL OFFICER	G128
D008G	GIS LEAD	G128
G241G	HEALTH INFO TECH OPER & TECH OFFICER	G128
D007C	INFORMATION SYSTEMS MANAGER	C128
X005G	PROPERTY & CASUALTY MANAGER	G128
G008G	RISK MANAGEMENT ASSISTANT DIRECTOR	G128
D006G	SOFTWARE ENGINEER LEAD	G128
Q026G	APPLICATIONS PROGRAMMER	G127
Q023G	DATABASE PROGRAMMER	G127
D012G	DATABASE SPECIALIST	G127
A014G	FISCAL DIVISION MANAGER	G127
Q025G	NETWORK SPECIALIST	G127
Q027G	NETWORK/WEB PROGRAMMER	G127
Q024G	PC SUPPORT MANAGER	G127
B015C	ENGINEER SUPERVISOR	C126
R006G	HUMAN RESOURCES ADMINISTRATOR	G126
D017G	INFORMATION SYSTEMS SECURITY SPECIALIST	G126
D016C	SENIOR TECHNOLOGY ANALYST	C126
D114C	UAF SYSTEMS ADMINISTRATOR	C126

A027C	ACCOUNTING OPERATIONS MANAGER	C125
D020C	INST INFORMATION TECHNOLOGY COORD	C125
M004C	RESIDENTIAL OPERATIONS MANAGER	C125
B018C	SENIOR BROADCAST ENGINEER	C125
E009C	TECHNICAL INSTITUTE ASSISTANT DIRECTOR	C125
G076C	ADMINISTRATIVE SERVICES MANAGER	C124
A031C	ASSISTANT CONTROLLER	C124
D035C	COMPUTER SUPPORT MANAGER	C124
D034C	DATABASE ADMINISTRATOR	C124
D031C	DISASTER RECOVERY ANALYST	C124
E013C	EDUCATION PROGRAM MANAGER	C124
D030C	INFORMATION SYSTEMS COORDINATOR	C124
Q051C	NETWORK ADMINISTRATOR	C124
D029C	SENIOR GIS ANALYST	C124
D028C	SENIOR SOFTWARE SUPPORT SPECIALIST	C124
D027C	SOFTWARE ENGINEER	C124
D022C	SYSTEMS SPECIALIST	C124
E011C	VOCATIONAL EDUCATION COORDINATOR	C124
A038C	FISCAL SUPPORT MANAGER	C123
D040C	GIS ANALYST	C123
D039C	NETWORK SUPPORT SPECIALIST	C123
P004C	PUBLIC INFORMATION MANAGER	C123
D038C	SENIOR SOFTWARE SUPPORT ANALYST	C123
Q151C	ADMINISTRATIVE ASSISTANT	C122
G103C	ASSOCIATE REGISTRAR	C122
A116C	BUSINESS OPERATIONS MANAGER	C122
T019C	DIRECTOR OF PUBLIC SAFETY I	C122
S003C	FOOD & BEVERAGE DIRECTOR	C122
T018C	HE PUBLIC SAFETY COMMANDER III	C122
D047C	INFORMATION SYSTEMS BUSINESS ANALYST	C122
G095C	LODGE MANAGER	C122
B034C	MICROBIOLOGIST SUPERVISOR	C122
L027C	REGISTERED NURSE SUPERVISOR	C122
D050C	SECURITY ANALYST	C122
E018C	SPECIALIZED TECHNICAL FACULTY	C122
D044C	SYSTEMS ANALYST	C122

B033C	UAF CONSTRUCTION COORDINATOR	C122
A052C	ACCOUNTING COORDINATOR	C121
D054C	COMPUTER SUPPORT COORDINATOR	C121
E022C	EDUCATION & INSTRUCTION MANAGER	C121
A047C	FINANCIAL ANALYST II	C121
G109C	GRANTS MANAGER	C121
T023C	HE PUBLIC SAFETY COMMANDER II	C121
M009G	LICENSED CERTIFIED SOCIAL WORKER	C121
S004C	MAINTENANCE MANAGER	C121
L036C	NURSE INSTRUCTOR	C121
R014C	PERSONNEL MANAGER	C121
V004C	PROCUREMENT MANAGER	C121
D052C	SOFTWARE SUPPORT ANALYST	C121
D051C	SYSTEMS APPLICATIONS SUPERVISOR	C121
P008C	TELEVISION PROGRAM MANAGER	C121
D060C	ASST DIR COMPUTER SVCS	C120
S006C	ASU ASSOC DIR PHYSICAL PLANT	C120
B056C	ASU CONSTRUCTION COORDINATOR	C120
G136C	ASU DIRECTOR OF HOUSING	C120
D059C	ASU ENGINEERING COMM FACILITIES DIR	C120
R019G	BUDGET MANAGER	C120
B054C	CAMPUS CONSTRUCTION COORDINATOR	C120
E027C	CAREER & TECHNICAL FACULTY	C120
D058C	COMPUTER OPERATIONS COORDINATOR	C120
G135G	COORD DESEGREGATION & AFFIRM ACTN	C120
Q075G	DESKTOP APPLICATIONS SUPPORT	C120
E026C	EDUCATION & INSTRUCTION COORDINATOR	C120
D057C	INFORMATION TECHNOLOGY MANAGER	C120
Q084G	MANAGEMENT PROJECT ANALYST	C120
P014G	MUSEUM MANAGER	C120
Q078C	PC SUPPORT SPECIALIST	C120
P013C	PUBLIC INFORMATION COORDINATOR	C120
T030C	PUBLIC SAFETY COMMANDER I	C120
P068G	RADIO PRODUCER	C120
L038C	REGISTERED NURSE	C120
D056C	SYSTEMS COORDINATION ANALYST	C120

P012C	TELEVISION PRODUCER	C120
G118C	UAF ASSOC DIR OF AR UNION	C120
A053C	AF ASST BUSINESS MANAGER	C120
P011C	UAF SPORTS INFORMATION COORDINATOR	C120
B064C	ASU DIRECTOR OF FARMING	C119
R022C	BENEFITS COORDINATOR	C119
R021C	BUDGET ANALYST	C119
V008C	BUYER SUPERVISOR	C119
S008C	CAMPUS MAINTENANCE SUPERVISOR	C119
D063C	COMPUTER SUPPORT SPECIALIST	C119
P016C	CURATOR	C119
D062C	DATABASE ANALYST	C119
G159C	DEPARTMENT BUSINESS COORDINATOR	C119
P065C	DEVELOPMENT SPECIALIST	C119
E032C	EDUCATION COUNSELOR	C119
E031C	EDUCATION PROGRAM COORDINATOR	C119
G147C	GRANTS COORDINATOR	C119
D061C	INFORMATION SYSTEMS COORDINATION SPEC	C119
A066C	INTERNAL AUDITOR	C119
E030G	LIBRARY COORDINATOR	C119
A065C	PAYROLL SERVICES COORDINATOR	C119
V007C	PROCUREMENT COORDINATOR	C119
B061C	RESEARCH TECHNOLOGIST	C119
G144C	TECHNICAL INSTITUTE PROGRAM COORDINATOR	C119
R024C	ASSISTANT PERSONNEL MANAGER	C118
S015G	ASST LODGE MANAGER	C118
S012C	ASU ASST DIRECTOR OF PHYSICAL PLANT	C118
G172C	CAREER PLANNING & PLAC COORDINATOR	C118
M030C	CHILD CARE DIRECTOR	C118
D066C	DIGITAL BROADCAST SPECIALIST	C118
G169C	DIRECTOR OF STUDENT UNION	C118
E038C	EDUCATION & INSTRUCTION ANALYST	C118
E037G	EDUCATION PROGRAM SPECIALIST	C118
C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	C118
A075C	FINANCIAL ANALYST I	C118
A074C	FISCAL SUPPORT SUPERVISOR	C118

