

# Arkansas Community Correction



# Employee Handbook

*Revised August 2019*



# Arkansas Community Correction

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## Welcome from the Director

On behalf of the Board of Corrections and the Arkansas Community Correction (ACC), welcome to the Arkansas Community Correction family.

As an employee of this agency, you are a part of our team and accept the tremendous challenge of assisting in the development, enhancement and operation of innovative, cost-effective community correction programs in Arkansas.

This handbook is provided to help you better understand agency operations and expectations of you as an employee of the ACC. Combined with the employee orientation program, this document should answer most of the questions you may have about ACC, your role, and how ACC contributes to the safety of the residents of the State of Arkansas.

Please read this Employee Handbook thoroughly. Every effort has been made to ensure its accuracy; however, some information may change over time. You are encouraged to verify information by reviewing the relevant policies located on [ACCess](#) (the agency intranet), speaking with your supervisor, or by calling the Human Resources Section.

Congratulations and much success to you as a member of the ACC team.

Sincerely,

*Signature on file*

Kevin Murphy  
Director

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## **H-7-1 Employee Handbook**

### **H-7-1-1. Overview**

#### **Introduction**

The ACC provides equal employment opportunities and human resources dedicated to supporting the mission of the agency and providing assistance that will enable supervisors and employees to perform their job duties and responsibilities at the highest possible level. This document will help you to become familiar with ACC policies and procedures, thus becoming more productive sooner. Services will be provided in compliance with State and Federal guidelines. Should you need personnel assistance, please contact (501) 682-9560 and one of the Human Resources Section staff will be glad to assist you.

By accepting ACC employment, you agree to adhere to its policies and procedures, including any changes, deletions, and/or additions during the course of your employment. ACC reserves the right to make changes in the content of the application of its policies and procedures and this handbook as deemed necessary. These changes may be implemented even if they have not been communicated, reprinted, or substituted in this handbook. You should not rely on any oral or written statements contrary to what your employment application, this handbook and/or the ACC policies state. If information presented in this handbook conflicts with ACC official policies, the official policy will govern. Questions about the information contained in this handbook or any policy or procedure should be discussed during orientation or directed to your immediate supervisor.

#### **General Information Regarding the Agency, History and Organization Structure**

When the Arkansas Legislature passed the Community Punishment Act (548 in 1993), it created the Department of Community Punishment (now referred to as Arkansas Community Correction). The purpose of this Act was to establish an agency to assume the responsibilities of management of all community punishment facilities and services, execute the orders of the criminal courts of the State of Arkansas, and provide for the supervision, treatment, rehabilitation, and restoration of adult offenders as useful law-abiding citizens within the community.

The ultimate goal of the Act was to balance the need for community correction services, to assist offenders in becoming law-abiding citizens, assume responsibility for the administration of all community correction facilities, services and means of supervision, including parole and probation and any other types of post release supervision.

Upon creation of the ACC, the Board, the governing body of the ACC, provided the following vision statements:

- 1) The paramount aim is to produce crime-free, productive citizens, ending the revolving door of crime;
- 2) Our relationships with offenders, victims, families, staff and service groups and agencies are marked by dignity and respect;
- 3) A continuum of sentencing options is established with appropriate placement and movement of offenders;
- 4) The roles of State adult correctional agencies are clear and relationships collaborative so offenders are served with continuity;
- 5) Every offender is given an opportunity to improve him/herself in an environment safe for both staff and offender; and,
- 6) Decisions are driven by data and knowledge of what works.

On August 13, 2001, the 83rd Session of the Arkansas General Assembly enacted a bill to change the name of the Department of Community Punishment to the Department of Community Correction (now ACC). The act also changed the Board of Correction and Community Punishment to the Board of Corrections. The Board provides policy and operational oversight for the Arkansas Department of Correction (ADC), Arkansas Correctional School District, and the ACC.

### **Key Staff and Functions**

**The Director, *Kevin Murphy***, is hired by and reports to the Board. He is the chief executive officer with complete managerial authority and sits on the Governor's cabinet.

As of June 2018, ACC had 1,488 authorized positions designated in three major areas, residential, community supervision (parole/probation), and central administration. As the Chief Executive Officer, the Director is responsible for the overall administrative and fiscal operation of the agency. Additionally, he is responsible for ensuring departmental operations adhere to the agency mission and philosophy, while following state of Arkansas operational guidelines and meeting performance measures. The Director directly oversees or supervises legal services, the grievance process, human resources, and internal affairs.

By law, the ACC Director is designated as Compact Administrator for the state of Arkansas. The Director serves as a member of the Arkansas Council for Interstate Adult Offender Supervision and as an Arkansas Commissioner to the Interstate Commission. The Arkansas Council exercises oversight and advocacy concerning participation in Interstate Commission activities and performs other Council-determined duties including policy development concerning Arkansas compact operations and procedures.

**Chief Deputy Director, *Vacant***, is responsible for execution of planning and management services such as agency accreditation, project management, information technology, research, program planning and evaluation, grants, training, and re-entry.

The Chief Deputy Director facilitates development, annual reporting, review and update of agency short and long-range plans, goals, and mission, aligning timelines with agency planning and budgeting processes. The Chief Deputy Director reviews, updates, publishes, and makes available the agency structure reflecting span of control, lines of authority, and communication channels; facilitates collaboration and consultation with community interest groups, service agencies, colleges, and other criminal justice agencies on a continuing basis to enhance formulation, of procedures and programs. He participates directly in federal, state, and regional planning efforts with criminal justice and other agencies; and provides an organized system for information gathering, retrieval, and review, which is part of an overall management, planning and research process. The Chief Deputy Director ensures that overall program performance is measured.

**Deputy Director of Residential Services, *Jimmy Banks***, is hired by the ACC Director and is responsible for oversight of the ACC residential community-based correctional facilities. This includes the treatment programs and services and/or educational programs that facilitate the return of residents to the community and the workplace as productive, accountable and employable individuals. This includes the provision of tools necessary to help offenders develop alternative lifestyles to crime, life skills, chemical-free living, vocation and other job skills training. The community-based residential centers provide structure, supervision, surveillance, drug/alcohol treatment and education, general education and vocational programs, employment counseling, socialization, life skills, community work transition, and other forms of treatment and services. Residential centers are located in Little Rock, West Memphis, Texarkana, Osceola, Malvern, and Fayetteville.

Generally, the centers operate within a modified therapeutic community (MTC), a behavioral modification method for addressing criminal behaviors and patterns. Some facilities use an even more modified but intense concept for offenders in a Supervision Sanction Program due to the brief periods of stay. The rules are clearly stated and modeled in everyday activities by staff and residents. Treatment focuses on a multi-level approach to reach desired re-socialization. Residents are taught new concepts, values and rules of expected conduct to achieve behavioral changes. Peers follow, teach and model new values and morals (right living), with positive and negative consequences for behavior. Clinical staff instructs, facilitate processes, monitor the community, conduct individual sessions, and document results. The most powerful change mechanism is the community itself.

**Deputy Director of Parole/Probation Services, *Jerry Bradshaw***, is hired by the ACC Director for oversight of parolees and adult probationers under community-based supervision who live at home under restrictions imposed by the court or the Parole Board, some drug court caseload management, day reporting centers, community services, electronic monitoring, drug testing and institutional release services. Using a risk assessment tool, offenders are classified into low, medium or maximum levels of supervision ACC staff provides offender supervision in coordination with offenders, judges and other court representatives, the Parole Board, coworkers, management, Interstate Compact, rehabilitation agency representatives, local and state police, and others.

