

University of Arkansas at Pine Bluff

Faculty/Staff Handbook

Policy: **EMPLOYMENT OF CONSTITUTIONAL OFFICERS AND SPOUSES**

Policy #: **7.15**

If an individual is elected to a constitutional office (including Governor, Lieutenant Governor, Secretary of State, Treasurer of State, Attorney General, Commissioner of State Lands, Auditor of State, member of the Arkansas House of Representatives, or member of the Arkansas Senate) he or she may not be hired by any state agency or institution after being elected and during the elected term, unless they resign the constitutional office prior to being hired.

If the individual was employed by a state agency or institution prior to being elected to a constitutional office, he or she can continue employment. However, their position cannot be reclassified unless it is a general reclassification affecting all positions in the employee class and grade equally. The employee will not be eligible to receive any pay increases, other than cost-of-living increases authorized by the General Assembly, without the prior approval of the Joint Budget Committee (or the Legislative Council if the General Assembly is not in session) and the Governor.

If the individual's spouse is elected to a constitutional office, the employee may not be hired by a state agency or institution after the spouse is elected and during the spouse's term of office without the prior approval of the Joint Budget Committee (or the Legislative Council if the General Assembly is not in session) and the Governor.

If the individual was employed by a state agency prior to the spouse being elected to a constitutional office, or if the employee is hired by a state agency during the spouse's term of office, the employee is subject to the following restrictions: (a) their position cannot be reclassified unless it is a general reclassification affecting all positions in the employee class and grade equally, (b) while the spouse serves as a constitutional officer and for two years after the spouse leaves office, the employee cannot be promoted or transferred without the prior approval of the Joint Budget Committee or the Legislative Council and the Governor, (c) the employee cannot receive any pay increases in excess of 15 percent without the prior approval of the Joint Budget Committee (or the Legislative Council if the General Assembly is not in session) and the Governor.

Former members of the General Assembly and their spouses cannot be employed by a state agency within 24 months after the legislator leaves office in any job which (a) was newly created by legislative action within 24 months prior to the legislator leaving or (b) had a maximum salary increase of more than 15% authorized by legislative action within 24 months prior to the legislator leaving office.

Resource(s):

Approved by:

Approval date:

Custodian: