MINIMUM WAGE
All employees covered by Arkansas Code 11-4-202 to 11-4-230 must be paid a minimum wage of at least:
$7.50 an hour effective January 1, 2016 with an
allowance for gratuities not to exceed $0.84 per
hour.
$8.00 an hour effective January 1, 2016 with an
allowance for gratuities not to exceed $5.37 per
hour.
$8.50 an hour effective January 1, 2017 with an
allowance for gratuities not to exceed $8.57 per
hour.

COVERAGE
The Arkansas Minimum Wage applies to an employer of
four (4) or more employees.
All employees of the above employers are covered except:
Executive, administrative or professional employees.
Outside commission-paid salesmen.
Students whose work is a part of a bona fide vocational training program.
Students who work in the schools they are attending.
Some farm workers.
Independent contractors.
Employees of the United States.

STUDENT RATE
Any full-time student attending an accredited institution of
education within the State of Arkansas, and who is employed to work an amount not to exceed twenty (20) hours during weeks that school is in session or forty (40) hours during weeks when school is not in session, such rate of wage shall be equal to not less than eighteen-five (85%) of the applicable minimum wage provided a Student Certificate of Eligibility obtained from the Arkansas Department of Labor. Student workers subject to the 85% provision of the applicable minimum wage and a gratuity allowance shall not be paid less than the base wage guaranteed any other employee subject to a gratuity allowance.

HANDICAPPED WORKERS
The Director has established procedures for employers of
four (4) or more workers. For further information contact the Department of Labor.

STUDENT-LEARNERS
A "Student-Learner" is a person who is receiving
regular instructions in an accredited school and who
is employed on a part-time basis in a bona fide training program. For further information contact the Department of Labor.

OVERTIME PAY
Overtime compensation must be paid at the rate of one
and one-half times the regular hourly rate of pay for
hours worked in excess of 40 hours in a
week. This overtime provision shall not be applicable with respect to employers with less than 4 employees, or agricultural employees.

WEEKLY PAY
A week is a regular recurring period of
168 hours in the form of seven consecutive 24-hour periods.

ENFORCEMENT
Powers of the Director of Labor:
The Director or his representatives have the authority to:
(a) enter and inspect any place of employment in the State to examine books, payrolls, and
records having to do with wages and hours. He may copy these records if necessary and
may question any employees to find out if the
law is being obeyed.
(b) require any person to submit statements from
an employer about his employees' earnings and
hours of work.
(c) enter, inspect, and make regulations issued thereunder.

DEDUCTIONS FROM
THE MINIMUM WAGE
No deduction from the applicable minimum wage may be made except those authorized or required by law or by regulations of the Director of Labor, however, deductions which are not otherwise prohibited and which are for the employee's benefit may be made if authorized in writing by the employee.

KEEPING OF RECORDS
All employers subject to the Minimum Wage Law
must keep accurate records for a period of (3) years. These records must include the name, address, occupation, rate of pay, hours worked and the amount paid each pay period for all employees covered by the law. In addition, every employer who claims an allowance for tips, board, lodging, apparel or other items or services as part of the applicable minimum wage rate, must maintain daily records showing for each employee the amounts claimed as allowances and the applicable minimum rates which will substantiate the amount of tips actually received by the employee or the employer's reasonable cost in supplying items or services to the employee.

EQUAL PAY ACT
No employer in the State of Arkansas shall discriminate in the payment of wages as between the sexes or shall pay any female employee, salary or wage rate less than the rates paid to male employees for comparable work. Provided, however, that nothing in this Act shall prohibit a variation in rates of pay based upon a difference in seniority, experience, training, skill, ability, or difference in duties and services performed by the employee, provided such difference in the shift or time of the day worked, or any other reasonable differentiation except difference in sex. Every employer shall keep and maintain records of the salaries and wages rates, job classifications and other terms and conditions of employment of the persons employed by him and such records shall be preserved for a period of three (3) years.