Community Correction alternative programming may include probation, economic sanctions, home detention, community service, electronic monitoring, restitution, specialized caseloads, chemical-free living, boot camps, drug/alcohol, and mental health treatment, education, vocations, job skills development, pretrial supervision & monitoring and therapeutic communities. Many of these alternatives have been implemented by ACC. When created, the ACC assumed responsibility for probation operations previously handled by each judicial district, and parole operations previously handled by Arkansas Correction. Supervision staff is certified as specialized law enforcement officers within one year of hire, pursuant to the Arkansas Commission on Law Enforcement Standards and Training. Supervision objectives are to promote public safety through active community supervision of offenders and to facilitate offender behavioral change through access to such services as substance abuse intervention and addressing educational and vocational issues.

**Deputy Director of Administrative Services, *Vacant***, is also hired by the ACC Director. He oversees the fiscal operations of the agency, including budgeting, procurement, accounts receivable and payable, fee collection, inventory control, and warehouse operations.

The Administrative Services Deputy facilitates development, approval, and submission of annual operating budgets, as required by the Department of Finance and Administration, establishing budget and accounting systems that reflect the costs of each program and funding sources. He ensures the budgeting and accounting system links affiliated expenses, to include overhead, with identified program function and the resources necessary for program support to facilitate both cost accounting and program evaluation.

The Deputy recommends agency accounting and budgeting guidance and procedures. At a minimum, guidance includes internal controls, petty cash, offender funds, bonding, signature control on checks, indemnification and employee expense reimbursement, as reviewed and approved by the Board.

The Deputy ensures compliance with procedures governing collection, safeguarding, and disbursement of fee receipts.

**Deputy Director of Communications and Public Affairs, *Dina Tyler***, is hired by the ACC Director and oversees all communications, legislative affairs, policy, media relations, publications, and public affairs.

**ACC Staff Attorney, *Amber Schubert***, is hired by the ACC Director and is responsible for coordinating the provision of legal assistance for staff as appropriate and as required in the performance of their duties; oversight of the Interstate Compact activities, and training on legal matters.



## **Mission Statement, Philosophy, and Goals**

### **Agency Mission:**

“To enhance public safety by enforcing state laws and court mandates through community partnerships and evidence-based programs that hold offenders accountable while engaging them in opportunities to become law-abiding, productive citizens.”

### **Agency Philosophy:**

“We place our priority on public safety while providing opportunities for positive change.”

### **Agency Motto:**

“Serving Justice.”

## **H-7-1-2. General Information**

### **Equal Employment Opportunity and Affirmative Action Statement**

In keeping with the mission of the ACC, the agency desires to employ individuals who are dependable, professional, of good character, and sincerely interested in serving the mission of the agency.

The ACC is an equal opportunity employer, providing employment opportunities without regard to race, color, creed, religion, sex, pregnancy, national origin, age, genetic information, disability, or other biases prohibited by State or federal law. The agency’s full non-discrimination policy statement is in the “[Equal Employment Opportunity and Affirmative Action Program](#)” policy.

This policy and practice relate to all phases of employment including, but not limited to recruiting, hiring, placement, promotion, transfer, layoff, recall, termination, compensation, training, use of all facilities and participation in employee activities and programs. Members of ACC management staff are familiar with this policy, the philosophy behind it and their responsibility to apply these principles in good faith for meaningful progress in the utilization of minorities and women. ACC follows the administrative directive regarding equal opportunity and affirmative action, which is located on “[ACCess](#).”

### **At-Will-Employer**

The ACC is an “at-will” employer. Nothing in this document or policies and procedures establishes, constitutes, or implies an employment contract, the guarantee of employment or benefits, or employment for any specific duration. Nothing contained in ACC policies, handbooks, applications, or other documents, or the granting of any interview or the placement in a probationary status or any other administrative act, creates a contract between an individual and ACC for either employment or the provision of benefits. The ACC does not guarantee continued employment for any specific period of time. Therefore, the agency or the employee

can terminate employment at any time, with or without cause or notice. Individuals hired must provide proof of eligibility to work in the United States pursuant to the Immigration Reform and Control Act of 1986.

### **Job Qualifications and Job Descriptions**

As you have learned, ACC fills all positions through a process of team interviews, individual ranking of the interviewees and an assessment of the qualifications as prescribed in the job classifications. You have been hired to perform a specific set of duties that are associated with a specific job classification. Job classifications, qualifications, and the pay range associated with a position are established by the State of Arkansas Department of Finance and Administration, Office of Personnel Management (OPM), responsible for managing the State Classification and Compensation System. OPM is responsible for evaluating jobs, developing classification standards and specifications, assigning pay grades to classifications, collecting salary data, developing and administering pay plan policies and procedures, developing and administering performance evaluation guidance and providing professional assistance and guidance related to personnel management. You can find more information on your job specifications at the DFA Personnel Management web site located at <https://www.dfa.arkansas.gov/personnel-management> or contact the Human Resources Section (HRS).

During your initial week of employment, your supervisor will have provided you with a description of the specific duties, activities and responsibilities assigned to you, and for which you will be expected to perform. If you are unclear concerning your duties and responsibilities, you should immediately contact your supervisor for clarification.

### **Employee Orientation**

New ACC employees must participate in the new employee orientation program. The immediate supervisor or designee will administer some of the orientation. Also, some of your training will be computer based using “[Relias](#),” the electronic agency training system.

### **Initial Probationary Period**

You are placed in a “probationary” status for the first year of employment as an ACC employee. If you are a rehire, being transferred within ACC, promoted into a new position, or voluntarily demoted, a six-month probation period is imposed.

The purpose of the probationary period is to determine your suitability for the position. The supervisor may conduct a performance appraisal at various intervals within this period to determine if additional training is needed. Even if the probation period is satisfied, the employment at will doctrine applies.

## **Pay Procedures**

Pay is issued by the State of Arkansas twenty-six (26) times each year on a bi-weekly basis. As a condition of employment, a person hired or appointed to an ACC position is required to accept payment of salary or wages by electronic warrants transfer (direct deposit) to the employee's bank account.

Your payroll check will be made through direct deposit to a bank account you designate. You must complete the [Mandatory Direct Deposit Notification Form](#). Deposit authorizations are completed during Phase 1 orientation. Changes to the authorizations can be made anytime by contacting the HRS.

## **Salary Determination, Job Classification**

The rate of pay to which a classified employee is entitled is established under current law. OPM monitors the application of laws governing classification and compensation. Employees entering State service for the first time will be paid at Entry Pay Level of the grade assigned to the position entered unless a special entry rate has been approved prior to the hire date. The ACC complies with this and all laws.

## **General Work Rules**

Most regular salaried full time employees are scheduled to work at least five, 8-hour days (forty-hour week) unless otherwise authorized by the Governor. Community correction centers are open 24 hours a day, 7 days a week. Regardless where or when you work, you are expected to begin work on time and promptly leave your workstation at the end of your scheduled work day. If there is a need to work before your usual start time or beyond your usual stop time, your supervisor will give you sufficient notice (when possible). Non-exempt and 7K-Exempt employees are not authorized to work outside regular work schedules unless the supervisor approves overtime in advance. If you are "exempt," you are expected to work the hours necessary to accomplish their jobs when overtime is approved or directed. This may require working more than an eight-hour day or more than forty hours in a work week.

## **Fair Labor Standards Act (FLSA) and Employment Status**

The Fair Labor Standards Act (FLSA) of 1938, as amended, is a Federal law that affects overtime pay, minimum wage and child labor laws. ACC employees must comply with this law. It does not cover vacation, holiday, severance or sick pay, premium pay for weekend or holiday work, double time, pay raises, or fringe benefits. Each ACC position has a status designation as it relates to application of the FLSA.