R023C	INSTITUTION PERSONNEL SVCS MANAGER	C118
L047C	MEDICAL TECHNOLOGIST SUPERVISOR	C118
D065C	NETWORK SUPPORT ANALYST	C118
A072C	RESEARCH & STATISTICS MANAGER	C118
S014C	RESTAURANT MANAGER	C118
M022C	UAPB DIRECTOR OF HOUSING	C118
D064C	WEBSITE DEVELOPER	C118
M026C	LICENSED SOCIAL WORKER	C118
A082C	ACCOUNTANT II	C117
G190C	ASST DIR FINANCIAL AID	C117
G189C	ATU DIRECTOR OF HOUSING	C117
S020C	AVIATION TECHNICIAN	C117
P023C	BROADCAST PROMOTION SPECIALIST	C117
R027C	BUDGET SPECIALIST	C117
G188C	BUSINESS & INDUSTRIAL ENERGY SPECIALIST	C117
C019C	CLINIC BUSINESS SVCS MANAGER	C117
D071C	COMPUTER SUPPORT ANALYST	C117
P022C	COORDINATOR OF SPORTS INFORMATION	C117
L055C	DIETICIAN	C117
S019C	DIRECTOR MAINTENANCE	C117
P021C	EDITOR	C117
G180C	GRANTS ANALYST	C117
R025C	HUMAN RESOURCES ANALYST	C117
D068C	INFORMATION SYSTEMS ANALYST	C117
D067C	INFORMATION SYSTEMS SECURITY ANALYST	C117
G179C	LEGAL SERVICES SPECIALIST	C117
S017C	MAINTENANCE COORDINATOR	C117
V011C	MEDICAL BUYER	C117
B077C	MICROBIOLOGIST	C117
P020C	PRODUCTION ARTIST	C117
M038C	PROGRAM ELIGIBILITY ANALYST	C117
T051C	PUBLIC SAFETY SUPERVISOR	C117
B076C	RESEARCH PROJECT ANALYST	C117
E041C	SENIOR LIBRARIAN	C117
S016C	SKILLED TRADES FOREMAN	C117
E040C	STAFF DEVELOPMENT COORDINATOR	C117

M035C	UALR DIRECTOR OF HOUSING	C117
M034C	UAM DIRECTOR OF HOUSING	C117
M033C	UCA ASSISTANT DIRECTOR OF HOUSING	C117
A089C	ACCOUNTANT I	C116
A088C	ASSETS COORDINATOR	C116
<u>B072C</u>	<u>AGRICULTURE PROGRAM COORDINATOR</u>	<u>C116</u>
<u>B091C</u>	<u>ASSISTANT DIRECTOR OF FARMING</u>	<u>C116</u>
C023C	ASSOCIATE BOOKSTORE MANAGER	C116
B089C	ASU ASST DIRECTOR OF FARMING	C116
S029C	ASU DIRECTOR OF HOUSEKEEPING	C116
A087C	ASU PAYROLL SERVICES MANAGER	C116
S092C	ATHLETIC TICKET SALES COORDINATOR	C116
S025C	BUILDING AND GROUNDS COORDINATOR	C116
C022C	BUSINESS OPERATIONS SPECIALIST	C116
V014C	BUYER	C116
M053C	CHILD CARE SERVICE SPECIALIST	C116
X129C	CONSTRUCTION INSPECTOR	C116
S098C	CONSTRUCTION SUPERVISOR	C116
S024C	CONSTRUCTION/MAINTENANCE COORD	C116
P032C	DESIGN CONSULTANT	C116
G197C	DIRECTOR OF ALUMNI	C116
E048C	EDUCATION & INSTRUCTION SPECIALIST	C116
R030C	EEO/GRIEVANCE OFFICER	C116
B087C	ENERGY CONSERVATION COORD	C116
B090C	ENGINEER TECHNICIAN	C116
G195C	HIGHER ED INSTITUTION PROG COORD	C116
R029C	HUMAN RESOURCES RECRUITER	C116
P031C	MEDIA SPECIALIST	C116
P030C	MUSEUM EXHIBIT PROGRAM SPECIALIST	C116
P029C	MUSEUM PROGRAMS SPECIALIST	C116
X119C	OCCUPATIONAL SAFETY COORDINATOR	C116
S023C	PRINT SHOP MANAGER	C116
P027C	PUBLIC INFORMATION SPECIALIST	C116
T055C	PUBLIC SAFETY OFFICER	C116
P066C	RADIO NEWS DIRECTOR	C116
P026C	RADIO PROGRAM DIRECTOR	C116

Q153C	RECEPTIONIST	C116
S022C	SKILLED TRADES SUPERVISOR	C116
D075C	SOFTWARE SUPPORT SPECIALIST	C116
C020C	STUDENT APPLICATIONS SPECIALIST	C116
D074C	TELECOMMUNICATIONS SUPERVISOR	C116
E046C	TRAINING INSTRUCTOR	C116
C037C	ADMINISTRATIVE ANALYST	C115
Q123C	ADMINISTRATIVE ASSISTANT	C115
G212C	ASST DIR STUDENT UNION	C115
C035C	ASST REGISTRAR	C115
G211C	ASU ASST DIRECTOR OF HOUSING	C115
S036C	AUTO/DIESEL MECHANIC SUPERVISOR	C115
R033C	BENEFITS ANALYST	C115
C034C	BOOKSTORE MANAGER	C115
C033C	CLINIC BUSINESS SVCS SUPERVISOR	C115
V016C	COMMODITY SPECIALIST	C115
D079C	COMPUTER SUPPORT TECHNICIAN	C115
S097C	CONSTRUCTION SPECIALIST	C115
S035C	FABRICATION SHOP MANAGER	C115
L063C	FAMILY CONSUMER SCIENCE SPECIALIST	C115
G207C	FINANCIAL AID ANALYST	C115
X188C	FIRE MARSHAL INSPECTOR	C115
A091C	FISCAL SUPPORT ANALYST	C115
D078C	GIS TECHNICIAN	C115
D077C	HELP DESK SPECIALIST	C115
R032C	HUMAN RESOURCES PROGRAM REPRESENTATIVE	C115
R031C	INSTITUTION HUMAN RESOURCES COORDINATOR	C115
E050C	LIBRARY SUPERVISOR	C115
Q124C	LIBRARY TECHNICAL ASSISTANT	C115
L062C	LICENSED PRACTICAL NURSE SUPERVISOR	C115
S033C	MAINTENANCE SUPERVISOR	C115
C028C	MEDICAL RECORDS SUPERVISOR	C115
L061C	MEDICAL TECHNOLOGIST	C115
A090C	PAYROLL SERVICES SPECIALIST	C115
S032C	PRINT SHOP SUPERVISOR	C115
V015C	PURCHASING SPECIALIST	C115

M055C	SAU DIRECTOR OF HOUSEKEEPING	C115
S031C	SKILLED TRADESMAN	C115
P033C	SPECIAL EVENTS MANAGER	C115
C025C	STUDENT ACCOUNTS OFFICER	C115
S038C	TRANSIT OPERATIONS SUPERVISOR	C115
E049C	VOCATIONAL INSTRUCTOR	C115
B100C	ARCHITECTURAL DRAFTSMAN	C114
P043C	ARCHIVAL ASSISTANT	C114
S042C	ATU COLISEUM MANAGER	C114
S041C	BOILER OPERATOR	C114
P042C	BROADCAST PRODUCTION SPECIALIST	C114
S040C	CALIBRATION TECHNICIAN	C114
G215C	CAREER PLANNING & PLACEMENT SPECIALIST	C114
P041C	COMMERCIAL GRAPHIC ARTIST	C114
D085C	COMMUNICATIONS SUPERVISOR	C114
D084C	COMPUTER OPERATOR	C114
D083C	DIGITAL BROADCAST TECHNICIAN	C114
S044C	FOOD PREPARATION MANAGER	C114
G214C	GRANTS SPECIALIST	C114
Q127C	HELP DESK COORDINATOR	C114
P040C	HISTORICAL RESEARCHER	C114
P039C	INSTITUTIONAL PRINTER	C114
E052C	LIBRARIAN	C114
D082C	NETWORK ANALYST	C114
M066C	PROGRAM ELIGIBILITY SPECIALIST	C114
T067C	PUBLIC SAFETY OFFICER II	C114
L064C	RADIOLOGY TECHNICIAN	C114
X151C	SAFETY SUPERVISOR	C114
E051C	STAFF DEVELOPMENT SPECIALIST	C114
S099C	STATIONARY ENGINEER	C114
A093C	STATISTICIAN	C114
M062C	STUDENT UNION NIGHT MANAGER	C114
G213C	TECHNICAL INSTITUTE PROGRAM SPECIALIST	C114
D081C	TELECOMMUNICATIONS SPECIALIST	C114
S039C	TELEVISION PROGRAM SPECIALIST	C114
V018C	WAREHOUSE MANAGER	C114

