MINIMUM WAGE

All employees covered by Arkansas Code § 11-9-502(c) and § 11-9-503(c) must be paid a minimum wage of:

$9.25 an hour effective January 1, 2019, with an allowance for gratuities not to exceed $0.62 per hour.

$10.00 an hour effective January 1, 2020, with an allowance for gratuities not to exceed $0.62 per hour.

$11.00 an hour effective January 1, 2021, with an allowance for gratuities not to exceed $0.62 per hour.

COVERAGE

The Arkansas Minimum Wage Applies to an employer of four (4) or more persons.

Executive, administrative or professional employees.

Outside commission-paid salesmen.

Students who work as part of a bona fide vocational training program.

Students who work in the schools they are attending.

Some farm labor.

Handicapped Workers

The Director has established rules for employment of these workers. For further information contact the Department of Labor and Licensing.

STUDENT-LEARNERS

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

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 workweek. Overtime compensation shall not be applicable with respect to employers with less than 40 employees, or agricultural employees.

WORKTIME

A workweek is a regularly recurring period of 168 hours in the form of seven days of work totaling 24 hours each.

ENFORCEMENT

The Director of the Division of Labor or his representative have the authority to:

(a) enter and inspect any place of employment in the State to examine work schedules and records with respect to wages and hours worked, and may make copies of any such records if necessary and may question any employees to find out what is being observed;

(b) require written or sworn statements from an employer about his employees’ earnings and hours of work;

(c) enforce all applicable rules.

DEDuctions FROM THE MINIMUM WAGE

No deduction from the applicable minimum wage may be made except those authorized or required by law or rule of the Director of Labor; however, deductions which are not otherwise prohibited and which are for the benefit of the employee may be made if authorized by writing in the employment agreement.

KEEPING OF RECORDS

All employers subject to the Minimum Wage Law must keep accurate records for a period of three (3) years. These records must include the name, address, occupation, rate of pay, hours worked and the amount paid such person per day. In addition, every employer who pays an allowance for tips, board, lodging, apparel or other items or services as part of the minimum wage, must maintain daily records showing for each employee the amount claimed as allowances and must maintain records 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 on the basis of race, color, sex, national origin, or religion, to any employee who is performing comparable work. Comparable work means work which is similar in skill, effort, responsibility, working conditions and is consistent with the terms and conditions of employment of the persons employed by him and such records shall be preserved for a period of three years.

EMPLOYERS SUBJECT TO THE MINIMUM WAGE ACT ARE REQUIRED TO POST THIS NOTICE IN A CONSPICUOUS PLACE FOR ALL EMPLOYEES.

NOTICE: This state has its own minimum wage law. Employers are also required to display the Federal Employee Rights Under the Fair Labor Standards Act posting, which indicates the federal minimum wage. Where both federal state both apply, employers may display both, employers display the state statute that is entitled to the higher minimum wage rate.

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

UNEMPLOYMENT INSURANCE

State of Arkansas

Department of Labor and Licensing

NOTICE to employer & employee

Arkansas Employment Laws

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