You will be informed of your FLSA status during the first day of orientation. Arkansas Code §19-4-1612 states: "Overtime. It is hereby declared to be the policy of the state of Arkansas that overtime pay for state employees is the least desirable method of compensation for overtime work." The Code further states that "all state departments, agencies, boards, commissions and institutions may pay overtime to its employees, under the rules and regulations set out by the

Federal Fair Labor Standards Act.” Overtime will be managed in the most efficient and economic manner possible.

For the purpose of FLSA, employees of the ACC fall into one of the categories below. The HRS Administrator ensures ACC positions are appropriately classified as exempt, nonexempt, or 7K exempt.

- A. Non-Exempt.** Non-exempt employees are those whose functional job duties and responsibilities do not meet the FLSA exemption test and who are compensated with time on a multiple of their hourly rate of pay for overtime. Time sheets must reflect the exact time the non-exempt employee physically worked.

Actual overtime physically worked above 40 hours in a scheduled work week will be credited in the form of FLSA overtime at the rate of time and one half for those hours physically worked over 40 in one week. In addition to compensation for regular hours worked, a non-exempt employee the time will be banked for all hours physically worked over 40 in a work week. The non-exempt employee will be compensated for overtime hours earned over 240 hours.

- B. 7K Law Enforcement (Partially Exempt).** Employees categorized as 7K law enforcement personnel are partially exempt from the FLSA and will record time based on a standard 14-day work period (80 to 86 hours). The partial exemption provides that employees be paid at their regular work schedule rate of pay for the first 80 hours they physically work. Those hours physically worked between 80 and 86 hours will be counted as straight GAP time and placed in the employee’s banked GAP time account. Any time physically worked in excess of 86 in the 14-day work period is counted at a rate of one and one half times and is banked in the employee’s overtime account. Any GAP and overtime earned are banked in lieu of pay. The 7K exempt employee will be paid for overtime exceeding 480 hours.

- C. Exempt.** Employees whose positions meet specific tests established by the FLSA and State Law are exempt from the FLSA overtime requirements. Exempt employees are paid on a set annual salary basis, and are usually a supervisor or manager.

Extra Help are temporary employees who may work 1,500 hours or less in a fiscal year. Employees classified as Extra Help will fall into one of the above-mentioned FLSA classifications according to the position they occupy. The only benefit they receive is paid time off for holidays when they qualify.

Time worked above the normal work hours must be earned before it can be used. The time used will be deducted from the employee’s accrued compensatory time. Compensatory time of fifteen (15) minutes or more must be accounted for, whether earned or used.

When an employee uses earned compensatory time, he/she shall be paid at the base rate of pay of his/her current grade.

Employees must request to use earned compensatory time by completing a request for leave form. An employee may be required to use any and all accrued compensatory time.

Employees must request leave in advance and receive approval by the supervisor prior to the leave beginning. Supervisors may deny a leave request due to “business necessity.”

If questions arise, contact your immediate supervisor. You may also refer to the “[Employee Timekeeping Compensation and Promotions](#)” policy.

### **General Guidelines for Overtime**

Employees may not work overtime unless authorized in advance. Arriving early and staying late without permission is prohibited. Your supervisor will try to give you reasonable notice when the need for overtime work arises. Please remember, however, that advance notice may not always be possible. ACC employees accrue overtime in lieu of cash payment up to the limitations stated earlier. Overtime is only earned when the physical time worked extends beyond the usual scheduled work period. A combination of paid leave and hours worked cannot be used to earn overtime. The time must be physically worked.

### **Time Sheets**

Non-exempt and 7K partially exempt employees must submit a time sheet for every two-week pay period. It is state and federal law that accurate work records are kept of every hour the employee works and the earned leave time taken. Time Sheets are maintained through [EASE](#) (Empowering Arkansas State Employees). Falsification of a time sheet is grounds for disciplinary action, up to and including termination. Your immediate supervisor and or timekeeper will instruct you on how and when the time sheet is to be completed. Completing your time sheet and submitting it to your supervisor is your responsibility. Should you make an error on your time sheet, notify your supervisor immediately. If you neglect to submit your time sheet, you will not be paid.

### **Job Promotions and Demotions**

The ACC is an equal opportunity “at will” employer. The recruiting activities that we perform include but are not limited to job postings on the state web site [www.arstatejobs.com](http://www.arstatejobs.com) as well as appropriate newspapers, and publications. The minimum requirements for each job are posted and must be met without exception. Internal job postings are made on the agency intranet ([ACCess](#)) and /or through the email system.

ACC will operate within legal parameters and guidance from OPM. Nothing in this document establishes, constitutes or implies an employment contract, the guarantee of employment or benefits, or employment for any specific duration. ACC policy is to promote based on exemplary performance and conduct when funds are available. Employees may refer to the “[Employee Timekeeping Compensation and Promotions](#)” policy.

There are three methods for moving into a job in a higher pay grade. The first applies only to certain positions where there is an established job series. Examples include Correctional Officer I to Corporal and Parole/Probation Officer I to Parole/Probation Officer II. In these cases when certain criteria are met, the supervisor may submit a request for promotion. The second method applies only to a Parole/Probation Officer II who may follow an established process to be promoted to Parole/Probation Agent. The third method is for an employee to submit an application for an open position and go through the same hiring process as a new-hire.

Upon **promotion** one or more grades within the same pay table, an employee's salary will be increased by 10 percent, not to exceed the maximum pay level. If the new rate of pay falls below the entry level for the new grade, your rate of pay will be adjusted to the entry-level pay rate. Salary increases resulting from promotions or bonuses are added to your base pay for retirement credit for the new grade, the employee's rate of pay shall be adjusted to the entry level.

You must complete a six-month probationary period following each promotion you receive. You may not grieve or appeal denial of a promotion unless you believe the denial was based upon unlawful discrimination.

The HRS Administrator monitors and administers the promotion process, provides necessary reports, ensures appropriate file maintenance and provides technical assistance, reviews records to determine unusual patterns, and maintains required employee certification or licensure documents for audit purposes.

If you are **demoted** (voluntarily or involuntarily) one grade or more within the same pay table, you will receive a 10 percent salary reduction. If the new rate of pay for the new grade exceeds the highest level of pay for the grade, your rate of pay will be adjusted down, in accordance with OPM guidance.

### **Lateral Transfer**

A lateral transfer is a move from one position to another position of the same grade and title, and with no change in eligibility date.

There is an abbreviated process available for requesting a lateral transfer into an open position. Details for this topic are addressed in the "[Employee Timekeeping Compensation and Promotions](#)" policy.

### **EASE in AASIS**

The Arkansas Administrative Statewide Information System (AASIS) is a statewide system used for payroll processing and various accounting transactions. Your pay is automatically deposited directly into an account, which you have designated. There is not a "pay stub" as it has been called but you may access your remuneration statement through this system by going to the [Empowering Arkansas State Employees \(EASE\)](#) website (there is a link to this from the [ACCess](#) home page). Your timekeeper will assist you in contacting the [AASIS Help Desk](#) to establish a required password.

Leave requests are submitted in [EASE](#), which then forwards to the assigned supervisor for approval.

Employees may elect to receive their W-2 online during a specified election period. If an online W-2 is selected, it will be available to access and view through [EASE](#).

Employees are able to enroll in training, online and classroom, provided by the Office of Personnel Management and view their performance evaluations in [EASE](#).