C050C	ADMINISTRATIVE SUPPORT SUPERVISOR	C113
S048C	ASST RESTAURANT MANAGER	C113
E053C	AUDIOVISUAL AIDS SUPV	C113
A096C	COLLECTION OFFICER	C113
P049C	COMMERCIAL ARTIST I/GRAPHIC ART I	C113
<u>P084C</u>	<u>MULTIMEDIA SPECIALIST</u>	<u>C113</u>
T079C	FACILITY MANAGER II	C113
C051C	FINANCIAL AID SPECIALIST	C113
R036C	HUMAN RESOURCES SPECIALIST	C113
V020C	INVENTORY CONTROL MANAGER	C113
S047C	LANDSCAPE SUPERVISOR	C113
C046C	LEGAL SUPPORT SPECIALIST	C113
L069C	LICENSED PRACTICAL NURSE	C113
S049C	LODGE HOUSEKEEPING SUPERVISOR	C113
G219C	LOGISTICS MANAGER	C113
S046C	MAINTENANCE TECHNICIAN	C113
C044C	MEDICAL BILLING SPECIALIST	C113
L068C	MEDICAL DIAGNOSTIC ANALYST	C113
P048C	MULTI-MEDIA SPECIALIST	C113
P047C	MUSEUM REGISTRAR	C113
R035C	PERSONNEL ASSISTANT II -- INST	C113
P046C	PHOTOGRAPHER	C113
S045C	PRINTING ESTIMATOR/PLANNER	C113
P045C	PUBLIC INFORMATION TECHNICIAN	C113
C043C	RECORDS MANAGEMENT ANALYST	C113
T072C	SECURITY OFFICER SUPERVISOR	C113
G218C	STUDENT RECRUITMENT SPECIALIST	C113
V019C	SURPLUS PROPERTY SPECIALIST	C113
C057C	ADMINISTRATION SUPPORT SPECIALIST	C112
C056C	ADMINISTRATIVE SPECIALIST III	C112
C055C	ASSISTANT BOOKSTORE MANAGER	C112
P054C	ASST LODGE SALES DIRECTOR	C112
S053C	AUTO/DIESEL MECHANIC	C112
R037C	BENEFITS TECHNICIAN	C112
A099C	CREDIT & COLLECTIONS SUPV	C112
E055C	DAY CARE TEACHER	C112

T080C	DIRECTOR TRANSIT & PARKING	C112
B105C	FARM FOREMAN – INST	C112
A098C	FISCAL SUPPORT SPECIALIST	C112
S052C	HEAVY EQUIPMENT SPECIALIST	C112
S051C	INSTRUMENTATION TECHNICIAN	C112
S050C	MAINTENANCE SPECIALIST	C112
C053C	MEDICAL RECORDS TECHNICIAN	C112
A097C	PAYROLL TECHNICIAN	C112
X173C	PEST CONTROL TECHNICIAN SUPERVISOR	C112
V022C	PURCHASING TECHNICIAN	C112
M072C	RECREATION COORDINATOR	C112
B106C	RESEARCH ASSISTANT	C112
P053C	SPECIAL EVENTS COORDINATOR	C112
P052C	SPORTS INFORMATION SPECIALIST	C112
V021C	SURPLUS PROPERTY AGENT	C112
P051C	THEATER ARTS TECHNICAL SUPERVISOR	C112
C060C	ALUMNI AFFAIRS SPECIALIST	C111
S055C	ATHLETIC FACILITY SUPV	C111
M077C	COORDINATOR OF HOUSEKEEPING	C111
T085C	FACILITY MANAGER I	C111
S056C	FOOD PREPARATION SUPERVISOR	C111
D089C	INFORMATION TECHNOLOGY ASSISTANT	C111
B108C	LABORATORY COORDINATOR	C111
E058C	LIBRARY SPECIALIST	C111
X177C	PEST CONTROL TECHNICIAN	C111
S054C	PRINTER	C111
M075C	RESIDENT HALL SPECIALIST	C111
M074C	RESIDENTIAL ADVISOR	C111
V023C	STOREROOM SUPERVISOR	C111
M078C	VOLUNTEER SERVICES COORDINATOR	C111
C065C	ADMISSIONS ANALYST SUPERVISOR	C110
L092C	ATHLETIC TRAINER	C110
R039C	BENEFITS SPECIALIST	C110
C064C	BOOKSTORE OFFICE MANAGER	C110
D092C	CALL CENTER SPECIALIST	C110
C063C	CAMPUS POSTMASTER	C110

X181C	COLLECTOR	C110
D091C	COMPUTER LAB TECHNICIAN	C110
S058C	EQUIPMENT MECHANIC	C110
B120C	FARM MAINTENANCE MECHANIC	C110
L077C	HEALTH SERVICES SPECIALIST II	C110
L076C	HOSPITAL PROGRAM SERVICES ASSISTANT	C110
R038C	HUMAN RESOURCES ASSISTANT	C110
B111C	LABORATORY TECHNICIAN	C110
S057C	LANDSCAPE SPECIALIST	C110
P057C	LIVESTOCK NEWS REPORTER	C110
A100C	PAYROLL OFFICER	C110
T084C	PUBLIC SAFETY SECURITY OFFICER	C110
P055C	SPECIAL EVENTS SUPERVISOR	C110
C061C	STUDENT ACCOUNT SPECIALIST	C110
G221C	VEHICLE FACILITIES COORD	C110
V025C	WAREHOUSE SPECIALIST	C110
A101C	ACCOUNTING TECHNICIAN	C109 <u>C110</u>
C073C	ADMINISTRATIVE SPECIALIST II	C109
C072C	ADMINISTRATIVE SUPPORT SPECIALIST	C109
C071C	ADMISSIONS ANALYST	C109
P059C	BROADCAST ANNOUNCER	C109
L082C	CERTIFIED NURSING ASSISTANT	C109
L081C	DENTAL ASSISTANT	C109
L080C	DIETETIC TECHNICIAN	C109
C070C	DUPLICATION ASSISTANT	C109
B112C	GREENHOUSE TECHNICIAN	C109
S060C	HEAVY EQUIPMENT OPERATOR	C109
L079C	HOSPITAL TECHNICIAN	C109
S063C	INNKEEPER SPECIALIST	C109
S062C	INSTITUTIONAL BUS DRIVER	C109
C069C	LIBRARY TECHNICIAN	C109
C066C	PATIENT ACCOUNT SPECIALIST	C109
B113C	RESEARCH TECHNICIAN	C109
C068C	RETAIL SPECIALIST	C109
M080C	STUDENT UNION SECTION MANAGER	C109
E056C	TEACHER ASSISTANT	C109

M079C	WORK STUDY COORD	C109
C079C	ADMISSIONS SPECIALIST	C108
C078C	CASHIER	C108
C077C	COOP EXTENSION SRV PRG ASST	C108
A102C	FISCAL SUPPORT TECHNICIAN	C108
S068C	FOOD PREPARATION COORDINATOR	C108
S067C	HOUSEKEEPER SUPERVISOR	C108
V027C	INVENTORY CONTROL TECHNICIAN	C108
S066C	LANDSCAPE TECHNICIAN	C108
S065C	MAINTENANCE ASSISTANT	C108
C074C	MEDICAL RECORDS ASSISTANT	C108
P060C	MULTI-MEDIA TECHNICIAN	C108
B114C	RESEARCH FIELD TECHNICIAN	C108
S064C	SKILLED TRADES HELPER	C108
S070C	EQUIPMENT TECHNICIAN	C107
T086C	FIRE & SAFETY COORDINATOR	C107
S073C	HOUSEKEEPER	C107
S071C	INSTITUTIONAL SERVICES SHIFT SUPVT	C107
C085C	LIBRARY SUPPORT ASSISTANT	C107
C083C	MAIL SERVICES COORDINATOR	C107
C084C	MAIL SERVICES SPECIALIST	C107
S069C	RADIO DISPATCH OPERATOR	C107
C082C	REGISTRAR'S ASSISTANT	C107
S074C	RESIDENT HALL MANAGER I	C107
C087C	ADMINISTRATIVE SPECIALIST I	C106
B115C	AGRI FARM TECHNICIAN	C106
B116C	AGRI LABORATORY TECHNICIAN	C106
S075C	ATHLETIC EQUIPMENT SUPV	C106
E057C	AUDIOVISUAL LABORATORY ASSISTANT	C106
T089C	HE PUBLIC SAFETY DISPATCHER	C106
S077C	INNKEEPER ASSISTANT	C106
T088C	PARKING CONTROL SUPV	C106
V029C	PURCHASING ASSISTANT	C106
M089C	RESIDENTIAL CARE ASSISTANT	C106
T087C	SECURITY OFFICER	C106
P063C	SPECIAL EVENTS WORKER	C106

