

Valerie Basham

From: Ernie Passailaigue
Sent: Thursday, July 07, 2011 4:17 PM
To: Kay.Terry@dfa.arkansas.gov
Cc: Valerie Basham; Commissioner Hammons (k.hammons@dfa.arkansas.gov)
Subject: OPM Submissions
Attachments: Copy (2) of OPM Requests 001.jpg; Copy (2) of OPM Requests 002.jpg; Copy (2) of OPM Requests 003.jpg; Copy (2) of OPM Requests 004.jpg; Copy (2) of OPM Requests 005.jpg; Copy (2) of OPM Requests 006.jpg; Copy (2) of OPM Requests 007.jpg; Copy (2) of OPM Requests 008.jpg; Copy (2) of OPM Requests 009.jpg; Copy (2) of OPM Requests 010.jpg; Copy (2) of OPM Requests 011.jpg; Copy of OPM Requests 001.jpg; Copy of OPM Requests 002.jpg; Copy of OPM Requests 003.jpg; Copy of OPM Requests 004.jpg; Copy of OPM Requests 005.jpg; Copy of OPM Requests 006.jpg; Copy of OPM Requests 007.jpg; Copy of OPM Requests 008.jpg; Copy of OPM Requests 009.jpg; Copy of OPM Requests 010.jpg; Copy of OPM Requests 011.jpg; Copy of OPM Requests 012.jpg; Copy of OPM Requests 013.jpg; Copy of OPM Requests 014.jpg; OPM Requests 001.jpg; OPM Requests 002.jpg; OPM Requests 003.jpg; OPM Requests 004.jpg; OPM Requests 005.jpg; OPM Requests 006.jpg; OPM Requests 007.jpg; OPM Requests 008.jpg; OPM Requests 009.jpg; OPM Requests 010.jpg; OPM Requests 011.jpg; OPM Requests 012.jpg; OPM Requests 013.jpg; OPM Requests 014.jpg; OPM Requests 015.jpg; Product Developer positionCrossgradeDowngrade Form.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red Category

Ms. Terry,

As suggested at the Arkansas Lottery Commission's Personnel Committee meeting you attended on July 1, the following positions are submitted for review and approval in accordance with the Office of Personnel Management's Hiring Freeze Exception guidelines:

Requests to Fill Vacant Positions

- Human Resources Generalist
- Security Specialist
- Security Analyst
- Product Development Manager (pending new position approval below)

In addition, we have included proposed staffing recommendations to ALC's organizational structure to ensure adequate personnel resources are available to provide stability and continuity to the business operations. These recommendations are as follows:

Staffing Recommendations

- Authorize the establishment of a new Product Development Manager position (Grade N901)
- Transfer the Product Developer incumbent (Internal Title-Product Director, Grade N904) into the Act position of Marketing and Product Development Director (Grade N909)

- Transfer the Sales Director incumbent (Grade N910) into the Act position of Sales/Retail Relations Director (Grade N909)
- Transfer the Chief Legal Counsel incumbent (Act position, Grade N910) into a different Act position entitled Administration and Operations Director (Grade N912)

We obtained the *Hiring Freeze Exception Request* form from OPM's website. If you have questions or need any additional information in order to expedite these requests, please contact Valerie Basham, Human Resources Director, at 683-1892.

Sincerely,

Ernie Passailaigue

Attachments

HIRING FREEZE EXCEPTION REQUEST

Office of Personnel Management

Phone: 501-682-1823 FAX: 501-682-5104

Date: 7/1/11 Agency #: 0085 OPM Control #: OPM Only:
Agency Name Arkansas Lottery Commission
Division/Department: Administration/HR
Position # 22151387 Class Code Q171C Grade C121 FLSA Exempt Non-Exempt
Job Title HR Generalist
Resubmission No Yes Date Originally Submitted N/A OPM Control # _____
Job Description Describe any specific job duties not addressed in the Official Job Description
N/A

Source of Funding State _____ % Federal _____ % Other 100 % Exit Salary 56,100
Vacated By Mindy Wirges Per # _____ Date Vacated 4/27/11
Reason Vacated Promotion Demotion Termination Transferred Budgetary Other

For positions vacated by Retirement use OPM Form 100 - Request to Fill a Position Vacated by Retirement

Location(Specific Work Place and City) Little Rock

A valid justification and need to fill the position must be explained below including whether or not the duties of the position can be dispersed and absorbed by existing staff members. (Attach additional information if necessary)

The HRG position was posted on April 15, 2011 using several recruitment sources, interviews were conducted, and finalists were identified. We would like permission to move forward with a job offer so we can fill the position. The HRG position is essential for the efficient operation of the ALC and there is no one available with HR expertise in-house that is able to absorb the duties.

Agency/Institution HR Manager Signature _____ Date 7/1/11

Agency Director/Chancellor Signature _____ Date 7/1/11

Point of contact with the agency for questions and return of the request: ✓
Name: _____ Email: _____
Address: _____ Phone: _____ FAX: _____

OPM Action Approved Denied _____ Date _____
Signature _____

HUMAN RESOURCES GENERALIST

The Arkansas Lottery Commission (ALC) is seeking a qualified candidate to perform professional work in the administration of human resource programs, including recruitment, benefits, compensation, and training. Responsibilities include but are not limited to:

- Develops and places vacancy announcements, screens employment applications to determine if applicants meet minimum qualifications, makes referrals of those qualified, and maintains complete and accurate selection records.
- Coordinates the necessary background checks on any potential new employees of the ALC, including criminal, driving, and educational background. Conducts reference checks.
- Completes verification of employment and other similar requests for information on ALC current and former staff members.
- Maintains highly accurate and effective employee files, including the personnel, confidential, benefits, medical, and background files. Observes records retention schedule.
- Maintains performance evaluations by tracking receipt of forms and distributing to managers at review time.
- Coordinates with payroll on the tracking of career service award eligibility dates.
- Maintains training records and tracking spreadsheet on all employees.
- Assists with processing workers' compensation, including processing of claims and setting-up files.
- Assists with development and coordination of ALC training curriculum for all ALC employees.
- Coordinates and conducts the New Employee Orientation Program for the ALC, including the coordination of the Lottery 101 Program.
- Ensures all new hire paperwork is accurately and timely processed and filed.
- Processes new hire, administrative, and separation checklists thoroughly and completely before filing.
- Maintains and distributes employee information, policy and procedure manuals and other communications.
- Ensures compliance with employment laws such as FMLA, ADA, FLSA, OSHA, EEO, HIPPA, etc. Responds to inquiries from management and staff and provides information on state and federal requirements.
- Utilizes human resource related information on a HRIS in the preparation of routine and ad hoc reporting needs.
- Monitors and provides technical direction by assisting, advising, and correcting personnel actions keyed into human resources databases.
- Serves as back-up support for explaining and interpreting policies and procedures regarding available benefits and benefit enrollment for the ALC staff. Assists with open enrollment.
- Assists with coordination of employee wellness activities for the organization.
- Prepares monthly newsletter.
- Completes other duties and responsibilities as assigned.