### **H-7-1-3. Employee Rules**

#### **Attendance and Absenteeism**

- You are expected to regularly and consistently be at your workstation at the time you are to begin work, unless you are on approved leave.
- You must notify your supervisor, in advance, if you cannot attend work as scheduled.
- Refer to the “[Employee Timekeeping, Compensation and Promotions](#)” administrative directive for additional information in addition to information provided in this handbook.
- This should be done before or within 15 minutes of your start time. If the supervisor cannot be reached, you should notify your next level supervisor or as otherwise designated by your supervisor. Note: You may want to email or leave a voice message for your supervisor prior to going to the next level if it is not urgent.
- You must give the reasons for absences (e.g. annual leave or sickness) and indicate when you expect to return to work. If you do not know when you will return, notify your supervisor each day of your absence, at or before the normal starting time.
- If you fail to make this notification, you are subject to disciplinary action up to and including termination of employment.
- If you are on Sick Leave for five or more consecutive days, you must furnish a certificate of illness from an attending physician or a recognized Christian Science practitioner. This note must verify your illness during the specific time away and indicate when you may return to work, if there are work restrictions and when the restrictions will be removed.
- Supervisors may ask for a doctor’s certificate at any time if it is suspected that you are abusing Sick Leave. If you do not report for work for three consecutive work days, without contacting immediate supervisor, you are subject to termination of employment.
- An employee absent for more than three (3) consecutive days that involves continuing treatment by a health care provider is to receive, complete, and return FMLA paperwork.

#### **Work Schedules, Meal Period and Breaks**

Work hours, meal periods and breaks are scheduled to provide consistent and adequate coverage. It is required that you report to your assigned duty station and are ready for work when the work schedule begins. A break each morning and afternoon is a privilege and may be given or not given by the supervisor depending on work requirements each day. If awarded, they are 15 minutes in length and the break begins when you leave your duty station and ends when you return. Breaks are paid time away from your job so do not abuse them. Breaks may not be used

to add to lunch periods or change work day starting and ending times. However, breaks may be combined only for the purpose of participating in a physical fitness-related activity or exercise (see below). The meal-periods are non-paid times and begin when you leave your duty station and end when you return. Absenteeism and tardy rules apply to all the above.

## **Physical Fitness**

You are encouraged to maintain a healthy lifestyle and be physically and mentally fit for duty. To facilitate employee involvement in fitness activities, a voluntary program is available allowing you 30 minutes daily, combining both morning and afternoon breaks, to participate in such activities that contribute to maintaining or achieving good physical health upon supervisory approval. There are restrictions on the use of time, so you are expected to review the "[Employee Timekeeping, Compensation and Promotions](#)" policy and its implementation with your supervisor prior to taking any time.

## **Sexual Harassment**

ACC provides an environment where you can work together comfortably and productively, with other employees free from sexual and other forms of harassment ([Harassment policy](#)). Sexual harassment is prohibited by state and federal law and will not be tolerated. Sexual harassment of fellow employees or offenders will result in disciplinary actions, which may include termination of employment. In addition to sexual harassment, ACC has a zero tolerance policy toward any sexual misconduct. ACC will abide by the PREA standards set forth in related policies on the ACC intranet ([ACCess](#)). For additional information on sexual harassment, you can refer to the "[PREA](#)" policy on the [ACCess](#) website.

## **Inclement Weather**

In general, ACC does not close its offices during bad weather without the Governor's declaration. However, pursuant to a Governor's Policy Directive the following policy ([Inclement Weather](#)) is in force to attempt to provide for your safety, and eliminate confusion during bad weather:

### **Greater Little Rock Area (Pulaski County):**

If you work in the Little Rock area and severe weather strikes in the early morning, you should listen to radio or local television to hear if the Governor's Office declares the day to be an "Inclement Weather Day." On a day declared to be an "inclement weather day," and you can get to work without undue personal risk, you should do so and be at your work station no later than 10:00 a.m. If you arrive by 10:00 a.m., you will be given credit for a full work day. If you arrive after 10:00 a.m., you will be charged the amount of the time you were late (counting from your regular starting time), and if you do not come to work at all, you will be charged a full day absent. This applies to non-essential personnel only; all security/essential personnel must report.

When severe weather occurs during office hours, the Director has the discretion to allow you to leave work early for safety reasons.

### **Parole/Probation Offices Outside of Pulaski County:**



In the event of severe weather, the Area Manager will contact local authorities for help in determining local road conditions. If road conditions, in general, are IMPASSABLE, the supervisor may excuse you from work that day without penalty or use of earned leave after contacting the next level supervisor for approval. Personnel assigned cell phones and tablets will conduct business from their residence when excused due to weather.

### **Community Correction Centers:**

The Center Supervisor will develop policies and procedures to cover facility operations during inclement weather. These policies and procedures balance the requirements for 24-hour resident care and/or public access against the safety of center employees.

When severe weather occurs after you have arrived for work, Area Managers and Center Supervisors have the discretion to allow you to leave work early for safety reasons. You should check with your Center Supervisor and/or center procedures for guidance.

### **Drug Courts:**

Employees that work in a Drug Court work at the discretion of the Judge when the inclement weather policy goes into effect. If the Governor has declared an Inclement Weather day and the judge is still holding court those ACC employee's that work in that Court are required to arrive for work or notify the Judge if they make it to work. If the Judge decides to cancel court due to inclement weather, the ACC employee is responsible to report to his or her supervisor for further instruction.

### **Drug-Free Workplace**

The ACC maintains a drug-free workplace. Employees, interns, and volunteers are prohibited from the unlawful manufacture, purchase, distribution, dispensing, possession, and or of prohibited drugs and consuming or being under the influence of alcohol or drugs during the work day. Violators are subject to discipline up to and including termination. You are subject to random and reasonable suspicion testing. Details about the ACC [Drug-Free workplace](#) can be found in the policy on [ACCess](#).

### **Tobacco Free Environment**

It is ACC policy to provide a tobacco-free environment for the health and safety of staff and offenders. Tobacco products are any smoking or smokeless tobacco product. You should refer to the [Tobacco policy](#) on [ACCess](#) for details.

### **Nepotism**

In accordance with Act 2262 of 2005, "Hiring Relatives," you may not work in the same line of supervision of a relative whereby one supervises the other or has authority to hire, transfer, suspend, lay-off, recall, promote discharge or assign the other. "Relative" under this law means husband, wife, mother, father, stepmother, stepfather, mother-in-law, father-in-law, brother,

sister, stepbrother, stepsister, half-brother, half-sister, brother-in-law, sister-in-law, daughter, son, stepdaughter, stepson, daughter-in-law, son-in-law, uncle, aunt, first cousin, nephew, or niece. For further details, please consult the [DF&A Form "Employee Disclosure/Certification and Employment of Family Members"](#) "Employee Disclosure/Certification and Employment of Family Members" which is available from a link on [ACCess](#) and the ACC policy "Employee Work Schedules, Compensation and Timekeeping."

## **Other Employment**

ACC is your primary employer. An employee's primary duty, obligation and responsibility is to the ACC. Employees in certain positions are subject to be called in to work as necessary, e.g. emergencies, staff shortages, etc. In such instances, an employee engaged in secondary employment is expected to leave his or her outside employment to report to the primary job with the ACC. If secondary employment is desired, complete the Secondary Employment Agreement Form found in the "[Secondary Employment](#)" policy, discuss it with your supervisor, and obtain approval.

## **Concurrent Employment**

Concurrent employment is a secondary employment when you simultaneously work for two or more state institutions. Under certain circumstances, you may be concurrently employed by the same institution/agency. Your combined salary payments from the institution/agency are not to exceed the larger maximum annual salary of the line-item position authorized for either institution/agency from which you are being paid. Employees who perform services for their primary employer (one having control over the employee's services) outside regularly scheduled hours of work may be paid additional compensation if such services constitute independent, additional duties over and above those of the employee's primary position within the institution/agency. Additional compensation will be allowed only when the services rendered are clearly not a part of the employee's regular (primary) job. Such additional services must meet the criteria as specified in Arkansas Code Annotated §§ 6-63-307 & 19-4-1604. Concurrent employment requests are subject to the approval of the Chief Fiscal Officer of the State prior to implementation. ACC will not be liable for any overtime work outside of your ACC duties and responsibilities.