PENALTIES
Any employer who willfully and maliciously, or
in violation of the performance of his duties in the enforcement of these statutes or otherwise willfully violates any provision of these statutes or any regulation issued under it shall be deemed in violation of the Minimum Wage Law and shall be subject to a civil penalty of not less than $50.00 and not more than one thousand dollars ($1,000.00) for each violation. For the purpose of this section, each day the violation continues shall constitute a separate offense. Any employer who willfully discharges or in any other manner willfully discriminates against any employee because such employee has made any complaint to his employer, to the Director of Labor, or his authorized representative that he has not been paid minimum wages in accordance with the provisions of these statutes or because such employee has caused or is about to cause to be instituted any proceeding under or related to these statutes, or because such employee has testified or is about to testify in any such proceeding shall be deemed in violation of the Minimum Wage Law and shall be subject to a civil penalty of not less than fifty dollars ($50.00) and not more than one thousand dollars ($1,000.00) for each violation. For the purpose of this section, each day the violation continues shall constitute a separate offense. In addition to the civil penalty, the Director of Labor is authorized to petition any court of competent jurisdiction to enjoin or restrain any person, firm, corporation, partnership, or association who violates the provision of these statutes or any regulation.

EMPLOYEES REMEDIES
The Director of Labor may enforce Arkansas minimum wage laws by instituting legal action to recover any wages due. An employee may bring an action for equitable and monetary relief against an employer enforcing regulations of the Director of Labor, or a political subdivision of the state, if the employer pays the employee less than the minimum wages, including overtime wages, to which the employee is entitled. The employee shall not be required to exhaust administrative remedies before bringing an action. An employee may recover the full amount of wages due plus costs and a reasonable attorney's fee. The employee may also be awarded an additional amount up to but not greater than the amount of wages found to be due, to be paid as liquidated damages.

CHILD LABOR
State law regulates the employment of minors under the age of 16 and, generally, requires children under the age of 16 to have employment certificates. Employment certificates for ages 14 and 15 are not required for seasonal agricultural laborers, newspaper carriers, or babysitters of professional baseball clubs, or work performed.
Special provisions govern the employment of children in the entertainment industry, as newspaper carriers, bat boys or bat girls of professional baseball clubs, sports referees, to hand harvest short season crops, or by their parents or guardians during school vacation.
Children who are 16 and 17 years of age may not work:
* More than 10 hours in any one day; no more than ten hours in a twenty-four hour period.
* More than 6 days a week.
* More than 8 hours a day.
* More than 48 hours a week.
* Before 6:00 a.m. or after 11:00 p.m. except:
  * More than 6 days a week, if employed by him and such records shall be preserved for
20 hours in a workweek.
  * More than 6 days a week, if employed by him and such records shall be preserved for
50 hours in a workweek.

Arkansas Code 98-7 allows for the employment of children
in the entertainment industry provided the child is
paid an Entertainment Work Permit by the Director of Labor. Child labor violations result in a civil money penalty of not less than $50.00 and not more than $1,000.00 for each violation.

IF YOU HAVE QUESTIONS CONCERNING THE ARKANSAS MINIMUM WAGE LAW, TELEPHONE 682-4505.

WAGE COLLECTION ACT
The Wage Collection Act provides assistance to any employee in the collection of wages due him or her for work or service performed, and shall include all or any work or service performed by any person employed for any period of time where the wages or salary or remunerations for such work or services are to be paid at stated intervals or at the termination of such employment, or for physical work actually performed by an independent contractor, provided that the amount in controversy does not exceed the

This poster contains only a summary.
Copies of the complete laws and regulations are available from the Department of Labor.

ARKANSAS DEPARTMENT OF LABOR
10421 WEST MARKHAM STREET
LITTLE ROCK, ARKANSAS 72205
PHONE (501) 682-4500
FAX (501) 682-4506
TDD (800) 285-1131

Employers Subject to the Minimum Wage Act are required to post this notice in a conspicuous place for all employees.

ARKANSAS DEPARTMENT OF LABOR
NOTICE
to employer & employee
11/2014

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