MINIMUM QUALIFICATIONS

Requires a Bachelor's Degree in Human Resources Management, Business Administration or related concentration and 3 years' experience in human resource programs. 5-7 years working in a human resource generalist capacity preferred. Must have experience with state and federal employment laws and regulations. PHR or SPHR. HR experience working with AASIS and Arkansas State Human Resources policies and procedures strongly preferred. Must possess excellent written, verbal, and interpersonal communication skills. High degree of proficiency with MS Office such as Excel, Word, and a HRIS required. Ability to maintain confidentiality and objectivity, make good decisions, and solve problems while working under pressure. Ability to accurately prepare spreadsheets and analyze data and present ideas effectively. Ability to work in fast-paced environment and adhere to tight-time constraints. Ability to work independently and as a team player, show sound judgment and initiative, and to accomplish job duties in a highly accurate, professional, and effective manner.

HIRING FREEZE EXCEPTION REQUEST

Office of Personnel Management

Phone: 501-682-1823 FAX: 501-682-5104

Date: 7/1/11 Agency #: 0085 OPM Control #: OPM Only:

Agency Name Arkansas Lottery Commission

Division/Department: Gaming/Security

Position # 22151359 Class Code Q165C Grade C120 FLSA Exempt Non-Exempt

Job Title Security Specialist

Resubmission No Yes Date Originally Submitted _____ OPM Control # _____

Job Description Describe any specific job duties not addressed in the Official Job Description

N/A

Source of Funding State _____ % Federal _____ % Other 100 % Exit Salary 41,029.97

Vacated By Bobby Walker Per # _____ Date Vacated 4/20/11

Reason Vacated Promotion Demotion Termination Transferred Budgetary Other

For positions vacated by Retirement use OPM Form 100 - Request to Fill a Position Vacated by Retirement

Location(Specific Work Place and City) Little Rock

A valid justification and need to fill the position must be explained below including whether or not the duties of the position can be dispersed and absorbed by existing staff members. (Attach additional information if necessary)

The Security Specialist position was posted on June 1, 2011 and a qualified internal candidate was identified. We would like permission to formally fill the position. The Security Specialist position is essential for the efficient operation of the ALC and there is no one available with law enforcement and investigative expertise in-house that is able to absorb the duties. Angela Meredith currently occupies this position due to an internal promotion.

Agency/Institution HR Manager Signature _____ Date 7/1/11

Agency Director/Chancellor Signature _____ Date 7/1/11

Point of contact with the agency for questions and return of the request:

Name: _____ Email: _____

Address: _____ Phone: _____ FAX: _____

OPM Action Approved Denied _____ Date _____

Signature _____

SECURITY SPECIALIST

Position Summary: The purpose of the Security Specialist position is to ensure the integrity of the Arkansas Scholarship Lottery (ASL) by investigating complaints, claims, inquiries, or violations of laws or regulations pertaining to the Lottery.

Typical Functions:

- Conduct comprehensive field investigations of the theft of tickets, forged claims, and claims on altered tickets throughout the state.
- Coordinate lottery investigations with state/local law enforcement agencies
- Compose clear, concise, and accurate reports and case files
- Assist in developing security regulations and procedure manuals
- Investigate complaints from the public regarding retailers and lottery violations
- Assist retailers, the public, and MSR's with questions and procedures via the Security Hotline
- Site visit to ASL retailer to verify compliance and preventive theft methods
- Validate winning Powerball and Mega Millions tickets
- Enter stolen and missing tickets into ASL gaming system
- Conduct personal background checks on prospective lottery employees and potential retailers
- On-call for Draw Games as assigned
- Back up Draw Manager when needed
- Monitor video surveillance camera
- Reconstruct and process instant and online damage tickets submitted to Claims Center centers
- Ensure the safety of lottery employees and visitors

Knowledge, Skills and Abilities:

- Proficient in Microsoft and other computer programs
- Proficient in using office equipment; i.e. fax, multi-line phones, scanner
- Ability to logically and objectively analyze problems, apply sound judgment in assessing possible solutions, adjust to changing priorities, and meet tight deadlines Knowledge of investigative techniques and procedures
- Ability to interpret and ability criminal codes, policies & procedures
- Ability to maintain and communicate sensitive or confidential information
- Establish and maintain effective working relationships with other ASL employees, retailers, law enforcement, prosecutor's, vendors
- Compose clear concise reports and maintain accurate case files
- Ability to conduct training for law enforcement and prosecutors regarding lottery investigations
- Ability to work independently, prioritize and multi-task in a fast pace environment

Special Job Dimensions:

- Testify in criminal/civil court as needed.
- Conduct ASL online drawing as needed
- Travel through-out the state visiting retailers, local police agencies, and prosecutor
- Follow-up on attempted cashing of stolen/missing lottery tickets after normal work hours.

Minimum Education and/Experience:

Bachelor's degree and five years of investigative experience. Investigative experience in the gaming industry preferred. Direct experience in criminal investigations or a closely related field will be considered as a substitute for educational requirement. Must have a high school diploma or equivalency. Knowledge of investigative techniques, principles and practices; the ability to evaluate evidence and conduct investigations; the ability to analyze facts and reach sound conclusions; the ability to present clear, concise, and comprehensive written and oral reports; the ability to testify in court; and the ability to establish and maintain effective working relationships.

HIRING FREEZE EXCEPTION REQUEST

Office of Personnel Management

Phone: 501-682-1823 FAX: 501-682-5104

Date: 7/1/11 Agency #: 0085 OPM Control #: OPM Only:

Agency Name Arkansas Lottery Commission

Division/Department: Gaming/Security

Position # 22150636 Class Code Q156C Grade C115 FLSA Exempt Non-Exempt

Job Title Administrative Analyst (Internal Title: Security Analyst)

Resubmission No Yes Date Originally Submitted _____ OPM Control # _____

Job Description Describe any specific job duties not addressed in the Official Job Description
N/A

Source of Funding State _____ % Federal _____ % Other 100 % Exit Salary 41,029.97

Vacated By Angela Meredith Per # _____ Date Vacated 6/8/11

Reason Vacated Promotion Demotion Termination Transferred Budgetary Other

For positions vacated by Retirement use OPM Form 100 - Request to Fill a Position Vacated by Retirement

Location(Specific Work Place and City) Little Rock

A valid justification and need to fill the position must be explained below including whether or not the duties of the position can be dispersed and absorbed by existing staff members. (Attach additional information if necessary)

The Security Analyst position was posted on June 8, 2011 and qualified candidates have been identified. We would like permission to move forward with the selection process. The Security Analyst position is essential for the efficient operation of the ALC and there is no one available within the Security Division that is able to absorb the duties.