## **Whistle Blower Act**

ACC will not take adverse action against you because you, or a person authorized to act on your behalf, communicates in good faith the existence of waste of public funds, property, or manpower, including federal funds, property, or manpower, administered or controlled by a public employer or a violation or suspected violation of a law, rule, or regulation adopted under the law of this State or a political subdivision of the state to an appropriate authority. The communication may be made at a time and in a manner which gives the public employer reasonable notice of need to correct the waste or violation.

"Whistle-blower" means a person who witnesses or has evidence of a waste or violation while employed with a state agency or institution of higher education and who communicates, in good

faith, or testifies to, the waste or violation, verbally or in writing, to one of the employee's superiors, to an agent of the public employer or to an appropriate authority, provided that the communication is made prior to any adverse action by the employer. For further information, refer to the [Whistle Blower policy](#) on the [ACCess](#) site.

## **Hostage Situations**

During your orientation program, you will be provided information on how to respond if you are in a hostage situation. You should remember that ACC will not grant any offender freedom because of a hostage situation.

## **Vehicle Safety Program**

The purpose of this program is to reduce State insurance costs and loss of employee work time due to accidents.

1. If you are authorized to operate an agency or private vehicle to conduct ACC business, you must maintain a valid driver's license in accordance with the requirements of applicable Arkansas State laws. You must complete and sign the Authorization to Operate State Vehicles and Private Vehicles on State Business, VSP-1, to periodically obtain "Traffic Violations Reports". You must also provide a photocopy of your drivers' license.
2. If you operate or ride as a passenger in a State vehicle equipped with seatbelts, you are required to wear them. Also, when driving a personal vehicle on State business and receiving mileage reimbursement you must wear your seatbelt.
3. You must maintain the required liability insurance on the personal vehicle you use to conduct ACC business.
4. You must promptly report, in writing, all accidents or traffic violations occurring in a State vehicle or a personal vehicle driven on State business. See the [Vehicle Safety Program](#) and the [Reporting and Investigating Incidents and Hazards](#) and [Drug-Free Workplace](#) policies.
5. If you have had an at-fault accident, you must attend a Defensive Driving Class within 60 days following the accident.

The ACC will use the traffic violation point system to identify high-risk drivers. Depending on the number and severity of your traffic violations or accidents, you may lose the right to operate a State vehicle. Your employment may be terminated if driving is an essential function of your job, and your driving record reflects poor performance.

Employees who are convicted for driving while intoxicated (DWI), driving under the influence (DUI), or any type of driving without a license may be terminated.

## **Legal Assistance and Professional Liability**

The Arkansas Attorney General's Office will represent you if you are sued in your "official capacity (the office or position you hold or held at the time of the event in question). The claim

would be considered as a claim against the State of Arkansas, and therefore cannot result in any personal judgment against you that would be satisfied by any of your personal assets. Neither the ACC nor the state of Arkansas will provide legal assistance in personal matters or matters that do not pertain to your job duties during your work hours.

ACC employees must comply with and follow the procedures in the Administrative Directive on Legal Documents or they may be held personally liable. If you are involved in a job-related legal matter, you are required to fully cooperate with the ACC legal counsel and others as required.

#### **H-7-1-4. Employee Performance and Job Development**

##### **Personnel File**

HRS in the Central Office maintains an official personnel file on each employee. You may make an appointment to review your personnel files by contacting HRS.

Notify your supervisor or the HRS of such changes as your name, telephone number, home address, marital status, number of dependents, and individuals to notify in case of emergency, to keep your personnel file up-to-date.

##### **Supervisory File**

A file will be maintained by your immediate supervisor including information concerning decisions about such things as performance evaluation ratings, recommendations for pay increases, promotions, enrollment in special training courses, and disciplinary actions.

##### **Performance Evaluation**

The ACC utilizes the [Performance, Goals, and Compensation System \(PGCS\)](#), which measures performance and facilitates communication between you and your supervisor (rater). Refer to the Administrative Directive on Employee Performance Evaluation policy on [ACCess](#). An employee may provide his/her supervisor with input regarding job duties performed, recognition, training and other accomplishments prior to the performance evaluation. Completed performance evaluation documents are maintained in [EASE](#).

Review the [Performance, Goals, and Compensation System \(PGCS\)](#) policy on [ACCess](#). If there are questions, please consult your immediate supervisor or HRS.

##### **Performance Compensation Pay**

Eligibility Requirements. During the performance evaluation-rating period, you must:

- must have met or exceeded the annual American Correctional Association (ACA) training requirements AND
- must NOT have received a written warning or greater disciplinary action during the rating period AND

- supervisors must have met all deadlines pertaining to performance evaluation processing as set by Human Resources.

Award of performance compensation is contingent upon the availability of funds. The percentage of performance compensation for unacceptable, development needed, solid performer, highly effective, and role model will be awarded in compliance with guidance from the Department of Finance and Administration each budget cycle. The HRS Administrator will provide notice of this percentage following issuance.

Your immediate supervisor will cover this and other related issues with you.

### Service Awards

The following awards are offered. However, amounts and payment are subject to change in accordance with law, and are contingent upon funding availability.

#### State Awards

Governor’s Service Recognition Certificates for full-time employees with 10, 20, and 30 years of service.

Career Service Recognition payments are awarded on your increase eligibility date for your years of State service as follows:

<b>10 through 14 years of service -</b>	<b>\$800</b>
<b>15 through 19 years of service -</b>	<b>\$1,000</b>
<b>20 through 24 years of service -</b>	<b>\$1,200</b>
<b>25 or more years of service -</b>	<b>\$1,500</b>

#### ACC Awards

- Director’s Award.
- Employee of the Year
- Innovation of the Year
- Hero Award
- Vision Award
- Impact Award
- Horizon Award
- Promise Award
- Parole/Probation Treatment Staff of the Year
- Residential Treatment Staff of the Year
- Parole/Probation Officer of the Year
- Residential Services Officer of the Year
- Treatment Supervisor of the Year
- Residential Services Supervisor of the Year
- Parole/Probation Support Staff of the Year
- Residential Services Support Staff of the Year

## Central Office Staff Person of the Year

Nominees must have made significant contributions to the mission or enhancement of the department's image; and during the rating period received solid performer or above performance evaluation rating, was free of disciplinary action, and recognized accomplishments fit within the scope of the award category. For details, review the ACC policy titled "[Employee Awards Program](#)" located on the ACC [ACCess](#) website.

### **Training Opportunities**

You will be given opportunities to improve and expand your skills once you have mastered the basic job duties, to help you prepare for advancement or promotion, you will be encouraged and sometimes required to participate in training. For a more detailed explanation, as well as the guidelines for training, see the "[Employee Training and Certification](#)" policy located on [ACCess](#).

### **On-the-Job-Training**

You may work under the supervision of a trained employee without leaving the work site or disrupting work schedules to acquire a standard level of competency on a newly assigned job.

### **Cross Training**

Certain employees may be given the opportunity, or in some cases, required to learn a new skill outside their current responsibilities. ACC encourages this type of opportunity so that employees may become more "promotable" or be prepared to temporarily step into a new position in the event of an emergency. Cross training is generally handled at the work location under the supervision of a well-trained employee.

