

**Office of Personnel Management  
Policy Directive**

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| <b>Policy Title:</b><br>Discharge, Dismissal, and Disqualification of<br>Employment              | <b>Policy Number:</b><br>20.18 |
| <b>Citation:</b><br>Arkansas Code Annotated<br>§§ 21-12-102 and 103;<br>§ 21-3-205; § 25-16-1104 | <b>Forms:</b><br>None          |

Discharge for Falsifying Employment Application

Any person who is employed by the State of Arkansas and who falsified their employment application by alleging to have earned a college degree which in fact was not earned shall be terminated from employment with the state.

Dismissal for Prohibited Discrimination

Every state agency shall include in its personnel manual a statement that discrimination by any officer or employee based on race, creed, religion, national origin, age, sex, or gender shall constitute grounds for dismissal.

When it is determined by any court of law that any employee of this state is guilty of discrimination based upon race, creed, religion, national origin, sex, or gender such determination shall be grounds for dismissal from employment.

Compulsory Retirement of Certain Employees

The law allows compulsory retirement of any employee who has attained sixty-five (65) years of age, and who, for the two-year period immediately before retirement, is employed in a bona fide executive or a high policy-making position if the employee is entitled to an immediate nonforfeitable annual retirement benefit from a pension, savings, or deferred compensation plan, or any combination of such plans of the employer, which equals, in the aggregate, at least forty-four thousand dollars (\$44,000).

In applying the retirement benefit test, if any such retirement benefit is in a form other than a straight life annuity with no ancillary benefits, or if employees contribute to such plan or make rollover contributions, that benefit shall be adjusted by the actuary of the employee's public retirement system, so that the benefit is the equivalent of a straight life annuity with no ancillary benefits under a plan to which employees do not contribute and under which no rollover contributions are made.

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Disqualification from Office

A person who pleads guilty or nolo contendere to or is found guilty of a felony offense relating to his or her office, position, or employment in a governmental body shall be disqualified and barred from holding any office, position, or employment in a governmental body.

Revised August 16, 2013