Agency/Institution HR Manager Signature _____ Date 7/1/11

Agency Director/Chancellor Signature _____ Date 7/1/11

Point of contact with the agency for questions and return of the request:

Name: _____ Email: _____

Address: _____ Phone: _____ FAX: _____

OPM Action Approved Denied _____ Date _____

Signature

ADMINISTRATIVE ANALYST
(INTERNAL TITLE: SECURITY ANALYST)

Position Summary: The purpose of the Security Analyst position is to ensure the integrity of the Arkansas Scholarship Lottery (ASL) by supporting the investigations conducted by the field investigator to include all complaints, claims, inquiries, or violations of laws or regulations pertaining to the Lottery. The Security Analyst will assist ALC Marketing Representatives and retailers with daily inquiries and complaints.

Typical Functions:

- Provide support to field investigator regarding the theft of tickets, forged claims, and claims on altered tickets throughout the state
- Compose clear, concise, and accurate reports and case files
- Assist retailers, the public, and MSR's with questions and procedures via the Security Hotline
- Validate winning Powerball and Mega Millions tickets
- Enter stolen and missing tickets into ASL gaming system
- Initiate personal background checks on prospective lottery employees and potential retailers
- On-call for Draw Games as assigned
- Back up Draw Manager when needed
- Monitor video surveillance camera
- Reconstruct and process instant and online damage tickets submitted to Claims Center centers

Knowledge, Skills and Abilities:

- Proficient in Microsoft and other computer programs
- Proficient in using office equipment; i.e. fax, multi-line phones, scanner
- Ability to logically and objectively analyze problems, apply sound judgment in assessing possible solutions, adjust to changing priorities, and meet tight deadlines Knowledge of investigative techniques and procedures
- Ability to interpret and ability criminal codes, policies & procedures
- Ability to maintain and communicate sensitive or confidential information
- Establish and maintain effective working relationships with other ASL employees, retailers, law enforcement, prosecutor's, vendors
- Compose clear concise reports and maintain accurate case files
- Ability to conduct training for law enforcement and prosecutors regarding lottery investigations
- Ability to work independently, prioritize and multi-task in a fast pace environment

Special Job Dimensions:

- Testify in criminal/civil court as needed.
- Conduct ASL online drawing as needed
- Follow-up on attempted cashing of stolen/missing lottery tickets after normal work hours.

Minimum Education and/Experience:

Bachelor's degree or five years of investigative experience. Knowledge of investigative techniques, principles and practices; the ability to evaluate evidence and conduct investigations; the ability to analyze facts and reach sound conclusions; the ability to present clear, concise, and comprehensive written and oral reports; the ability to testify in court; and the ability to establish and maintain effective working relationships. Lottery or gaming experience strongly preferred.

HIRING FREEZE EXCEPTION REQUEST

Office of Personnel Management

Phone: 501-682-1823 FAX: 501-682-5104

Date: 7/1/11 Agency #: 0085 OPM Control #: OPM Only:

Agency Name Arkansas Lottery Commission

Division/Department: Gaming/Product Development

Position # 22150633 Class Code Q036N Grade N909 FLSA Exempt Non-Exempt

Job Title Marketing & Product Development Director

Resubmission No Yes Date Originally Submitted _____ OPM Control # _____

Job Description Describe any specific job duties not addressed in the Official Job Description

N/A

Source of Funding State _____ % Federal _____ % Other 100 % Exit Salary N/A

Vacated By N/A Per # _____ Date Vacated N/A

Reason Vacated Promotion Demotion Termination Transferred Budgetary Other

For positions vacated by Retirement use OPM Form 100 - Request to Fill a Position Vacated by Retirement

Location(Specific Work Place and City) Little Rock

A valid justification and need to fill the position must be explained below including whether or not the duties of the position can be dispersed and absorbed by existing staff members. (Attach additional information if necessary)

Utilize Act position established in the lottery enabling legislation for Marketing & Product Development Director. By using the Act position, it provides an opportunity to more effectively manage position classifications and grades while providing a mechanism to address possible pay equity issues. This suggestion provides grade and compensation equity between similar Directors, i.e., with both the Marketing & Product Development Director and the Sales/Retail Director being in the same N909 grade.

Recommend moving Product Director into the ACT position. The base pay for a N909 position is \$88,957. Pay for this position should be equitable to other Gaming Directors. Duties and functions of the department have increase since startup. The incumbent is in a pool position with a N904 grade. An increase of \$12,457 or 16% increase results, if the pay is brought to the base of the grade for N909.

Agency/Institution HR Manager Signature _____ Date 7/1/11

Agency Director/Chancellor Signature _____ Date 7/1/11

Point of contact with the agency for questions and return of the request:

Name: _____ Email: _____

Address: _____ Phone: _____ FAX: _____

OPM Action Approved Denied _____ Date _____

Signature



Job Description: Director of Product Development
Department: Gaming Operations

FLSA Status: Exempt
Reports to: Vice President of Gaming Operations

Position Summary: This position is responsible for creating and overseeing the development and production of instant and online games for the Arkansas Lottery Commission (ALC). Coordinates the daily operations and future planning of games and player rewards program(s).

Typical Functions:

- Manages the product over the lifecycle of each individual game, from concept to game end.
- Plans the instant ticket game schedule. Manages game design, promotional strategies, and product research.
- Serves as point of contact with the instant ticket printing vendor.
- Reviews ticket artwork, prize structures, programming parameters, order quantities, pricing, and other specifications contained in the working papers for each game.
- Assigns instant games to be ended and sets ending dates. Sets second-chance drawing schedules.
- Oversees the comprehensive player rewards program, including review of second-chance drawings, player reward accumulation and redemption, winner notification, and rewards program website design.
- Manages the introduction and implementation of game-specific second-chance drawing promotions.
- Analyzes instant and online game sales through the tracking documents, charts, and other performance indicators.
- Recommends products for ALC advertising and sales dispenser layout based on performance or trends.
- Generates revenue-producing products and cost-efficient methods of doing business. Reviews and confirms invoices for product-related services.
- Creates game rules for all products and product promotions. Coordinates license agreements, drawing procedures, and rules for instant games.
- Creates and disseminates product-related information. Reviews product-related articles written for publication.
- Provides technical assistance in all lottery areas to staff, management, the public, and other entities. Processes product information requests from customers.
- All other duties as assigned by management.