### **Disciplinary Procedures**

If you violate a rule or do not perform satisfactory work, "progressive discipline" may be used to correct the problem. This means each time a particular rule is violated; the penalty may become more severe. Although the progressive discipline process is the most commonly used process at ACC, it is not the sole process used. Some actions may be so severe that progressive discipline would be inappropriate. Therefore, supervisors assess the situation and act appropriately given the circumstances of the violation(s). Details of the disciplinary policy, [Employee Discipline](#), are located on [ACCess](#).

### **Grievance and Complaint Procedures**

You are entitled to fair, reasonable and non-discriminatory treatment in all aspects of your employment. If you are eligible and believe you are a victim of unfair or discriminatory treatment, you may seek relief through the grievance procedures, without restraint, interference, coercion, discrimination or fear of future reprisal. However, you must have reasonable evidence, which can be substantiated to avoid false or malicious claims.

For a complete explanation of the ACC grievance procedure see the Administrative Regulation titled “Employee Grievance Procedure” and the Administrative Directive titled “[Employee Grievance and Mediation Procedure](#)” found on [ACCess](#).

### H-7-1-5. Employee Benefits

ACC offers an array of benefits for you and your family. One of the many benefits is various leave types and is discussed in the [Employee Leave policy](#). If you have questions, please consult your immediate supervisor or HRS.

### Legal Holidays

You are granted time off to observe the following regularly scheduled legal holidays:

<u>HOLIDAY</u>	<u>OBSERVED</u>
New Year’s Day	January 1
Dr. Martin Luther King Jr./Robert E. Lee Birthdays	Third Monday in January
Presidents Day & Daisy Gaston Bates Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veteran’s Day	November 11
Thanksgiving Day	Fourth Thursday in November
Christmas Eve	December 24
Christmas Day	December 25
Employee’s Birthday	Your actual birthday
The Governor may declare additional holidays. Such information will be posted as is appropriate.	

If you are a nonexempt employee required to work on a holiday, enter the hours of ‘Attendance’ on your timesheet so that you will be paid for the number of hours worked and number of holiday hours you worked will be credited as banked holiday-leave time that can be taken off another time. If you are an exempt employee, provide documentation (initialed or approved by the supervisor) to the timekeeper of the time worked so that you may bank the holiday leave.

To be eligible to be paid for a Holiday, you must be in “pay status” the last work day before the holiday for at least 15 minutes, and at least 15 minutes on the first work day after the holiday. You will not be eligible if you are in leave without pay status.

If a holiday falls while you are on compensatory time, annual or sick leave, that day is charged as a Holiday and is not charged against annual, sick or compensatory leave. If a holiday falls on your regularly scheduled day off, you will be credited Holiday time. If a holiday falls while you are on Worker’ Compensation, that day is charged as a holiday and will not be charged against your annual or sick leave as long as you are in “pay status.”

State offices in Pulaski County will remain open when a legal holiday occurs during a general or special session of the legislature, with the exception of Dr. Martin Luther King, Jr. /Robert E. Lee birthdays. These offices will maintain the minimum number of employees required to conduct State business. However, these offices may be permitted to close by Resolution of the General Assembly.

Occasionally, you may have to work on a holiday if the needs of the Department warrant it. If you are requested or required to work on a holiday, you may receive equal holiday time off later on a day agreed upon by you and your supervisor. Holidays worked must be scheduled off by the supervisor as soon as possible.

### Annual Leave

As a full time employee, you will accrue leave at the rates shown in the table below. If you work less than full time but more than 1000 hours per year, you will accrue annual leave in the same proportion as time worked. For example, if you work half time, you will receive half of the annual leave accrual shown on the table.

Complete Years of Employment	Hours Accrued Monthly	Hours Accrued Annually	Qualifier
Through 3 years	8	96	From hire through 3 full years
4 through 5 years	10	120	Completed 3 full years and starting in the 4 <sup>th</sup> year
6 through 12 years	12	144	Completed 5 full years and starting in the 6 <sup>th</sup> year
13 through 20 years	14	168	Completed 12 full years and starting in the 13 <sup>th</sup> year
Over 20 years	15	180	Completed 20 full years and starting in the 21 <sup>st</sup> year

Accrual rates will change on the first day of the month following eligibility for the next higher accrual rate.

Annual leave is cumulative and the balance must be 240 hours or less on December 31<sup>st</sup> of each year. Accrued leave may exceed 240 hours during the calendar year, but hours exceeding 240 will be forfeited if not used by December 31<sup>st</sup> of each year. You may not earn annual leave when on leave without pay for 10 or more cumulative days within a calendar month.

Leave must not be entered farther than the current calendar year.

You may request to use accrued annual leave at any time. Your supervisor may grant the leave request at such time that least interferes with the efficient operation of the office or agency.

Annual leave is granted based on work days, not calendar days. Non-work days, such as holidays and weekends, are not charged as leave.

Annual leave accrued during a calendar month is not actually earned until the last working day of the month. Leave must be earned before it can be used; therefore, it may not be used from



anticipated future accruals. You may not use annual leave accrued by other employees unless it is provided under the provisions of the catastrophic leave program.

You must use all compensatory time and holiday leave on the books before you may use annual leave, unless you are in a “use or lose” annual leave situation at the end of the calendar year.

## **Educational Leave**

As a full-time ACC employee, you are entitled to eight (8) hours of leave during any one calendar year for the purpose of attending or assisting with the educational activities of a child enrolled in pre-kindergarten through grade 12, if the child is one of the following relations to you:

1. Your natural child;
2. Your adopted child;
3. Your stepchild;
4. Your foster child;
5. Your grandchild;
6. You were awarded the child by virtue that you have been appointed the person’s legal guardian or custodian; or
7. You are acting as a parent for the child in any other legal capacity.

“Educational activity” means any school-sponsored activity, which includes without limitation:

1. A parent – teacher conference;
2. Participation in school-sponsored tutoring;
3. Participation in a school-sponsored volunteer program;
4. A field trip;
5. A classroom program;
6. A school committee meeting;
7. An academic competition;
8. Assisting with athletic, music, or theater programs.

## **Sick Leave**

If you work at least 1,000 hours per year in a regular position, you will accrue sick leave. If you work less than full time but more than 1,000 hours per year, you will accrue sick leave in the same proportion as time worked.

Sick leave is earned at the rate of 8 hours per month regardless of years of service. It is available the first day of the following month. Sick leave cannot be used until it is available. It can be used in increments of 15 minutes. An employee will not earn sick leave when on leave without pay for 10 or more cumulative days within a calendar month.

1. The use of sick leave is contingent upon the occurrence of one of the events listed below. If the event never occurs, the employee is not entitled to the sick leave benefits.
  - a. employee is unable to work because of sickness, injury, or has the need to seek medical, dental or optical treatment, or
  - b. the death or serious illness of an immediate, family member (father, mother, sister, brother, spouse, child, grandchild, grandparents, in-laws or a person acting as a parent, guardian or ward of the employee).
2. Requests to use sick leave for medical appointments should be made in advance. Employees must notify their supervisor within the first 15 minutes of the duty day every day of absence due to unexpected illness. If physically unable to make the notification within 15 minutes, notify the supervisor as soon as possible. The employee must complete a sick leave request upon their return to work and no later than two days following their return. An employee is not required to divulge medical symptoms, diagnosis or prognosis when on sick leave or when a doctor's excuse is requested. However, if requested, they must provide a doctor's statement ordering the employee to be off work and specifying the time period. This does not preclude the requirement for detailed medical information for such purposes as FMLA, catastrophic leave, and required fitness exams, Americans with Disabilities Act, workers' compensation claims, and leave abuse.
3. Banked holidays, straight time, and overtime may be used in lieu of sick leave.
4. Employees at work sites with an approved 10 hour a day work schedule will be charged at a rate of 10 hours a day when off a full day not to exceed 40 working hours in a seven day work week or 80 hours in a 14 day pay period.
5. The maximum hours of sick leave that can be carried over to the next calendar year on December 31<sup>st</sup> are 960. If an employee is off work 40 or more consecutive hours, a medical "certificate of illness" is required upon returning to work. However, a supervisor may request a medical "certificate of illness" at any time. Employees should provide a signed physicians statement that the illness prevented the employee from performing his or her normal work for a specified period of time.