V028C	WAREHOUSE WORKER	C106
B117C	ACADEMIC LABORATORY ASSISTANT	C105
S081C	APPRENTICE TRADESMAN	C105
M086C	CHILD CARE TECHNICIAN	C105
S080C	EQUIPMENT OPERATOR	C105
C089C	LIBRARY TECHNICAL ASSISTANT	C105
C088C	MAIL SERVICES ASSISTANT	C105
T090C	PARKING CONTROL OFFICER	C105
S079C	REPROD EQUIPMENT OPERATOR	C105
V030C	SHIPPING & RECEIVING CLERK	C105
S078C	STADIUM MAINTENANCE SUPV	C105
S083C	BAKER	C104
M085C	CAREGIVER	C104
S086C	COOK	C104
B118C	FARM WORKER	C104
S085C	FOOD PREPARATION SPECIALIST	C104
S084C	INSTITUTIONAL SERVICES SUPERVISOR	C104
S087C	INSTITUTIONAL SERVICES ASSISTANT	C103
B119C	LAB ASSISTANT	C103
S089C	FOOD PREPARATION TECHNICIAN	C102
S088C	KITCHEN ASSISTANT	C102
V031C	STOCK CLERK	C102
C093C	EXTRA HELP ASSISTANT	C101
T091C	WATCHMAN	C101

SECTION 3. Arkansas Code § 21-5-1407(e)(1), concerning the compensation plan for institutions of higher education, is amended to read as follows:

(e)(1) The following grades and pay levels are the authorized ~~career~~ ~~service~~ pay plan, effective July 1, ~~2017~~ 2019, and thereafter, for the state service for all positions of institutions covered by this subchapter to which a classification title and ~~career-service~~ salary grade have been assigned in accordance with this subchapter and the appropriation act of the institution:

~~GRADE ENTRY BASE MIDPOINT MAXIMUM CAREER~~

~~G101 \$15,080 \$15,683 \$18,663 \$21,643 \$23,374~~
~~G102 \$15,512 \$16,467 \$19,761 \$23,054 \$24,899~~
~~G103 \$16,288 \$17,291 \$20,922 \$24,553 \$26,517~~
~~G104 \$17,102 \$18,155 \$22,149 \$26,144 \$28,235~~
~~G105 \$17,957 \$19,063 \$23,448 \$27,832 \$30,059~~
~~G106 \$18,855 \$20,016 \$24,820 \$29,624 \$31,994~~
~~G107 \$19,798 \$21,017 \$26,271 \$31,525 \$34,048~~
~~G108 \$20,788 \$22,068 \$27,805 \$33,543 \$36,227~~
~~G109 \$21,827 \$23,171 \$29,427 \$35,684 \$38,538~~
~~G110 \$22,919 \$24,330 \$31,142 \$37,954 \$40,991~~
~~G111 \$24,065 \$25,546 \$32,955 \$40,363 \$43,592~~
~~G112 \$25,268 \$26,824 \$34,871 \$42,918 \$46,351~~
~~G113 \$26,531 \$28,165 \$36,614 \$45,064 \$48,669~~
~~G114 \$27,858 \$29,573 \$38,445 \$47,317 \$51,102~~
~~G115 \$29,251 \$31,052 \$40,367 \$49,683 \$53,657~~
~~G116 \$30,713 \$32,604 \$42,386 \$52,167 \$56,340~~
~~G117 \$32,249 \$34,234 \$44,505 \$54,775 \$59,157~~
~~G118 \$33,861 \$35,946 \$46,730 \$57,514 \$62,115~~
~~G119 \$35,554 \$37,743 \$49,067 \$60,390 \$65,221~~
~~G120 \$37,332 \$39,631 \$51,124 \$62,616 \$67,626~~
~~G121 \$39,199 \$41,612 \$53,264 \$64,915 \$70,108~~
~~G122 \$41,159 \$43,693 \$55,490 \$67,287 \$72,670~~
~~G123 \$43,217 \$45,877 \$57,806 \$69,734 \$75,312~~
~~G124 \$45,377 \$48,171 \$60,214 \$72,257 \$78,038~~
~~G125 \$47,646 \$50,580 \$62,719 \$74,858 \$80,847~~
~~G126 \$50,029 \$53,109 \$65,324 \$77,539 \$83,742~~
~~G127 \$52,530 \$55,764 \$68,032 \$80,301 \$86,725~~
~~G128 \$55,156 \$58,553 \$70,849 \$83,145 \$89,796~~
~~G129 \$57,914 \$61,480 \$73,776 \$86,072 \$92,958~~
~~G130 \$60,810 \$64,554 \$76,819 \$89,085 \$96,212~~

<u>Grade</u>	<u>Minimum</u>	<u>15% Above Minimum</u>	<u>Midpoint</u>	<u>30% Above Minimum</u>	<u>Maximum</u>
<u>C101</u>	<u>\$20,800</u>	<u>\$23,920</u>	<u>\$26,520</u>	<u>\$27,040</u>	<u>\$32,240</u>
<u>C102</u>	<u>\$21,127</u>	<u>\$24,295</u>	<u>\$27,328</u>	<u>\$27,464</u>	<u>\$33,530</u>
<u>C103</u>	<u>\$21,453</u>	<u>\$24,671</u>	<u>\$28,162</u>	<u>\$27,889</u>	<u>\$34,871</u>
<u>C104</u>	<u>\$21,780</u>	<u>\$25,046</u>	<u>\$29,023</u>	<u>\$28,313</u>	<u>\$36,266</u>

<u>C105</u>	<u>\$22,106</u>	<u>\$25,422</u>	<u>\$29,911</u>	<u>\$28,738</u>	<u>\$37,716</u>
<u>C106</u>	<u>\$22,433</u>	<u>\$25,797</u>	<u>\$30,829</u>	<u>\$29,162</u>	<u>\$39,225</u>
<u>C107</u>	<u>\$22,759</u>	<u>\$26,173</u>	<u>\$31,776</u>	<u>\$29,587</u>	<u>\$40,794</u>
<u>C108</u>	<u>\$23,086</u>	<u>\$26,548</u>	<u>\$32,756</u>	<u>\$30,011</u>	<u>\$42,426</u>
<u>C109</u>	<u>\$23,412</u>	<u>\$26,924</u>	<u>\$33,767</u>	<u>\$30,436</u>	<u>\$44,123</u>
<u>C110</u>	<u>\$23,739</u>	<u>\$27,299</u>	<u>\$34,813</u>	<u>\$30,860</u>	<u>\$45,888</u>
<u>C111</u>	<u>\$24,065</u>	<u>\$27,675</u>	<u>\$35,894</u>	<u>\$31,285</u>	<u>\$47,723</u>
<u>C112</u>	<u>\$25,268</u>	<u>\$29,058</u>	<u>\$37,450</u>	<u>\$32,848</u>	<u>\$49,632</u>
<u>C113</u>	<u>\$26,531</u>	<u>\$30,511</u>	<u>\$39,074</u>	<u>\$34,490</u>	<u>\$51,617</u>
<u>C114</u>	<u>\$27,858</u>	<u>\$32,037</u>	<u>\$40,770</u>	<u>\$36,215</u>	<u>\$53,682</u>
<u>C115</u>	<u>\$29,251</u>	<u>\$33,639</u>	<u>\$42,540</u>	<u>\$38,026</u>	<u>\$55,829</u>
<u>C116</u>	<u>\$30,713</u>	<u>\$35,320</u>	<u>\$44,388</u>	<u>\$39,927</u>	<u>\$58,062</u>
<u>C117</u>	<u>\$32,249</u>	<u>\$37,086</u>	<u>\$46,317</u>	<u>\$41,924</u>	<u>\$60,385</u>
<u>C118</u>	<u>\$33,861</u>	<u>\$38,940</u>	<u>\$48,331</u>	<u>\$44,019</u>	<u>\$62,800</u>
<u>C119</u>	<u>\$35,554</u>	<u>\$40,887</u>	<u>\$50,433</u>	<u>\$46,220</u>	<u>\$65,312</u>
<u>C120</u>	<u>\$37,332</u>	<u>\$42,932</u>	<u>\$52,628</u>	<u>\$48,532</u>	<u>\$67,925</u>
<u>C121</u>	<u>\$39,199</u>	<u>\$45,079</u>	<u>\$54,920</u>	<u>\$50,959</u>	<u>\$70,642</u>
<u>C122</u>	<u>\$41,159</u>	<u>\$47,333</u>	<u>\$57,313</u>	<u>\$53,507</u>	<u>\$73,467</u>
<u>C123</u>	<u>\$43,217</u>	<u>\$49,700</u>	<u>\$59,812</u>	<u>\$56,182</u>	<u>\$76,406</u>
<u>C124</u>	<u>\$45,377</u>	<u>\$52,184</u>	<u>\$62,420</u>	<u>\$58,990</u>	<u>\$79,462</u>
<u>C125</u>	<u>\$47,646</u>	<u>\$54,793</u>	<u>\$65,143</u>	<u>\$61,940</u>	<u>\$82,641</u>
<u>C126</u>	<u>\$50,029</u>	<u>\$57,533</u>	<u>\$67,988</u>	<u>\$65,038</u>	<u>\$85,947</u>
<u>C127</u>	<u>\$52,530</u>	<u>\$60,410</u>	<u>\$70,957</u>	<u>\$68,289</u>	<u>\$89,384</u>
<u>C128</u>	<u>\$55,156</u>	<u>\$63,429</u>	<u>\$74,058</u>	<u>\$71,703</u>	<u>\$92,960</u>
<u>C129</u>	<u>\$57,914</u>	<u>\$66,601</u>	<u>\$77,296</u>	<u>\$75,288</u>	<u>\$96,678</u>
<u>C130</u>	<u>\$60,810</u>	<u>\$69,932</u>	<u>\$80,678</u>	<u>\$79,053</u>	<u>\$100,545</u>