Knowledge, Skills and Abilities:

- Must have strong analytical and creative skills.
- Must have knowledge of current and future instant games offered by other state and provincial lotteries.
- Requires extensive use of Microsoft Excel and Word, and Adobe Illustrator and Photoshop.
- Must have the ability to work well under pressure and focus on multiple projects and activities.
- Must be a self-starter with independent decision making ability.

Special Job Dimensions:

- Occasional travel.

Minimum Education and/Experience:

- Bachelor's degree in business, marketing, advertising, or related field.
- Must have experience in the lottery gaming business. Direct experience in lottery product development and project management required.
- Minimum five (5) years experience in field or related field.

Reporting to this position:

- Directs vendor staff in compilation and execution of instant ticket game specifications.
- Directs vendor staff in the creation, enhancement, and maintenance of player rewards program(s).
- Directs vendor staff in planning of second-chance drawings.



DEPARTMENT OF FINANCE & ADMINISTRATION
 Office of Personnel Management
 Position Crossgrade / Downgrade Request ZPAOS1

Print Form

Reset Form

Submit by E-mail

Business Area	Agency Name	Effective Date of Crossgrade
0085	Arkansas Lottery Commission	Jul 13, 2011

Legislative Authorized Classification	Class Code	Pay Grade
Product Developer	Q052N	N904 Pool

Requested Classification	Class Code	Pay Grade
Product Development Manager	Q052N	N901 Pool

Position Number

22151348

JUSTIFICATION

This is a critical need. The Product Division is the engine that drives the business. This position would report to the head of the division. Although cross training has been implemented, it is not sufficient in the long term. Continuity can only be accomplished through additional staffing and the use of on-the-job training. This is the only effective means of obtaining knowledge-based expertise which is vital for continued performance in the division.

- APPROVED
- DISAPPROVED

OPM APPROVING AUTHORITY

DATE APPROVED

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HIRING FREEZE EXCEPTION REQUEST

Office of Personnel Management

Phone: 501-682-1823 FAX: 501-682-5104

Date: 7/1/11 Agency #: 0085 OPM Control #: OPM Only:

Agency Name: Arkansas Lottery Commission

Division/Department: Gaming/Product Development

Position # 22151348 Class Code Q052N Grade N901 Pool FLSA Exempt Non-Exempt

Job Title: Product Development Manager

Resubmission No Yes Date Originally Submitted N/A OPM Control # _____

Job Description: Describe any specific job duties not addressed in the Official Job Description

N/A

Proposed new position. Base salary of \$65,000

Source of Funding State _____ % Federal _____ % Other 100 % Exit Salary N/A

Vacated By N/A Per # _____ Date Vacated N/A

Reason Vacated Promotion Demotion Termination Transferred Budgetary Other

For positions vacated by Retirement use OPM Form 100 - Request to Fill a Position Vacated by Retirement

Location(Specific Work Place and City) Little Rock

A valid justification and need to fill the position must be explained below including whether or not the duties of the position can be dispersed and absorbed by existing staff members. (Attach additional information if necessary)

This is a critical need. The Product Department is the engine that drives the business.

Agency/Institution HR Manager Signature _____ Date 7/1/11

Agency Director/Chancellor Signature _____ Date 7/1/11

Point of contact with the agency for questions and return of the request:
Name: _____ Email: _____
Address: _____ Phone: _____ FAX: _____

OPM Action Approved Denied _____ Date _____
Signature _____

Job Description: Product Manager
Department: Gaming Operations

FLSA Status: Exempt
Reports to Dir., Product Development

Position Summary: This position is responsible for assisting the Director of Product Development in the creation and oversight of development and production of instant and online games for the Arkansas Lottery Commission (ALC). Assist Director with creation of standard operating procedures. Provide support for day-to-day responsibilities of Director. Perform processes required to complete development of ALC games, support loyalty program, and otherwise complete all projects assigned to the Director.

Typical Functions:

- Assists in the management of the product over the lifecycle of each individual game.
- Coordinates the instant ticket game schedule.
- Familiarity with game design and promotional strategies.
- Performs product research as directed.
- Supports the contact with the instant ticket printing vendor.
- Assists as required with ticket artwork, prize structures, programming parameters, order quantities, pricing, and other game specifications.
- Aids with end-of-game responsibilities and second-chance draw matters.
- Provides support for all aspects of loyalty program.
- Prepares analyses of game sales including documents, charts, etc.
- Works with sales dispenser products.
- Keeps records of invoices for product-related services, including cost-efficiencies and revenue-production.
- Maintains records of game rules for all products and promotions and of game license agreements, drawing procedures, and rules for instant games.
- Assists with the creation and dissemination of product-related information.
- Provides support for ALC staff, management, the public, and other interest groups on the work of Product Development.
- Becomes informed and knowledgeable on all aspects of product development and information.
- All other duties as assigned by Director.

Knowledge, Skills and Abilities:

- Must have strong analytical and creative skills.
- Must have capacity to develop knowledge of current and future instant lottery games offered by state and provincial lotteries.
- Must be skilled in the use of MS Excel and Word, Adobe Illustrator, and Photoshop
- Must work well under pressure and focus easily on multiple projects and activities.
- Must be a self-starter with judgment and professional balance.

Special Job Dimensions:

Occasional Travel

Minimum Education and Experience:

Bachelor's degree in business, marketing, advertising or other field related to job description.

Minimum five years experience in relevant field.

HIRING FREEZE EXCEPTION REQUEST

Office of Personnel Management

Phone: 501-682-1823 FAX: 501-682-5104

Date: 7/1/11 Agency #: 0085 OPM Control #: OPM Only:

Agency Name Arkansas Lottery Commission

Division/Department: Gaming/Sales

Position # 22150634 Class Code Q037N Grade N909 FLSA Exempt Non-Exempt

Job Title Sales/Retail Relations Director

Resubmission No Yes Date Originally Submitted _____ OPM Control # _____

Job Description Describe any specific job duties not addressed in the Official Job Description

N/A

Source of Funding State _____ % Federal _____ % Other 100 % Exit Salary N/A

Vacated By N/A Per # _____ Date Vacated N/A

Reason Vacated Promotion Demotion Termination Transferred Budgetary Other

For positions vacated by Retirement use OPM Form 100 - Request to Fill a Position Vacated by Retirement

Location(Specific Work Place and City) Little Rock

A valid justification and need to fill the position must be explained below including whether or not the duties of the position can be dispersed and absorbed by existing staff members. (Attach additional information if necessary)

Recommend the Sales Director be moved into this Act position with no change in compensation or responsibility. The Act position of Sales/Retail Relations Director is a grade N909 and the incumbent is in a pool position with a grade of N910.