Leave must not be entered farther than the current calendar year.

### **Military Leave**

Details about military leave are provided in the "[Employee Leave](#)" policy. Your supervisor, timekeeper or HRS may also assist with questions concerning military leave.

## Maternity Leave

Maternity leave is to be treated as any other leave for sickness or disability. However, you may elect to take leave of absence without pay without exhausting accumulated annual and sick leave. Before taking maternity leave, you should talk with the physician and submit a doctor's statement to your supervisor indicating when maternity leave will begin and end.

While on maternity leave, you will continue to earn annual and sick leave unless you are on leave without pay status. You have the option of choosing to take leave without pay instead of using earned annual or sick leave. Consult HRS or the Arkansas State Personnel Policy, section on Family and Medical Leave Policy for requirements, which may impact maternity leave.

Eligibility requirements for Catastrophic Leave are as follows:

- The employee must be employed in state government for one year or more.
- The employee cannot have disciplinary actions for leave abuse during the past year from the time of application.
- Up to four (4) consecutive weeks of catastrophic leave with full pay may be granted to employees for maternity purposes. After the four weeks has expired, maternity will be treated as any other leave for sickness or disability.
- An employee is eligible for only within the first 12 weeks after birth or adoption of a child.

If an employee is eligible for both catastrophic leave for maternity purposes and family medical leave for maternity purposes, the two will run concurrently.

## Court and Jury Leave

If you serve as a juror or you are subpoenaed as a witness to give a deposition in a court or hearing, not involving personal litigation or service as a paid witness outside the scope of state employment, you are entitled to receive normal and full compensation in addition to any fees paid for such services. If you provide reasonable notice to your supervisor of the required proceedings, you will not be subject to discharge from employment, loss of annual or sick leave days or accrual rates, or any other form of penalty. You must submit a copy of the subpoena, summons, or statement from the court with the time sheets (if appropriate) when taking Court or Jury Leave. If you are called to Jury Duty, you may keep any fees paid for such services. However, if you are called for service and released, you must notify your supervisor immediately and return to work to complete the rest of the work day.

## Family Medical Leave Act (FMLA)

### FMLA in General

ACC adheres to the Arkansas Office of Personnel Management policy regarding FMLA. Please refer to the Arkansas Office of Personnel Management website, Arkansas State Personnel Policy, chapter on "Leave, Leave Transfer and leave Payout – [Family and Medical Leave Act \(FMLA\)](#)" for details about FMLA or contact the ACC Human Resources Section for assistance.

The FMLA (as amended by the National Defense Authorization Act of 2008) entitles “eligible” employees to a total of 12 workweeks (more for military caregiver) of leave during any 12-month period for one of the following reasons:

- The birth of a son or daughter, and to care for the newborn child;
- The placement with the employee of a son or daughter for adoption or foster care;
- The care of the employee’s spouse, son, daughter or parent with a serious health condition; and,
- A serious health condition that makes the employee unable to perform the functions of the employee’s job.
- Qualifying Exigency Leave - Eligible employees are entitled to up to 12 weeks of leave in a calendar year because of “any qualifying exigency” arising out of the fact that the spouse, son, daughter, or parent of the employee is on covered active duty, or has been notified of an impending call or order to covered active duty status, in support of a contingency operation. The qualifying exigencies for which employees can use FMLA leave are as follows:
  - Short-notice deployment
  - Military events and related activities
  - Childcare and school activities
  - Financial and legal arrangements
  - Counseling Rest and recuperation
  - Post-deployment activities
  - Additional activities not encompassed in the other categories, but agreed to by the employer and employee

FMLA leave is without pay. However, if an eligible employee has accumulated, unused sick or annual leave, the employee is required to substitute such paid leave, including any paid catastrophic leave benefits, for any FMLA leave taken during the 12-week period, with the exception that an employee taking maternity leave may elect to not substitute accrued, unused sick and annual leave while on FMLA leave. Time taken prior to a request or approval for FMLA leave may be charged against the allowable FMLA time.

- Military Caregiver Leave - Eligible employees who are the spouse, parent, child or next of kin of a service member who incurred a serious injury or illness on active duty in the Armed Forces may take up to 26 weeks of leave in a calendar year to care for the injured service member. Military Caregiver Leave is used in combination with regular FMLA leave.

## **FMLA Eligibility and How to Apply**

You should apply for FMLA leave status 30 days in advance when the need is foreseeable and such notice is practicable. If leave is foreseeable less than 30 days in advance, notice must be provided as soon as practicable – generally, the same day or the next business day. To apply, submit the Leave Request for Employee form (being certain to check the appropriate box near the top of the form), Request for Family and Medical Leave form, and a completed Certification of Health Care Provider form. FMLA forms may be obtained from [ACCess](#) or by contacting the Human Resources Section.

## **Agency FMLA Responsibilities**

If the supervisor, timekeeper or Human Resources staff has knowledge that an employee's requested leave period is covered by FMLA, it is the responsibility of the supervisor to notify the employee that they have been placed on FMLA leave. The employee may also initiate FMLA requests.

The Human Resources Section Administrator must determine whether the time requested will be approved as FMLA leave within five business days of the employee's leave request, or, if sufficient information is not available to make a determination. Some or all leave may be retroactively counted toward FMLA.

## **Leave Without Pay (LWOP)**

Generally, LWOP is used for emergency time off when you do not have any appropriate leave available. Also, supervisors may impose LWOP as a disciplinary measure. See the ACC [“Employee Leave”](#) policy manual located on the website for additional information.

You may apply to take LWOP by submitting a request form to your immediate supervisor. LWOP in excess of 40 consecutive hours requires the approval of the appropriate Deputy Director. Time off on leave without pay is limited up to six months per incident.

If you use 10 or more days of LWOP in any month, you will not earn annual and sick leave for that month only. If you are on LWOP when a legal holiday is observed, you will not receive pay for the holiday. LWOP status may interrupt participation in the State's group health insurance. There are a few exceptions to this rule if you are on Military, Worker's Compensation or Family Medical Leave.

This rule does not prevent you from paying the premium cost of your group insurance. During LWOP, you must pay the total cost for ACC group insurance, which includes your premium and ACC's cost. You should contact the HRS insurance benefits specialist in advance to continue insurance coverage while in LWOP status.

## **Catastrophic Leave**

You may voluntarily donate earned annual and sick leave to the Catastrophic Leave Bank for use by eligible employees as long as the donation will not reduce your annual and/or sick leave combined to less than 80 hours except in the case of death, retirement or employment

termination. This program provides full time employees with paid leave when they are faced with a catastrophic illness and who otherwise would have to be placed on LWOP. To donate leave to the Catastrophic Leave Bank secure the necessary forms from your timekeeper or [ACCess](#), complete the forms and return them to your timekeeper.

A catastrophic illness is a medical condition of yours your spouse, parent or child which may be claimed as a dependent under the Arkansas Income Tax Act of 1929, as certified by a physician that requires an employee's absence from duty for a prolonged period of time and which, except for the catastrophic leave program, would result in a substantial loss of income to the employee because of the exhaustion of all earned sick and annual leave.