SECTION 4. Arkansas Code § 21-5-1407, concerning the compensation plan for institutions of higher education, is amended to add an additional subsection to read as follows:

(g) With the approval of the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee, salaries established by this section may exceed the maximum pay level for the grade assigned by the classification by no more than twenty-five percent (25%) for no more than ten percent (10%) of the positions authorized in the institution's appropriation act.

SECTION 5. Arkansas Code § 21-5-1409(b) and (c), concerning the procedure for salary adjustments at institutions of higher education, are amended to read as follows:

(b)(1) The rate of compensation an employee shall receive on July 1, 2019 is an increase of one percent (1%) above the employee's current salary.

(2) An employee whose adjusted annual salary falls below the entry pay level for the grade assigned to his or her classification shall be further adjusted to the entry pay level.

(3) The salary increase authorized by subdivision (b)(1) of this section may allow an employee's compensation to exceed the maximum pay level amount set out for the position.

~~(b)(c)(1)(A) The In addition to the compensation increase under subsection (b) of this section, the maximum annual salary for which an employee covered by this subchapter is eligible on July 1, ~~2017~~ 2019, shall ~~may be increased; determined by increasing the salary of the employee as it existed on June 30, 2017.~~~~

~~(i)(A) By a percentage up to two percent (2%) with written approval by the Director of the Department of Higher Education; or~~

~~(ii)(B) More than two percent (2%) only with written approval of the director after review by the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.~~

~~(B)(2) The salary increase may be established as an increase to the employee's salary or as a lump sum.~~

~~(2) The salary increase authorized by subdivision (b)(1) of this section shall not allow an employee's compensation to exceed the maximum pay level amount set out for the position unless the employee is eligible for the career pay level as established in § 21-5-1410.~~

~~(3) If an employee does not meet the service requirements in § 21-5-1410, the increase shall be paid as a lump sum on the last pay period of the fiscal year of the year in which the increase is to occur.~~

~~(4)(A) An employee compensated at the highest pay level authorized for the grade assigned to his or her classification may receive the July 1, 2017, salary increase authorized in this section as a lump sum payment.~~

~~(B) However, the salary increase shall be paid as a lump~~

~~sum on the last pay period of the 2018 fiscal year, and the payment shall not be construed as exceeding the maximum pay level described in subdivision (b)(2) of this section.~~

(3) An employee compensated at the highest pay level rate authorized for his or her classification is eligible to receive the salary increase authorized in this section as a lump sum payment.

~~(c)(1) An employee covered by this subchapter is eligible for an additional salary increase or lump sum payment of two percent (2%) each fiscal year upon approval by the director if:~~

~~(A) The director determines that sufficient revenues become available; and~~

~~(B) The additional salary increase of two percent (2%) does not result in an employee's compensation exceeding the maximum pay level amount set out for the position unless the employee is eligible for the career pay level on the career service pay plan as established in § 21-5-1410.~~

~~(2)(A) An employee compensated at the highest pay level rate authorized for his or her classification is eligible to receive the salary increase of two percent (2%) authorized in this section as a lump sum payment.~~

~~(B) However, the increase shall be paid as a lump sum on the last pay period of the fiscal year of the year in which the increase is to occur, and the payment shall not be construed as exceeding the maximum salary under subdivision (b)(2) of this section.~~

SECTION 6. Arkansas Code § 21-5-1410 is amended to read as follows:

21-5-1410. New appointments – Other compensation plan provisions.

~~(a) A new appointment to a position in an institution of higher education covered by this subchapter shall not be compensated at a rate of pay greater than the base pay level established for the grade of the position unless a special rate of pay is requested and approved as follows:~~

~~(1)(A) An institution may request a special rate of pay for either a current or prospective employee within the institution if:~~

~~(i) Prevailing market rates of pay for a specific classification title are such that the institution is unable to competitively recruit at the base pay level for the grade assigned to that classification;~~

~~(ii) An acute shortage of qualified applicants for a position within a specific classification exists;~~

~~(iii) The institution desires to obtain the services of an exceptionally well-qualified applicant for a specific position;~~

~~(iv) The institution desires to retain trained, competent employees; or~~

~~(v) It enables the institution to meet any requirements of state or federal laws.~~

~~(B)(i) An institution may request a special rate of pay for a specific classification due to prevailing market rates of pay to hire a new employee up to the midpoint pay level of the appropriate grade of a classification on the appropriate pay plan with the written approval of the Director of the Department of Higher Education.~~

~~(ii) An institution may request a special rate of pay for a specific classification due to prevailing market rates of pay to hire a new employee up to the maximum pay level annual rate authorized for the grade assigned to a classification only with the approval of the director after review by the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.~~

~~(iii) A special rate of pay shall not be approved under this section unless the classification is properly reviewed and the special rate of pay is approved as a market-rate classification for the grade and listed on a register of such pay levels by classification maintained by the Department of Higher Education.~~

~~(iv) The department shall file a report of all such classifications with the Legislative Council, or if the General Assembly is in session, the Joint Budget Committee, within the month following the approval.~~

~~(C)(i) If a special rate of pay has been approved for a position within a specific classification due to prevailing market rates of pay or an acute shortage of qualified applicants, current employees within the institution assigned to the affected classification may be compensated at the new approved rate of pay by the institution upon written approval by the director.~~

~~(ii) The department shall file a report of all the employee salary adjustments under subdivision (a)(1)(C)(i) of this section~~

~~with the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee, within the month following the approval; or~~

~~(2)(A) An institution may request a special rate of pay for a specific individual applicant due to exceptional qualifications to hire a new employee at a salary level up to and including the midpoint pay level of the appropriate pay grade of a specific position with the written approval of the director and up to the maximum pay level of the appropriate grade with the approval of the director after review by the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.~~

~~(B) An institution may request a special rate of pay to retain a trained, competent employee at a salary level up to and including the midpoint pay level of the appropriate pay grade of a specific position with the written approval of the director and up to the maximum pay level of the appropriate grade with the approval of the director after review by the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.~~

~~(C) This subdivision (a)(2) applies only for the:~~

~~(i) Hiring of an exceptionally well-qualified applicant whose background and experience qualify the applicant to perform the job with very little or substantially less orientation and training than would be the case for another qualified applicant; or~~

~~(ii) Retention of a trained, competent employee.~~

~~(D) Requests by an institution for a special rate of pay for a position based on the exceptional qualifications of a prospective employee may be approved if the:~~

~~(i) Institution has documented to the satisfaction of the director that no current employee of the affected institution applied for the position and who was determined by the institution to not be an equivalent alternative to the exceptionally well-qualified applicant. The director shall supply upon request any supporting documentation to the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee; and~~

~~(ii) Prospective employee possesses a level of experience or educational credentials that would permit him or her to perform the duties and responsibilities of the position for which the special rate is requested with significantly less training and orientation than all other~~

qualified applicants.