Agency/Institution HR Manager Signature _____ Date 7/1/11

Agency Director/Chancellor Signature _____ Date 7/1/11

Point of contact with the agency for questions and return of the request:

Name: _____ Email: _____

Address: _____ Phone: _____ FAX: _____

OPM Action Approved Denied _____ Date _____

Signature _____



Job Description: Director of Sales

FLSA Status: Exempt

Department: Gaming Operations - Sales

Reports to: Vice President of Gaming Operations

Position Summary: The Director of Sales is a key management position that will oversee and direct the sales efforts for the Arkansas Scholarship Lottery (ASL). This position will supervise both regional sales managers and marketing sales representatives and is ultimately responsible for the achievement of sales goals through sales and marketing strategies and programs. Duties also include corporate account relationships, oversight of sales force and management of point of sale inventory.

Typical Functions:

- Develops and implements short- and long-term sales goals, plans and strategies for the ASL.
- Develops and directs sales programs that promote sales of the ASL products.
- Implements aggressive and comprehensive strategies that promote business/retailer development and sales.
- Monitors sales trends of the ASL products and issues directives to sales team based on activity of current sales.
- Develops and implements a strategic plan to maximize sales and revenue.
- Assign, train, supervise and evaluate staff in procedures and techniques used in lottery sales. Make frequent visits to lottery retailers with and without sales representatives to determine the effectiveness with which the territory is performing and make recommendations to increase sales volume or take corrective action as needed.
- Development of strategic planning for intermediate and long-range business plans to ensure attainment of lottery sales goals.
- Conduct group and individual meetings with staff as necessary and communicate sales strategies and new product information to enhance sales.
- Ensure quality retailer support and service and proper product positioning to maximize sales statewide.

Knowledge, Skills and Abilities:

- Knowledge of ASL rules and regulations
- Knowledge of ASL products and equipment
- Knowledge of ASL Retail processes and procedures
- Ability to deal courteously and effectively with retailers and the public
- Ability to train retailers
- Ability to make appropriate decisions by applying established standards and available information to specific situations
- Ability to communicate effectively, both orally and in writing, to all levels of employees and the general public

Special Job Dimensions:

- Valid Driver's License
- Advanced Computer Skills
- Ability to interpret and analyze accounting data, financial reports and records for sales & marketing purposes
- Ability to set priorities and effectively manage multiple projects and make sound judgments regarding sensitive and highly visible matters
- Ability to perform a variety of highly complex tasks using experience and judgment to plan and accomplish goals at a high level

Minimum Education and/Experience:

- A bachelor's degree, preferably in business administration, marketing or a related field and 5 - 8 years of related work experience is required.
- Supervisory or management experience preferably in a sales or retail environment.

Reporting to this position:

- Regional Sales Managers – 2 total
- Marketing Sales Representatives – 20 total

HIRING FREEZE EXCEPTION REQUEST

Office of Personnel Management

Phone: 501-682-1823 FAX: 501-682-5104

Date: 7/1/11 Agency #: 0085 OPM Control #: OPM Only:

Agency Name Arkansas Lottery Commission

Division/Department: Gaming/Legal

Position # 22150630 Class Code Q033N Grade N912 FLSA Exempt Non-Exempt

Job Title Admin & Operations Director

Resubmission No Yes Date Originally Submitted _____ OPM Control # _____

Job Description Describe any specific job duties not addressed in the Official Job Description

N/A

Source of Funding State _____ % Federal _____ % Other 100 % Exit Salary N/A

Vacated By N/A Per # _____ Date Vacated N/A

Reason Vacated Promotion Demotion Termination Transferred Budgetary Other

For positions vacated by Retirement use OPM Form 100 - Request to Fill a Position Vacated by Retirement

Location(Specific Work Place and City) Little Rock

A valid justification and need to fill the position must be explained below including whether or not the duties of the position can be dispersed and absorbed by existing staff members. (Attach additional information if necessary)

Recommend that a Chief Legal Counsel position be created using the Admin & Operations Dir position with the N912 grade. The current Chief Legal Counsel position is a N910. Since the incumbent has reached the maximum salary in his current pay grade (N910) and cannot exceed \$115,644, this grade adjustment would allow for the full 10% promotional pay increase. The incumbent's pay would be increased from \$115,644 to \$117,810. No additional salary increase is proposed.

If approved, the vacated Chief Legal Counsel position (N910 grade) would be held to hire an additional attorney in the future.

Agency/Institution HR Manager Signature _____ Date 7/1/11

Agency Director/Chancellor Signature _____ Date 7/1/11

Point of contact with the agency for questions and return of the request:

Name: _____ Email: _____

Address: _____ Phone: _____ FAX: _____

OPM Action Approved Denied _____ Date _____

Signature



Authorized Job Title: Chief Legal Counsel
Internal Job Title: Chief Legal Counsel
Department: Legal Counsel

FLSA Status: Exempt
Reports to: Arkansas Lottery Commissioners

Position Summary: The purpose of the Chief Legal Counsel is to serve as the legal counsel to the Director and the Arkansas Lottery Commission (ALC). The Chief Legal Counsel directs the legal and administrative activities of the Legal Division. The Chief Legal Counsel reports to the Vice President of Gaming.

Typical Functions:

- Ensures that ALC is in compliance with State laws and regulations, including but not limited to the Arkansas Scholarship Lottery Act, Arkansas Freedom of Information Act, Arkansas state procurement laws, the Arkansas Administrative Procedures Act and all Arkansas ethical rules and statutes. Provides legal interpretation of the laws and regulations of the State.
- Advises the ALC, the Director of ALC, and management personnel on legal implications of proposed rules, policies and procedures, administrative decisions, and actions.
- Serves as the ALC point of contact with the Arkansas Legislative Lottery Oversight Committee (LOC) and prepares and coordinates the filing of all documentation and reports which must be statutorily filed with the LOC.
- Promulgates all ALC rules in conjunction with the ALC Legal Committee and ensures that those rules are properly filed with the necessary agencies and are in compliance with state and federal laws.
- Provides assistance to the Director in formulating and interpreting policies and procedures. Drafts and interprets legislative bills, resolutions and amendments related to the Arkansas Scholarship Lottery Act.
- Organizes and directs the activities of the Legal Division of the ALC and oversees the daily operation of the Division.
- Reviews procurement contracts with ALC management and lottery vendors and reviews and advises on the terms of procurements recommended by the Director to ensure compliance with the Arkansas Procurement Code and the Arkansas Scholarship Lottery Act. Develops contracts with lottery retailers and reviews the terms of the contracts.
- Represents the ALC in civil proceedings and administrative adjudication related to issues involving the day-to-day operations of the ALC.
- Serves as primary contact with outside law firms that are contracted to provide any legal support to the ALC.
- Provides information to the Arkansas Lottery Commissioners, legislators and their staffs regarding the ALC and its activities. Supports the Director in response to public and media relations.
- Performs other duties and oversees special projects as may be assigned by the Director and the ALC Board.