See Maternity Leave for eligibility requirements for maternity purposes.

To request Catastrophic Leave, you must have been employed by the State for at least 2 years, and at the onset of the catastrophic illness or injury, have to their credit at least 80 hours of combined sick and annual leave and have exhausted all leave, holidays and compensatory time. To be considered for catastrophic leave you must complete an application, with attachments and forward it to the HRS Administrator. Forms may be secured from your timekeeper or [ACCess](#).

All Catastrophic Leave requests will be submitted to DFA-OPM for review and determination. If an application is denied by the Director, HRS will notify the applicant of disapproval of their request.

### **Job-Related Injury or Illness**

If you have a job-related injury or illness, follow appropriate policy guidance to include guidance in the "[Reporting and Investigating Incidents and Hazards](#)" policy. You may contact the HRS for information about Worker's Compensation insurance.

Failure to make this report may jeopardize your right to Workers' Compensation. Your immediate supervisor will give you the name of the managed care provider in your area. If you select a doctor outside of the network, Workers' Compensation will not cover the cost of the treatment. You must also give your supervisor a doctor's statement indicating the extent of your injury and any required change in your work status.

If you are going to be absent from work for an extended period, you have the option to use your earned sick, annual, compensatory or holiday leave so that you receive your usual and customary pay. Under no circumstances will the workers compensation combined with the employee's salary exceed the employee's regular pay amount.

### **Deferred Compensation**

Deferred Compensation is a tax deferred investment program for ACC employees. You may voluntarily authorize a portion of your salary to be withheld and invested. Deferred Compensation payments are payroll deductible.

Neither the amount withheld nor earnings on the investments are subject to current State and federal income taxes until they are withdrawn, usually at retirement. Benefits can also be withdrawn if you terminate employment or file a “hardship” request.

Each year you may defer up to 25% of your state salary within the annual minimum and maximum limitations established by DF&A. To obtain the current minimum and maximum amounts, contact HRS.

## **Employee Assistance**

The [New Directions Behavioral Health](#) is your employee assistance program, which provides immediate, professional assistance with personal, work-related, or emotional issues. These free, confidential services are available to you and your eligible family members. NOTE: Membership in the state health plan may be required. Therefore, if you are uninsured, the EAP benefits may not cover your spouse and/or dependents.

[New Directions](#) professionals will assess your situation and help to clarify and resolve problems within the scope of their services. They provide assistance in areas that deal with life, family, legal, work, money, and everyday issues (e.g. stress, addiction and recovery, depression, anxiety, relationships, grief and loss, legal matters, estate planning, forms-wills, power of attorney, final arrangements, free initial consultation, childcare resources, emergency care, summer school/vacation camp, parenting, adoption, child development, college planning, caring for older adults, budgeting, debt management, home buying and refinancing, retirement planning, insurance, tax planning, co-worker relationships, change and transition, balancing work and personal life, relocation, business travel, communication, consumer information, home remodeling/repair/buying, car buying, big-ticket purchases, pet care resources).

Supervisors may refer you to [New Directions](#) for problems, critical incident debriefing and stressful situations that may be adversely affecting you and/or your job performance.

You are encouraged to get the guidance you need any day or time by calling 877-300-9103 or going online to [www.NDBH.com](http://www.NDBH.com). EAP staff is available 24 hours a day, 7 days per week. Appointments for non-emergency situations are made during regular business and some evening hours.

## **Retirement**

The [Arkansas Public Employees Retirement System \(APERS\)](#) is non-contributory and contributory. If you were hired before July 1, 2005, you are under the non-contributory plan and there is no contribution made by you, and ACC pays the entire amount. If you were hired after July 1, 2005, you are under the contributory plan where you are required to contribute 5% of your annual salary and ACC contributes the rest.

Under the state retirement plan, you can voluntarily retire with full benefits, at either age 65 with 5 years of service or at any age after 28 years of credited state service. The minimum pension, by State law, is \$150 per month. To find out what your pension would be upon retirement, contact [APERS](#) or use their website Benefit Calculator.

## **Credit Union**

The [Arkansas Federal Credit Union](#) is a non-profit corporation that serves only its members and is owned and operated by them. Members who save at the credit union provide the money for those who need to borrow. The interest paid on loans is used to pay dividends on the savings. The members elect a board of directors to manage the organization and a credit committee to approve loans. Participation is optional and contributions, as well as loan payments, are payroll deductible. You (even if retired from the state) and your family members are eligible to become members.

## **Arkansas State Employees Association (ASEA)**

The [ASEA](#) is an independent, non-profit organization that focuses on improving working conditions for State employees.

[ASEA](#) lobbies the General Assembly on behalf of State employees, publishes and distributes “ASEA News” and a “Legislative Blog” during the legislative session. The latest news, most-recent updates, and newest offer through their discount program are shared on Facebook.

[ASEA](#) offers its members a benefit package called SEBCO (State Employee’s Benefit Corporation) which includes a van pool program, property and casualty insurance products, and the Purchasing Power program. SEBCO provides “SEBCO News”, a monthly E-newsletter. These program costs are optional and are payroll deductible. Participation is optional and dues are payroll deductible.

## **State Employee Suggestion System**

The Employee Suggestion System is a program that rewards employees who find faster and less expensive ways to do State business without a loss in quality. It opens a channel of communication between the employee and management that allows these suggestions to be heard. Instructions for developing and evaluating suggestions are available on the DF&A OPM website. Additional Suggestion Program details are also available on the website. You may also contact HRS or the Office of Personnel Management, DFA Building at Room 201 7<sup>th</sup> Street & Martin Luther King Jr. Drive, Little Rock, AR 72203 for additional information.

Suggestions must be on the official suggestion form and should be detailed and specific. Attach graphs, charts, diagrams, worksheets or supportive papers as needed. Eligible suggestions will be forwarded to a subject matter expert for evaluation.

The evaluation period is 30 calendar days. Payment of award, if any is due, will be at the end of the test period or after the suggestion has been in effect for one year, whichever is less. If an award is given, it will be \$100 or 10% of the amount of the savings, up to a maximum of \$5,000.



## **Chemical Right-to-Know**

You have a right to training and information concerning hazardous chemicals, if any, that are expected to be used on the job. This enables you to minimize your exposure to such chemicals and protect your health, safety and welfare. Contact your supervisor or the ACC Purchasing Department for information regarding chemicals used.

## **Health Insurance**

There are various types of health insurance options. Due to the vast range of coverage by each plan, your questions should be directed to the benefit/insurance specialist in the HRS.

## **H-7-1-6. ACC Policy and Procedures**

### **General Guidance**

The ACC policies and procedures include Administrative Regulations issued by the Board of Corrections, Administrative Directives issued by the ACC Director, and Administrative Memoranda issued by Deputy Directors. Deputy Directors may also publish manuals. Divisions and other sections may also publish standard operating procedures (SOP) that are administered and maintained within that division or section.

You are responsible for understanding and following applicable policy and procedure. Policy and procedure documents do not reflect or represent every conceivable situation, but provide guidance and common understanding. If you have questions about policy issues or how to access policies, consult your immediate supervisor.

Employees should access policies on the agency intranet website that is named “[ACCess](#).” The agency public internet website has a limited number of agency policies therefore; it is not intended to be used by employees for policy reference.

### **Required Policies and Acknowledgements**

You will be asked to sign forms acknowledging awareness of various ACC policies. Some of these policies will be covered in detail during orientation and you will be required to sign acknowledging that you have reviewed and understand them. All agency policies undergo routine review and updating. You are required to keep up-to-date with relevant policies and procedures. These documents are on “[ACCess](#)”.