

Office of Personnel Management

Policy

Policy Title: Employee Disclosure	Policy Number: 30.08
Citation: Arkansas Code Annotated § 21-1-401 through 408; § 25-16-1001 through 1007 Executive Order 98-04	Forms: Employee Disclosure/Certification and Em- ployment of Family Members Form (F3-F4) Employee Disclosure of Family Members Form (State Application Portion) (F8) Employee Disclosure Requirements/ Restrictions Notice (F5-F6, F7) www.arkansas.gov/dfa

Purpose

Arkansas law requires applicants or employees to disclose specific relatives who are employed by the state and to disclose their benefit or any relative's benefit from a state contract or grant.

Definitions

Employee: A person whose employment is not seasons or temporary and whose actual performance of duty requires one thousand (1,000) or more hours during a fiscal year.

Public official: The Secretary of State, Governor, Lieutenant Governor, Treasurer of State, Auditor of State, Attorney General, Commissioner of State Lands, a member of the Senate, or a member of the House of Representatives; and the executive head of any agency, department, board, commission, institution, bureau, or council of this state.

Relative: 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.

State agency: All boards, commissions, departments, agencies, institutions, state-supported institutions of higher learning, and offices of constitutional officers of the State of Arkansas; and the General Assembly, including divisions, commissions, and bureaus operating under the authority of the General Assembly.

Supervisory employee: any individual having:

(a) authority in the interest of the state agency to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees of a state agency; or

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(b) The responsibility to direct other employees of a state agency, to adjust their grievances, or to effectively recommend an action if the exercise of authority is not of a merely routine or clerical nature but requires the use of independent judgment.

Specific Provisions

Originally, Executive Order 98-04 created applicant and/or employee disclosure requirements regarding family members who are or have been employed by the state and/or receive benefits from a state contract or grant. Existing and subsequent legislation supported the disclosure requirements.

All state agencies, institutions of higher education, boards, and commissions are required to obtain completed and signed disclosure forms from the top applicant(s), whether the applicant is a current or former (within the last 24 months) state employee or has never been employed by the state prior to a formal offer of employment. The disclosure requirements are as follows:

- F3-F4 - Employee Disclosure/Certification and Employment of Family Members Form
- F8 - Employee Disclosure of Family Members Form (State Application Portion)
- F5-F6, F7 - Employee Disclosure Requirements/Restrictions Notice This portion of the form series is a three page document which includes information to an applicant and/or employee regarding financial interest gained through a familial tie to a state contract or grant, the penalties for non-disclosure, receipt and understanding of the legislation, and disclosure of his or her familial relationship, type of business, state contracting entity, amount, and nature of the benefit received/to be received.

The F3-F4 form is a two page document in which an applicant and/or employee discloses his or her familial relationship, position and office, as defined. Additionally, the form provides the hiring official and subsequent reviewers, the opportunity to determine whether the applicant/employee meets or does not meet the requirements for hire, as defined.

The F8 form is a checklist format found on state application forms for family member disclosure.

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It is imperative that before an employment offer is made, hiring officials must ensure the applicant meets the specified requirements and that proper approval is obtained. If additional approval is needed beyond the Human Resource Manager, the correspondence must accompany the hiring packet.

Agencies, institutions of higher education, boards, and commissions must also report the information obtained from the selected applicant/employee disclosure statements. The reporting mechanism is located on the Department of Finance and Administration's Office of State Procurement website:

<http://www.dfa.arkansas.gov/offices/procurement/Pages/forms.aspx>

To report the information obtained from the F3/F4 and F8, use the employee reporting site:

https://www.ark.org/dfa/dfa_disclosure/index.php?type=employee

To report the information obtained from the F7, use the grants and contracts reporting site:

https://www.ark.org/dfa/dfa_disclosure/index.php?type=contract

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