Knowledge, Skills and Abilities:

- Knowledge of the laws of Arkansas
- Ability to interpret and apply Arkansas law
- Knowledge of the legislative and judicial processes
- Ability to communicate effectively, both orally and in writing
- Ability to manage and supervise the work of subordinates and make sound judgments regarding the legal activities of the Commission.

Minimum Education and/Experience:

- Requires a juris doctor degree from an accredited law school and experience as a practicing attorney in a public or private setting; Member of the Arkansas Bar.

Valerie Basham

From: Ernie Passallaigue
Sent: Friday, July 15, 2011 5:06 PM
To: Kay Terry
Cc: Ernestine Middleton; Valerie Basham
Subject: RE: LOTTERY COMMISSION REQUESTS 3 REQUESTS

Follow Up Flag: Follow up
Flag Status: Completed

Ms. Terry,
Thanks and we work on supplying the other requested information Monday morning.
Ernie Passallaigue

From: Kay Terry [Kay.Terry@dfa.arkansas.gov]
Sent: Friday, July 15, 2011 4:24 PM
To: Ernie Passallaigue
Subject: LOTTERY COMMISSION REQUESTS 3 REQUESTS

Please find the attached review of three of the freeze requests submitted by the Lottery Commission. In order to complete my analysis of the remainder of the requests, I need a position control or a report of the Lottery Commission that includes job titles, grades, incumbent names, and salaries. This is the type of information that we review for all other state agencies, and I do not feel that I have enough information to make an accurate determination at this point.

Once I receive that information, I will provide you with a formal response that addresses all of the requests. I did not want to hold up the whole package, so that is why I decided to forward you this information. Please do not hesitate to call me if you have any questions.

Thanks

Kay Barnhill Terry

LOTTERY COMMISSION REQUESTS

1. Freeze Request – Position 22151359 – Security Specialist- Grade C120

This position was vacated on April 20, 2011. It stands to reason that security needs continue as lottery operations increase. The assumption is that the selectee for this position meets the minimum qualifications stated on the job description. It is interesting to note that the minimum qualifications for the Security Specialist are exactly the same as those for the Security Analyst which is five grades lower. The Security Specialist job description also includes a substitution clause for the college degree requirement. The questions arises as to why OPM has standard substitution language for all classifications that do not require licenses or certification. There is a process where other state agencies submit requests to the Qualifications Review Committee to ensure that the minimum requirements are satisfied. OPM would strongly advise that minimum qualifications be applied consistently.

2. Freeze Request – Position 22150636 – Security Analyst – Grade C115

This position was vacated by the selectee for the Security Specialist position on June 8, 2011. Obviously, the person filling the above Security Specialist position has been in this position, but received compensation for being a Security Specialist. There was not enough information on this request for OPM to determine how essential this position is and what duties would be assigned to this job.

3. Freeze Request – Position 22150630 – Admin and Operations Director – Grade N912

OPM would not recommend lifting the freeze on the Administration and Operations Director in order to accommodate the promotional increase of the Chief Counsel. The incumbent employee was placed in the correct classification at the time that he was promoted to Chief Legal Counsel. In state government, it is not uncommon for employees to reach the maximum salary of their pay grade. It is very apparent that this incumbent is the Chief Legal Counsel and not the Administration and Operations Director. Even though the full 10% was not realized, the incumbent did receive a sizable promotion. In state agencies, there are many employees who due to their placement in their grade do not receive 10% at the time of promotion. To change an employee's classification every time this situation arises would be a dangerous precedent for the Arkansas Lottery Commission.

Valerie Basham

From: Valerie Basham
Sent: Monday, July 18, 2011 2:36 PM
To: 'kay.terry@dfa.arkansas.gov'
Cc: Ernie Passailaigue; Ernestine Middleton
Subject: FW: LOTTERY COMMISSION REQUESTS 3 REQUESTS
Attachments: Employee Roster July 2011.pdf

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Categories:	Red Category		
Tracking:	Recipient	Delivery	Read
	'kay.terry@dfa.arkansas.gov'		
	Ernie Passailaigue	Delivered: 7/18/2011 2:36 PM	Read: 7/18/2011 2:38 PM
	Ernestine Middleton	Delivered: 7/18/2011 2:36 PM	Read: 7/18/2011 2:47 PM

Good afternoon,

On behalf of the Arkansas Lottery Commission, attached as requested is an employee report that includes job titles, grades, incumbent names, and salaries. We hope that this information will assist you in your analysis and determination of our *Hiring Freeze Exception Request* forms.

If you should need additional information or have any questions, please let me know and I will be happy to assist you. Thanks.

Valerie

Valerie Basham
Human Resources Director
Arkansas Scholarship Lottery
501.683.1892 (o)
501.683.3811 (f)



This electronic message is for exclusive use by the person(s) to whom it is addressed, and may contain information that is confidential or privileged and exempt from disclosure under applicable law. If you are not an intended recipient, please be aware that any disclosure, dissemination, distribution or copying of the communication, or the use of its contents, is prohibited. If you have received this message in error, please immediately notify me of your inadvertent receipt and delete this message from all the data storage systems. Thank you.

From: Ernie Passailaigue
Sent: Monday, July 18, 2011 9:12 AM
To: Valerie Basham; Ernestine Middleton
Subject: FW: LOTTERY COMMISSION REQUESTS 3 REQUESTS

From: Kay Terry [mailto:Kay.Terry@dfa.arkansas.gov]

Sent: Friday, July 15, 2011 4:25 PM

To: Ernie Passailaigue

Subject: LOTTERY COMMISSION REQUESTS 3 REQUESTS

Please find the attached review of three of the freeze requests submitted by the Lottery Commission. In order to complete my analysis of the remainder of the requests, I need a position control or a report of the Lottery Commission that includes job titles, grades, incumbent names, and salaries. This is the type of information that we review for all other state agencies, and I do not feel that I have enough information to make an accurate determination at this point.

