



**ARKANSAS DEPARTMENT OF FINANCE AND ADMINISTRATION  
OFFICE OF INTERGOVERNMENTAL SERVICES  
VICTIM JUSTICE AND ASSISTANCE PROGRAM**

**SUBGRANT ADMINISTRATION GUIDE  
PART II: POST SUBGRANT REQUIREMENTS**

**I. PERSONNEL**

1. The subgrant organization must disclose the official position title, job description, salary, and identity of all individuals designated to participate within a subgrant project, whether federally-funded personnel or staff and volunteers whose time is to be used for matching contributions.
2. The subgrant organization must ensure that IGS has current information regarding the individuals hired to fill project positions.
3. Any modification of job description or salary must receive prior approval from the Victim Justice and Assistance Program Administration Office, as the action will affect the subgrant agreement.
4. Subgrant organizations are required to notify IGS in writing of all position changes, i.e., vacancies, new hires, temporary assignments, etc.
5. IGS respects the subgrant organization's handling of all personnel matters, unless actions violate state or federal law or call into question compliance with specific grant regulations and administrative directives<sup>1</sup>.
6. The hiring of an individual to fill a position that is budgeted within a subgrant is solely at the discretion of the subgrantee.
7. The subgrant organization is required to allow for equal employment opportunity, meaning it should adequately solicit applications for salaried and contracted positions from the general population.
8. Any individual hired using federal funds and/or whose time is credited as matching contribution must be fully informed of the subgrant project goals. Verification of same must be submitted in writing to IGS.

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<sup>1</sup> It would be to the subgrantee's advantage to seek advice from legal counsel who specializes in labor laws and is given the opportunity to review the signed assurances regarding the organization's status as an equal opportunity employer and its dedication to avoiding even the unintended appearance of a conflict of interest.



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**I. PERSONNEL (cont'd)**

Federal and state laws exist that protect workers from being utilized in excess. *The Fair Labor Standards Act*<sup>2</sup> forbids an employer from having a non-exempt employee work beyond a 40-hour workweek without due compensation equaling time and one-half. While governmental entities are allowed to satisfy overtime with either compensatory payment or time, nonprofit organizations are restricted to compensatory payment. For example, if a non-exempt, full-time employee works 42 hours in a one week time period, the extra two hours worked must be treated as three (time and one half). The employer must either require the employee to take three (3) hours "compensatory time" off work within a reasonable timeframe, if allowed under the Act, or must financially compensate the employee for three (3) hours using unrestricted funds<sup>3</sup>.

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<sup>2</sup> The State Department of Labor has provided the Department of Finance and Administration two documents that detail important information regarding federal and state laws pertaining to fair labor standards. Subgrantees are encouraged to read these documents, located in the addendum section of this Guide.

<sup>3</sup> Federal funds may not be used to pay overtime costs.