~~(E) The hiring of a new employee under this subdivision (a)(2) shall not affect the salary level or salary eligibility of any current employee within the institution.~~

~~(F)(i) This section applies to both prospective and current employees of institutions.~~

~~(ii) Except as provided in subdivision (a)(2)(B) of this section, this section applies only to current employees in positions in which the position has been advertised and the employee has competitively applied for the position by submitting an application with an institution for consideration for the position. Otherwise, employees shall be compensated in accordance with subsection (d) of this section.~~

~~(b) If approval has been granted to a requesting institution for a special rate of pay at or below the midpoint pay level under this section, the director shall report all approvals monthly to the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.~~

~~(c) An employee who is compensated at the maximum pay level in a position assigned to the career service pay plan is eligible for salary adjustments authorized in this subchapter as an addition to his or her base salary up to the career pay level if the:~~

~~(1) Employee meets or exceeds the eligibility requirements approved by the department after review by the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee, which shall include at a minimum:~~

~~(A) Fifteen (15) cumulative years of full-time equivalent state service that may be in either classified or nonclassified regular positions but not in extra help positions; and~~

~~(B) A performance evaluation rating at or above the satisfactory level for the preceding rating period; and~~

~~(2) Additional salary increase does not result in the employee's annual salary's exceeding the career pay level for the grade by classification of the employee's position.~~

~~(d)(1) An employee promoted on or after July 1, 2017, to a position of a higher grade, may receive a maximum annual salary increase of up to ten percent (10%).~~

~~(2)(A) An employee who upon promotion receives an annual salary~~

~~below the lowest entry pay level established for the new grade may be adjusted to that lowest entry pay level for that grade.~~

~~(B) However, an employee's annual salary upon promotion shall not exceed the highest pay level of the grade assigned to the classification, unless the employee is eligible for career pay level on the career service pay plan as established in subdivision (c)(1) of this section.~~

~~(c)(1) When an employee is demoted for cause or voluntarily solicits a demotion, his or her rate of pay shall be fixed in the lower-graded position at a rate equal to ten percent (10%) less than the employee's rate of pay at the time of demotion for demotions of one (1) or more grades on the career service pay plan or on the professional and executive pay plan.~~

~~(2) If the employee's salary falls below the lowest entry pay level of the new grade upon demotion, his or her annual salary may be adjusted to that lowest entry level for that grade.~~

~~(3) An employee's annual salary upon a demotion shall not exceed the highest pay level within the grade assigned to the classification, unless the employee is eligible for the career pay level on the career pay service pay plan under this section.~~

~~(f)(1) An employee who returns to a position within a classification the employee formerly occupied within a twelve-month period after promotion from the classification is eligible for an annual salary no greater than that for which the employee would have been eligible had the employee remained in the lower-graded classification.~~

~~(2) An employee who is placed in a lower-graded position on either compensation plan because the original position has expired due to lack of funding, program changes, or withdrawal of federal grant funds may continue to be paid at the same rate as the employee was being paid in the higher-graded position upon approval of the department after seeking the review of the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.~~

~~(g)(1) If an employee who has been terminated for more than thirty (30) working days returns to a position within the institution, the institution may offer up to the employee's last annual salary not to exceed the maximum pay level established for the grade.~~

~~(2) A former institution employee may return as a new employee should this section provide a lower annual salary than he or she could~~

~~otherwise receive upon entering state service.~~

~~(h) Upon transfer of employment from one institution to another, an employee shall receive a lump sum payment from the original institution for any overtime that has been accrued and not paid and for any compensatory time accrued that has not been used at the final regular rate of pay received by the employee.~~

(a) A new appointment to a position in an institution of higher education covered by this subchapter shall be paid at the minimum pay level for the grade assigned to the classification unless otherwise authorized by law.

(b) Special rates of pay may be established for either classifications or positions for the following reasons:

(1) Prevailing labor market conditions;

(2) An extraordinarily well-qualified candidate;

(3) The need to retain trained, competent employees;

(4) An employee assigned additional duties as a result of the elimination of a position by an institution; or

(5) To meet the requirements of state or federal laws.

(c)(1) An institution may request a special rate of pay for a specific classification or position due to prevailing market rates of pay up to the midpoint pay level of the appropriate grade of a classification on the appropriate pay table for the assigned grade with the written approval of the Director of the Department of Higher Education.

(2) An institution may request a special rate of pay for a specific classification or position due to prevailing market rates of pay up to the maximum pay level for the assigned grade only with the approval of the director after review by the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.

(3) The Department of Higher Education shall maintain a register of classifications or positions for which special rates of pay have been established due to prevailing market rates of pay.

(4) The department shall file a report of special rates of pay established due to prevailing market rates of pay with the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee, at the next regularly scheduled meeting following the approval.

(d)(1) A special rate of pay may be established for an exceptionally

well-qualified applicant whose educational background or experience qualifies the applicant to perform the job with little or substantially less orientation and training than would be required for another qualified applicant.

(2)(A) The head of the institution may approve a special rate of pay under subdivision (d)(1) of this section up to fifteen percent (15%) above the minimum pay level for the grade assigned to the classification and shall report all actions under the department's procedures.

(B) The director may approve a special rate of pay under subdivision (d)(1) of this section above fifteen percent (15%) up to thirty percent (30%) above the minimum pay level for the grade assigned to the classification.

(C) The department may approve a special rate of pay under subdivision (d)(1) of this section above thirty percent (30%) up to the maximum pay level for the grade assigned to the classification after review by the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.

(3) The department shall file a report of special rates of pay established under this subsection with the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee, at the next regularly scheduled meeting following the approval.

(e)(1) The head of the institution may approve special rates of pay to retain a trained, competent employee or due to the assignment of additional duties as a result of the elimination of positions by the institution, subject to the following:

(A) The assignment of additional duties is permanent and the duties assigned are beyond the scope of work currently being performed by the employee;

(B) The same employee may not receive a special rate of pay under this subdivision (e)(1) more than one (1) time during a biennium; and

(C) All increases up to ten percent (10%) approved under this subdivision (e)(1) shall be reported by the institution to the department, and increases above ten percent (10%) shall be approved by the department.

(2) The department shall file a report of all salary increases

established under this subsection with the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee, at the next regularly scheduled meeting following the approval for review.

(f)(1)(A) An employee promoted on or after July 1, 2019, shall receive a salary increase up to ten percent (10%).

(B) However, an employee's rate of pay upon promotion shall not exceed the maximum pay level of the grade assigned to the classification.

(2) An employee who upon promotion is receiving a rate of pay below the minimum pay level established for the new grade shall be adjusted to the minimum pay level for that grade.

(3) An employee who returns to a position in a classification the employee formerly occupied within a twelve-month period after promotion from the classification is eligible for a rate of pay no greater than that for which the employee would have been eligible had the employee remained in the lower-graded classification.

(g)(1)(A) Upon demotion, an employee's pay shall be decreased by up to ten percent (10%).

(B) However, an employee's rate of pay upon demotion shall not exceed the maximum pay level of the grade assigned to the classification.

(2) If the employee's salary falls below the lowest minimum pay level of the new grade upon demotion, his or her salary shall be adjusted to the minimum pay level for the grade.

(h)(1) If an employee accepts a new position that is a transfer, the employee may receive a change in pay, as follows:

(A) If the employee's salary falls below the minimum pay level of the new grade, then his or her salary shall be adjusted to the minimum pay level for the grade; or

(B) If a special rate of pay has been established under this section, then his or her salary shall be appropriately adjusted.

(2) A transferring employee's rate of pay shall not exceed the maximum pay level of the grade assigned to the new position unless otherwise authorized.

(i) An employee who is placed in a lower-graded position on the same pay table because the original position has expired due to lack of funding, program changes, or withdrawal of federal grant funds may continue to be paid

at the same rate as the employee was being paid in the higher-graded position upon approval of the department after seeking the review of the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.

(j) If an employee who has been terminated for more than thirty (30) working days returns to service at the institution, the institution may offer up to the employee's last rate of pay not to exceed the maximum pay level established for the grade.

(k) Upon transfer of employment between institutions, an employee shall receive a lump-sum payment from the original institution for any overtime that has been accrued and not been paid and for any compensatory time accrued that has not been used at the higher rate of either the:

(1) Average regular rate of pay received by the employee during the last three (3) years of his or her employment; or

(2) Final regular rate of pay received by the employee.

(1) Any special rate of pay established under this section shall not affect the salary level or salary eligibility of any existing employee within the institution.

(m)(1) A special rate of pay is subject to the institution's ability to certify funding for a special rate of pay established under this section.

(2) An institution shall not use merit adjustment funds for a special rate of pay established under this section.

SECTION 7. Arkansas Code § 21-5-1412 is amended to read as follows:

21-5-1412. Compensation differentials.