Once I receive that information, I will provide you with a formal response that addresses all of the requests. I did not want to hold up the whole package, so that is why I decided to forward you this information. Please do not hesitate to call me if you have any questions.

Thanks

Kay Barnhill Terry



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

**OFFICE OF PERSONNEL MANAGEMENT
Administrator's Office**

1509 West Seventh Street, Suite 201
Post Office Box 3278
Little Rock, Arkansas 72203-3278
Phone: (501) 682-1823
Fax: (501) 682-5104
<http://www.state.ar.us/dfa>

July 28, 2011

Ms. Dianne Lamberth, Chairman
Arkansas Scholarship Lottery Commission
P. O. Box 3238
Little Rock, AR 72203-3238

Dear Ms. Lamberth:

At the request of the Arkansas Scholarship Lottery Commission, I have completed the review of each freeze request that was submitted to the Office of Personnel Management (OPM). The attached document reviews each request on an individual basis and contains a recommendation from OPM. I can state that from the limited review and involvement that I've had, it is apparent that these requests are beyond what would be approved for state agencies and the requested increases also appear to be above the norm for most private employers in the state of Arkansas.

As you are aware, OPM is in the Executive Branch of government. Due to fiscal constraints, most state agencies have been extremely conservative in addressing personnel needs. Cost of living increases have been frozen, merit increase awards have been reduced and requests to fill vacant positions have been carefully scrutinized. Employees have been eligible for promotions, but only when positions have been vacated and additional duties are assumed by the promoted employee.

Many of the requests that I reviewed appear to place current employees in higher graded positions resulting in significant salary increases. The Commission stated that these promotions were necessary for equity adjustments or for an improved alignment of management personnel. It is not our policy to recognize equity adjustments with state agencies without a court order or a grievance settlement. OPM completed an overall pay plan study of all state positions that was implemented in July of 2009. At that time, OPM considered equity within state agencies as well as grade equity across state agencies. There have been a few corrections to the pay plan study, but most did not result in large salary increases.

Many of the actions that were submitted for my review appear to be reclassifications or upgrades of current employees. State agencies and institutions of higher education have the ability to make these types of requests, but they are reviewed at several levels

Diane Lamberth
July 28, 2011
Page 2

including a review by OPM, the Department of Higher Education, or the Governor's Office with final review and action coming from the Arkansas Legislature. Stringent criteria for change must be satisfied and most of these actions are typically cost neutral from a salary perspective.

That being said, as we all know, the Arkansas Scholarship Lottery Commission is constitutionally exempt from many of the processes described above. There was no comprehensive review of all jobs and their assigned compensation levels due to the need for the immediate start up of lottery operations. Any recommendations that I can make at this time are strictly after the fact and without the typical knowledge and information that I have of other state agencies and institutions of higher education.

Now that the Personnel Sub-Committee of the Commission has been established, it would appear to be an optimum time for an overall study of positions, classifications and compensation levels. This would provide a solid basis for future personnel actions and for the identification of cross training of employees that is necessary to meet established Commission goals. On an as needed basis, OPM could provide assistance to the Arkansas Scholarship Lottery Personnel Committee who would then have the authority to make appropriate human resource decisions consistent with other Arkansas state agencies.

If I can provide further information, please let me know.

Sincerely,



Kay Barnhill Terry
State Personnel Administrator

KBT:1-2

Cc: Ernie Passailaigue

LOTTERY COMMISSION REQUESTS

Now that the Personnel Sub Committee of the Commission has been established, the knowledge necessary to review these freeze requests should lie with that group. This group has more information as to the organization of the Commission and the numbers of employees assigned to each division. Therefore, they would be able to identify when cross-training of employees would be beneficial and could better identify the appropriate time to establish additional positions. This Sub Committee would also be more aware of the compensation structure for the Scholarship Lottery and would be able to make appropriate personnel decisions that are consistent with other Arkansas state agencies and Lottery Commission needs. OPM could be on call on an as needed basis.

The following are recommendations from the Office of Personnel Management based on the criteria that we utilize for other state agencies:

1. Freeze Request – Position 22151359 – Security Specialist- Grade C120

This position was vacated on April 20, 2011. It stands to reason that security needs continue as lottery operations increase. The assumption is that the selectee for this position meets the minimum qualifications stated on the job description. It is interesting to note that the minimum qualifications for the Security Specialist are exactly the same as those for the Security Analyst, which is five grades lower. The Security Specialist job description also includes a substitution clause for the college degree requirement. There is a process where other state agencies submit requests to the Qualifications Review Committee to ensure that the minimum requirements are satisfied. OPM would strongly advise that minimum qualifications be applied consistently.

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4. HR Generalist – 22151387 – Grade C121

Information provided by the Lottery Commission indicates that there are approximately 84 employees currently employed. An organizational chart also on file with the Office of Personnel Management reflects that there is an HR Director, grade C130, a Payroll Specialist, grade C120 and 4 administrative specialist positions assigned to this operation. Compared to other state agencies, the current staffing would be more than adequate especially since start up has been achieved and administrative

operations tend to be maintenance oriented. Three assigned specialists to run HR/Payroll are more employees than several larger agencies currently employ. Without further information regarding the need for this position, OPM would delay recommending this freeze request.

5. Marketing and Product Development Director – 22150633- grade N909

This function is currently being addressed by the Product Director, Carolyn Cabell, grade N904. Although, the grade N909 is included in original legislation, a pool position was established at a grade N904 to carry out this function. The stated reason to move this incumbent into a N909 is again a pay equity issue and the need to increase the incumbent's salary by \$12,457. This is a very large increase in this year of frozen salaries, and no additional duties were listed as being added to this position. It also appears that the Commission is desiring to refill the position vacated by Ms. Cabell because of the critical need. Product development is certainly an important part of lottery operations, but does a large salary increase need to accompany such changes? OPM can't determine how many employees are already assigned to this function.

6. Sales/Retail Relations Director – position 22140634 - grade N909

This appears to be a request to downgrade the current Sales Director position that is occupied by Robert Stebbins, who is a grade N910. The request is to accomplish this action without a loss in compensation. OPM would recommend that this freeze be approved, but would recommend that the N910 Sales Director position be abolished.



TO: Commissioner Hammons, Chair, Personnel Committee
Commissioner Shipp, Vice Chair
Commissioner Campbell
Commissioner Faris

FROM: Ernie Passailaigue, Director

A handwritten signature in black ink that reads "Ernie Passailaigue". The signature is written in a cursive style.

DATE: July 28, 2011

SUBJECT: Human Resource Management Legislative Changes

We have been notified by the Attorney General's Office that the following legislative changes made during the 2011 Regular Session of the Eighty-Eight General Assembly are in effect. Although ALC is not subject to all of the provisions of the Uniform Classification and Compensation Act (except for the pay grades and maximum amounts), ALC models its policies after the State as directed by the Commission.

