

Office of Personnel Management

Policy

Policy Title: Hazardous Duty Differential	Policy Number: 20.05.01
Citation: Arkansas Code Annotated § 21-5-221	Forms: None

Purpose

Arkansas law allows for agencies and institutions to request hazardous duty differentials for employees that have an increased risk of personal physical injury due to an employee occupying a certain identified high-risk position.

Specific Provisions

If an agency or institution can demonstrate a need for a hazardous duty differential for specified positions or classifications, they shall submit a plan with the terms and conditions of eligibility for the hazardous duty differential pay they are requesting. The plan shall be submitted to the Office of Personnel Management (OPM) for approval by the Chief Fiscal Officer of the State after review by the Personnel Committee of the Legislative Council.

The agency or institution may request authorization for hazardous duty pay up to six percent (6%). The agency or institution must identify position classifications determined to be physically hazardous or dangerous due to location, facility, services provided, or other factors directly related to the duty assignment of the positions. The employee's regularly assigned work schedule must expose the employee to clear, direct and unavoidable hazards during at least fifty percent (50%) of the work time and the classification does not compensate the employee for the hazardous exposure.

If an employee's rate after granting the additional hazardous duty compensation exceeds the maximum annual rate of pay for the grade assigned to the employee's classification, the additional compensation shall not be considered as exceeding the maximum allowable rate of that grade.

Any subsequent changes to the facility or unit, location, and eligible positions or classification within a facility or unit on file with OPM shall receive prior approval by the Chief Fiscal Officer of the State after review by approval by the Personnel Committee of the Legislative Council.

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An additional six percent (6%) or up to, but not to exceed, twelve percent (12%) hazardous duty differential pay may be authorized for identified classifications and positions in maximum security units or facilities. For this additional level of differential pay, employees occupying the identified positions assigned to a maximum security unit or facility if the regularly assigned work schedules expose employees at least eighty-five percent (85%) of the work time to clear, direct, and unavoidable hazards from clients, inmates, or patients who are in units or facilities that are classified as maximum security.

If an employee who is receiving hazardous duty differential pay is reassigned to a duty area not covered in the agency's or institution's hazardous differential pay plan, the differential will be removed on the day of the reassignment and the employee shall receive the rate of pay for which he or she is eligible.

January 13, 2011