~~(a) To address specific employee compensation needs not otherwise provided for in this subchapter, an institution of higher education may pay additional compensation for current employees in specific positions or for classifications of positions assigned to a compensation plan authorized by the General Assembly for one (1) or more compensation differentials.~~

~~(b)(1) Authorization for one (1) or more compensation differentials may be approved if the:~~

~~(A) Institution has documented the need for a compensation differential for specified positions or classifications;~~

~~(B) Institution submits a plan of the terms and conditions for eligibility that directly address the needs of the targeted positions or~~

~~classifications for any requested compensation differential;~~

~~(C) Cost of implementing and maintaining a compensation differential is within the institution's existing appropriation and shall not be implemented using funds specifically set aside for other programs within the institution; and~~

~~(D) Compensation differential plan has been approved by the Department of Higher Education after review by the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.~~

~~(2) Any compensation differential authorized under this section shall be renewed each fiscal year.~~

~~(3) The cumulative total of any compensation differentials paid to an employee shall not exceed twenty-five percent (25%) of the employee's base pay level.~~

~~(c)(1) Hazardous duty differential of up to six percent (6%) may be authorized for the increased risk of personal physical injury for an employee occupying a certain identified high-risk position if the:~~

~~(A) Position classification is determined to be physically hazardous or dangerous due to location, facility or unit, services provided, or other factors directly related to the duty assignment of the position; and~~

~~(B) Employee's regularly assigned work schedule exposes him or her to clear, direct, and unavoidable hazards during at least fifty percent (50%) of the work time and the employee is not compensated for the hazardous exposure.~~

~~(2)(A) The head of the requesting institution shall identify the facility or unit, location, and eligible positions and classifications within the facility that are identified as high-risk.~~

~~(B) The positions shall be certified by the head of the institution as having been assigned to a work environment that poses an increased risk of personal injury and shall be submitted as part of the plan for payment of hazardous duty differential to the department for approval by the Director of the Department of Higher Education after review and approval of the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.~~

~~(C) Subsequent changes to the facility or unit, location, and eligible positions or classifications within the facility or unit on file with the department shall receive prior approval by the director after review~~

~~and approval of the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.~~

~~(d) It is the intent of this subsection that hazardous duty compensation shall be awarded at the discretion of the director and the head of the institution and shall not be paid using funds specifically set aside for other programs within the institution.~~

~~(e) An employee who is receiving additional compensation for hazardous duty and then is reassigned to normal duty shall revert on the day of the reassignment to the rate of pay for which he or she is eligible under this subchapter.~~

~~(f)(1) A professional certification differential of up to six percent (6%) for job-related professional certifications for individual positions or for specific classifications within an institution may be authorized if the certification is:~~

~~(A) From a recognized professional certifying organization and is determined to be directly related to the predominant purpose and use of the position or classification; and~~

~~(B) Not included as a minimum qualification established or as a special requirement for the classification by the official class specification.~~

~~(2)(A) A professional certification differential may be paid only while the certification is current and maintained by the employee and while the employee is employed in a position or a classification covered by the plan.~~

~~(B) Documentation of continuation or renewal of the certification of the employee is required for continuation of the certification differential.~~

~~(g)(1) An education differential of up to six percent (6%) for job-related education for individual positions or for specific classifications within an institution may be authorized if:~~

~~(A) Attainment of additional education is from an accredited institution of higher education, documented by official transcript, certificate, or degree award, and directly related to the predominant purpose and use of the position or classification; and~~

~~(B) The education to be compensated is not included as a special requirement or minimum qualification established for the~~

~~classification by the official class specification.~~

~~(2) The education differential may be established as an increase to the employee's salary or as a lump sum.~~

~~(h) A geographic area differential of up to six percent (6%) may be authorized to address the documented inability to recruit and retain certain employees in a specific geographic area of the state if the additional geographic area differential is based on documented recruitment, turnover, or other competitive pay issue in a specific geographic area but that does not justify a statewide labor market special entry rate.~~

~~(i)(1) A second language differential of up to ten percent (10%) may be authorized for an employee who has the demonstrated ability and skill to communicate in a language other than English, including American Sign Language, and that skill is determined by the institution to be directly related to the effective performance of the job duties for the position occupied by the employee.~~

~~(2) An employee who receives additional compensation under this section and who moves into a position that does not need the skill to communicate in a language other than English shall revert on the effective date of the change to the rate of pay that the employee would otherwise receive.~~

~~(j)(1) An 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 institution does not have regularly scheduled staff coverage.~~

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

~~(3)(A) An employee who is required to be available for duty on nights, weekends, and holidays shall be eligible to receive an on-call duty 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 duty 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.~~

~~(k) 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 construed as exceeding the maximum annual salary for that grade.~~

(a) To address specific employee compensation needs not otherwise provided for in this subchapter, an institution of higher education may pay additional compensation for current employees in specific positions or for classifications of positions assigned to a compensation plan authorized by the General Assembly for one (1) or more compensation differentials.

(b)(1) Authorization for one (1) or more compensation differentials may be approved if the:

(A) Institution has documented the need for a compensation differential for specified positions or classifications;

(B) Institution submits to the Department of Higher Education a plan of the terms and conditions for eligibility that must directly address the needs of the targeted positions or classifications for any requested compensation differential;

(C) Cost of implementing and maintaining a compensation differential is within the institution's existing appropriation and shall not be implemented using funds specifically set aside for other programs within the institution; and

(D) Compensation differential has been approved by the department after review by the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.

(2) Any compensation differential authorized under this section shall be renewed each fiscal year.

(3) The cumulative total of any compensation differentials paid to an employee shall not exceed twenty-five percent (25%) of the employee's

base salary.

(c)(1) A hazardous duty differential of up to ten percent (10%) may be authorized for the increased risk of personal physical injury for an employee occupying a certain identified high-risk position if the:

(A) Position classification is determined to be physically hazardous or dangerous due to location, facility, services provided, or other factors directly related to the duty assignment of the position; and

(B) Employee's regularly assigned work schedule exposes him or her to clear, direct, and unavoidable hazards during at least fifty percent (50%) of the work time and the employee is not compensated for the hazardous exposure.

(2)(A) The institution shall identify the facility or unit, location, and eligible positions and classifications within the facility or unit that are identified as high-risk.

(B) The positions shall be certified by the institution as having been assigned to a work environment that poses an increased risk of personal injury and shall be submitted as part of the plan for payment of a hazardous duty differential to the department for approval by the Director of the Department of Higher Education after review and approval of the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.

(C) Subsequent changes to the facility or unit, location, and eligible positions or classifications within the facility or unit on file with the department shall receive prior approval by the director after review and approval by the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.

(3) It is the intent of this subsection that a hazardous duty differential shall be at the discretion of the director and the institution and shall not be implemented using funds specifically set aside for other programs within the institution.

(4) An employee who is receiving additional compensation for hazardous duty and then is reassigned to normal duty shall revert on the day of the reassignment to the rate of pay for which he or she is eligible under this subchapter.

(d)(1) A professional certification differential of up to ten percent (10%) for job-related professional certifications for individual positions or

for specific classifications within an institution may be authorized if the certification is:

(A) From a recognized professional certifying organization and is determined to be directly related to the predominant purpose and use of the position or classification; and

(B) Not included as a minimum qualification established or as a special requirement for the classification by the official class specification.

(2)(A) A professional certification differential may be paid only while the certification is current and maintained by the employee and while the employee is employed in a position or classification covered by the compensation plan.

(B) Documentation of continuation or renewal of the certification of the employee is required for continuation of the professional certification differential.

(e) An education differential of up to ten percent (10%) for job-related education for individual positions or for specific classifications within an institution may be authorized if:

(1) Attainment of additional education is from an accredited institution of higher education, documented by official transcript, certificate, or degree award, and directly related to the predominant purpose and use of the position or classification; and

(2) The education to be compensated is not included as a special requirement or minimum qualification established for the classification by the official class specification.

(f) A geographic area differential of up to ten percent (10%) may be authorized to address the documented inability to recruit and retain certain employees in a specific geographic area of the state if the additional geographic area differential is based on documented recruitment, turnover, or other competitive pay issue in a specific geographic area but that does not justify a statewide labor market special entry rate.

(g)(1) A second-language differential of up to ten percent (10%) may be authorized for an employee who has the demonstrated ability and skill to communicate in a language other than English, including American Sign Language, and that skill is determined by the institution to be directly related to the effective performance of the job duties for the position

occupied by the employee.

(2) An employee who receives additional compensation under this subsection and who moves into a position that does not need the skill to communicate in a language other than English shall revert on the effective date of the change to the rate of pay that the employee would otherwise receive.