We would like to proceed with informing ALC employees of these changes which may affect their employment and with also amending the *Employee Manual* as appropriate. Please note that the effective date of the Acts without an emergency clause is July 27, 2011.

Please let me know how you would like to proceed.

Compensation

Changes to the Uniform Classification and Compensation Law Act 1017 of 2011 -- Pursuant to the Act, career service recognition payments and merit increases are being awarded to all eligible employees for Fiscal Year 2012. As specified in the FY 2012 Department of Finance & Administration guidelines, all eligible Professional/Executive employees (pay grade starts with N), Unclassified employees (pay grade is unspecified), and Career Service employees (pay grade starts with C), will receive their FY 2012 merit pay increase in a ***lump sum payment*** on the merit increase date *based on the availability of funding*. (Please note that ALC uses a universal performance review date as opposed to the state service date for evaluating employee performance.)

The lump sum, however, is added to the base salary for retirement purposes and is taxable for all classes of employees. The Act declares an emergency and is effective on and after July 1, 2011.

Benefits

Authorizes Payroll Deductions for Tax-Deferred Tuition Savings Programs Act 702 of 2011 – This amendment allows state employees to authorize deductions for deposits into a tax-deferred tuition savings program. It authorizes public employee payroll deductions for the Arkansas Tax-Deferred Tuition Savings Program or a tax-deferred savings plan in another state.

The tax-deferred savings plan must be in existence at the time the payroll deduction request is made.

Changes Made Concerning the Use of Leave for Children's Educational Activities for State Employees Act 584 of 2011 – Amends Arkansas Code Annotated §21-4-216. This amendment clarifies "Prekindergarten" as an educational and child development program designed for children who are at least three (3) years old, but less than kindergarten age, to prepare for an academic kindergarten program. The amendment also added to the definition of child, an individual over the age of 18 who has been declared legally incompetent.

Corrections to the Public Retirement System and Brings State into Compliance with the Federal Heroes Earnings Assistance and Relief Tax Act of 2008 Act 38 of 2011 – Amends Arkansas Code Annotated §25-2-503. This law states that when APERS DROP participant's participation ceases, that member is not eligible for employment in any position covered by any authorized state retirement plan. Additional corrections in the law include, allowing for the purchase of Arkansas National Guard and armed forces reserve service credit in one month-increments instead of one lump sum; that failure to meet termination requirements shall not revoke a member's retirement election; and changes the one year limitation on collection of overpayment from 1 year to the first overpayment to 1 year of the last overpayment. This statute is part of the Federal and Relief Tax Act, also known as the HEART Act. The HEART Act was passed by Congress and signed by President George W. Bush in 2008. The act allows tax and retirement-account benefits to active duty members of the military, and to spouses and survivors of those who have suffered death or disabling injury during their military service. Effective February 16, 2011

Redefines the Term "Terminate" under the Arkansas Public Employees Retirement System Act 40 of 2011 – Amends Arkansas Code Annotated §24-4-520. This law defines "terminate" as that term applies to eligibility for retirement under APERS to include: 1) the member has resigned, been removed, or otherwise no longer holds the position; 2) a complete severance from the elected position has occurred; and 3) the member has ceased performing any services in his or her elected position, except for non-compensated functions related to the transfer of the duties or the transfer of the position itself. Terminate does not mean taking a leave of absence, performing job duties or services without remuneration or receiving or accruing additional employment related compensation, reimbursements, benefits or other emoluments. These provisions apply to both regular and elected positions. Effective February 16, 2011

Ability for Employees Elect to Contribute to the APERS System Act 140 of 2011 – Amends Arkansas Code Annotated §24-4-101(12). This law allows additional time for the members of the APERS to select contributory service. A public employee hired prior to July 1, 2005 and who was an active member of APERS on July 1, 2005, shall have six (6) months from July 1, 2011, to elect coverage under the contributory provisions. The effective date of the contributory coverage shall be the first payroll period that is paid and reported for January 2012 and shall be prospective only. Conversion or purchase of noncontributory service into contributory service is prohibited. Additional information will be mailed to

each eligible member of APERS as well as each employer by the Arkansas Public Employees Retirement System. Effective 90 days after sine die.

A Law Concerning the Contribution to the Arkansas Employees' Retirement System Act 558 of 2011 – Amends Arkansas Code Annotated §24-4-402. This law requires that employer's continue to contribute to APERS for members that are participating in the DROP as well as retirees that have returned to a position covered by APERS. The contributions to the Public Employees' Retirement System become effective January 1, 2012. Additional information including but not limited to instructions and available training will be made accessible to employers in the next couple of months by the Arkansas Public Employees Retirement System.

Clarifies the Term "Termination" for Retirement Eligibility Under the Teacher Retirement System Act 565 of 2011 – Amends Arkansas Code Annotated §24-7-502. "Termination" for retirement eligibility under the Arkansas Teacher Retirement System requires a complete severance of employer-employee relationship and ceased performing any service for the employer; excludes leaves of absence or working without remuneration from the qualifying as "termination."

Changes in the Law for Length of Termination for Two-for-One Service Credit Employees Act 774 of 2011 – Amends Arkansas Code Annotated §24-4-520. This amendment extends the termination period for retirement purposes for individuals who receive at least two-for-one service credit under APERS to one year. Effective date March 30, 2011.

Deals with the Changes in Law for Employees Called Into Active Military Leave and Reemployment of Military Personnel Act 1164 of 2011 – Amends Arkansas Code Annotated §12-62-413 and §21-4-212. The amendment broadened the definition of a state employee who is a military member as one serving in the "armed forces" and not just the Arkansas National Guard or a reserve component of the armed forces of this state or any other state. Also included are state employees who are members of the armed forces on any other state. The Act also repealed the section of the code requiring state employees to forfeit re-employment rights if they re-enlist for subsequent terms. (Pertains to leaves of absence for public school personnel.)

State Agencies Must Review All Agency Rules to Assure the Agency is Not Using Inappropriate Terms Act 98 of 2011 – Amends Arkansas Code Annotated § 1-2-124. This law requires all state agencies to conduct a review on their agency's rules to assure the agency is not using inappropriate terms, as they relate to disabilities. If the agency identifies the use of an inappropriate term during the review, the agency shall promulgate a revision in their rules to replace the inappropriate terms. These reviews must be conducted no later than January 1, 2012. Institutions of Higher Education are excluded from the provisions in this act.

cc: Commissioner Diane Lamberth