(h)(1) An 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 at other times or in other situations when the institution does not have regularly scheduled staff coverage.

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

(3)(A) An employee who is required to be available for duty on nights, weekends, or holidays or at other times or in other situations when the institution does not have regularly scheduled staff coverage is eligible to receive an 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 an employee required to be on on-call or standby duty 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 under subdivision (h)(3)(B)(i) of this section 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.

(i) If granting additional compensation would have the effect of exceeding the maximum 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.

(j) Other compensation differentials may be administered by the department after:

(1) Approval by the director; and

(2) Review by the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.

SECTION 8. Arkansas Code § 21-5-1413(a)(1), concerning salary administration grids, is amended to read as follows:

(a)(1) An institution of higher education may request that a salary administration grid be approved for specific classifications of positions assigned to the ~~career service compensation plan~~ pay plan as established in § 21-5-1410 if the:

(A) Institution has documented the need for a salary administration grid for specified positions or classifications;

(B) Terms and conditions of a salary administration grid proposed by the institution address the needs of the targeted positions;

(C) Cost of implementing and maintaining a salary administration grid is within the institution's existing appropriation and the implementation does not use funds specifically set aside for other programs within the institution; and

(D) Salary administration grid has been approved by the Director of the Department of Higher Education after review by the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.

SECTION 9. Arkansas Code § 21-5-1414 is amended to read as follows:

21-5-1414. Extra help positions.

(a)(1) A position authorized as extra help in an institution of higher education shall be assigned an authorized ~~career service classification or a professional and executive~~ classification by the institution, and any person hired in an extra help position shall meet the minimum qualifications and any other requirements set by the class specification of the classification and grade assigned to the position.

(2) The rates of pay for extra help employees shall be set in accordance with and shall not exceed those provided in this subchapter for the appropriate classification.

(3) Extra help employees of institutions shall not exceed one thousand five hundred (1,500) hours per fiscal year as set out in § 6-63-314.

(b) The salary eligibility for an employee transferring or returning from an extra help position to a regular position shall be established at the minimum ~~entry~~ pay level for the grade assigned by classification with the following exceptions:

(1) The classification has an established current labor market special entry pay level;

(2) The position is approved for shift differential in accordance with this subchapter; or

(3) The employee's eligibility is based on prior state service in a regular position; ~~or~~

~~(4) A base range salary has been approved under § 21-5-1410.~~

(c) A former employee from a state agency, institution, board, or commission who is rehired in an extra-help position is ineligible for benefits except holiday pay.

SECTION 10. Arkansas Code § 21-5-1415 is amended to read as follows:
21-5-1415. Position pools.

(a)(1) The Department of Higher Education shall establish and maintain a central pool of four hundred (400) positions to be used to establish additional positions in an institution of higher education when an institution does not have sufficient positions available to meet unanticipated enrollment growth, industry training demands, or its mandated responsibilities.

~~(b)~~(2) Central pool positions shall be used by the institution if the personnel service needs exceed the number of positions authorized by the General Assembly and were not anticipated at the time of the passage of the institution's operating appropriation act.

(b)(1) The department shall establish and maintain a temporary transition pool of fifty (50) positions to be used to establish additional temporary positions of the proper classification and grade in an institution if the institution does not have sufficient positions available with the appropriate classification and grade to address organizational transition issues such as succession planning or other changes involving administration of the institution.

(2) An institution shall use temporary transition pool positions only if the personnel service needs exceed the number of positions in a classification authorized by the General Assembly and were not anticipated at the time of the passage of the institution's operating appropriation bill.

(3) A position established under this section shall be approved for the same classification as the position occupied by the transitioning full-time employee.

(4) A position from the temporary transition pool shall not be authorized for an institution until the specific position is:

(A) Requested by the institution;

(B) Recommended by the department; and

(C) Reviewed by the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.

(5) Temporary transition pool positions shall be authorized for not more than one hundred eighty (180) calendar days in a fiscal year and may not be renewed or extended.

(c) A pool position received by an institution under this section is subject to the institution's ability to certify funding.

~~(d)~~(d) A position established under this section shall not exceed a salary rate of the highest maximum annual salary rate or the highest grade level position authorized by the General Assembly in the requesting institution's appropriation act.

~~(d)~~(e) The institution shall provide justification to the department for the need to allocate positions from the central pool or temporary transition pool.

~~(e)~~(f) ~~Titles shall not be assigned to the institution from the central pool until specific positions are requested by the institution, recommended by the department, and reviewed by the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee~~ Titles shall not be assigned to the institution from the central pool or temporary transition pool until specific positions are:

(1) Requested by the institution;

(2) Recommended by the department; and

(3) Reviewed by the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.

~~(f)~~(g) If an institution requests any central pool position to be

continued during the subsequent fiscal year, the position shall be requested as a new position in the institution's subsequent fiscal year budget request.

SECTION 11. Arkansas Code § 21-5-1417 is amended to read as follows:

21-5-1417. Merit Increase Pay System increase pay system - Definition.

~~(a) The Department of Higher Education may develop and implement a merit increase pay system in accordance with the performance evaluation process under § 21-5-1001 for the employees of all institutions covered by this subchapter.~~

~~(b)(1) Except as provided in subdivision (b)(2) of this section, to be eligible to be evaluated under the merit increase pay system an employee shall have continuous employment with the state in a regular full-time position for twelve (12) months.~~

~~(2) A part-time employee in a regular salary position who has had continuous part-time employment with the state for twelve (12) months shall be eligible to be evaluated for a pay increase under the merit increase pay system and to receive the merit pay increase on a pro rata basis.~~

~~(c) For the purpose of this subchapter, "merit increase pay system" means a merit-based pay system that incorporates pay and performance evaluation standards according to § 21-5-1001 and establishes criteria for lump-sum payments for employees who meet requisite performance categories.~~

~~(d) Merit payments may be awarded to employees who satisfy performance evaluation-based criteria developed by institutions in accordance with rules and policies developed and approved by the Department of Higher Education after review by the Legislative Council.~~

~~(e) Effective July 1, 2017:~~

~~(1) Employees who receive an overall satisfactory rating under an approved performance evaluation system shall be eligible for a merit increase of up to one and five tenths percent (1.5%);~~

~~(2) Employees who receive an overall above-average rating under an approved performance evaluation system shall be eligible for a merit increase of up to three percent (3%); and~~

~~(3) Employees who receive an overall exceeds-standards rating under an approved performance evaluation system shall be eligible for a merit increase of up to four and five tenths percent (4.5%).~~

~~(f)(1) Employees are eligible for a merit increase to be paid as a~~

~~lump sum on the employee's merit increase date or as an increase in salary, and the payment shall not be construed as exceeding maximum salary.~~

~~(2) The lump-sum payments authorized in this section shall be considered as salary for the purposes of retirement eligibility.~~

~~(g) Management or supervisory personnel who fail to complete annual evaluations of employees under their administrative control are not eligible for merit payments.~~

(a)(1) The Department of Higher Education may develop and establish a merit increase pay system for employees of all institutions of higher education covered by this subchapter.

(2)(A) Employees are eligible for a merit increase to be paid as an increase in salary or a lump sum on the employee's merit increase date, and the payment shall not be construed as exceeding the maximum pay level for the grade.

(B) The lump-sum payments authorized in this section shall be considered as salary for the purposes of retirement eligibility.

(3) The merit increase pay system shall be reviewed by the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.

(b) As used in this section, "merit increase pay system" means a merit-based pay system that incorporates pay and performance evaluation standards and establishes criteria for payments for employees who meet requisite performance categories.

(c) Merit payments may be awarded to employees who satisfy performance evaluation-based criteria developed by institutions in accordance with procedures and policies developed and approved by the department after review by the Legislative Council.

SECTION 12. Arkansas Code Title 21, Chapter 5, Subchapter 14, is amended to add an additional section to read as follows:

21-5-1418. Information technology labor market rates for recruitment and retention.

(a)(1) In order for an institution of higher education to recruit and retain information technology professionals in classified positions, the Department of Higher Education may develop and implement a plan for labor market rates up to the midpoint allowed for the grade after review by the

Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.

(2) The department shall establish the list of applicable information technology classifications after review by the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.

(b) An institution of higher education implementing a labor market rate under subsection (a) of this section shall report any salary adjustments made to the:

(1) Department; and

(2) Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.

SECTION 13. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that this act revises the compensation plan for institutions of higher education; and that the optimal time to implement this act is at the beginning of the state's fiscal year and in concert with the appropriation acts for each institution of higher education. Therefore, an emergency is declared to exist, and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2019.