**NOTICE** to employer & employee **MINIMUM WAGE** 

All employees covered by Arkansas Code 11-4-202 to 11-4-220 must be paid a minimum wage of at least:

ARKANSAS DEPARTMENT OF LABOR AND LICENSING

\$9.25 an hour effective January 1, 2019 with an allowance for gratuities not

to exceed \$6.62 per hour.

\$10.00 an hour effective January 1, 2020 with an allowance for gratuities not to exceed \$7.37 per hour.

\$11.00 an hour effective January 1, 2021 with an allowance for gratuities

not to exceed \$8.37 per hour.

**COVERAGE** The Arkansas Minimum Wage applies to an employer of four (4) or more

\*Executive, administrative or professional employees. \*Outside commission-paid salesmen. \*Students whose work is a part of a bona fidevocational training program.

\*Students who work in the schools they are attending.

\*Some farm laborers. \*Independent contractors \*Employees of the United States.

persons. Common exemptions include:

STUDENT RATE Any full-time student attending any 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 eighty-five (85%) of the applicable minimum wage provided a Student Certificate of Eligibility is obtained from the Arkansas Department of Labor and Licensing. Student workers subject

to the 85% provision of the applicable minimum wage rate 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 rules for employment of these workers. For further information contact the Department of Labor and Licensing. STUDENT-LEARNERS

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 and Licensing.

A "Student-Learner" is a person who is receiving regular instructions in an

**OVERTIME PAY** Overtime compensation must be paid at the rate of one and one-half times

Updated 8/16

the regular hourly rate of pay for hours worked in excess of 40 hours in a workweek. This overtime provision shall not be applicable with respect to employers with less than 4 employees, or agricultural employees.

A workweek is a regularly recurring period of 168 hours in the form of seven consecutive 24-hour periods.

The Director of the Division of Labor 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 written or sworn statements from an employer about his employees' earnings and hours of work; and (c) enforce all administrative rules.

No deduction from the applicable minimum wage may be made except

those authorized or required by law or by rule of the Director of Labor, however, deductions which are not otherwise prohibited and which are

**DEDUCTIONS FROM THE MINIMUM WAGE** 

for the employee's benefit may be made if authorized in writing by the **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 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 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 as between the sexes or shall pay any female in his employ, 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, or 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 wage 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.

PHONE (501) 682-4500 FAX (501) 682-4506 TDD (800) 285-1131

ALL EMPLOYEES.

### **State Minimum Wage**

one thousand dollars (\$1,000.00) for each violation. For the purpose of this subsection, each such violation 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 law, or because such employee has caused to be instituted or is about to cause to be instituted any proceeding under or related to the law, 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

Any employer who willfully hinders or delays the Director or his authorized representative in the performance of his duties in the enforcement of

the Minimum Wage Law or of any rule issued under it shall be subject

to a civil penalty of not less than fifty dollars (\$50.00) and not more than

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

**EMPLOYEES REMEDIES** The Director of Labor may enforce Arkansas minimum wage law by

violates the provision of the law or any rule.

instituting legal action to recover any wages due. An employee may bring an action for equitable and monetary relief against an employer 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 for willful violations.

**CHILD LABOR** State law regulates the employment of minors under the age of 17 and, generally, requires children under the age of 16 to have employment certificates. Employment certificates for children ages 14 and 15 are not required for seasonal agricultural laborers, newspaper carriers, or batboys

of professional baseball clubs, or sports referees. Special provisions govern the employment of children in the entertainment industry, otherwise, children who are 14 and 15 years of age may not work:

\*More than 8 hours a day. \*More than 6 days a week

\*More than 48 hours a week.

\*Before 6:00 a.m. nor after 7:00 p.m.except on nights preceding non-school days, such children may work until 9:00 p.m. Children under 14 may not be employed except 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 years of age may not work: \*More than 10 consecutive hours in any oneday; no more than ten 10 hours in a twenty-four hour period. \*More than 6 days a week.

a.m. and 11:00 p.m. shall not apply to children 16 years of age employed

\*More than 54 hours a week. \*Before 6:00 a.m. nor after 11:00 p.m.except that the limitations of 6:00

on nights preceding non-school days in occupations determined by rule of the Arkansas Department of Labor and Licensing to be sufficiently safe for their employment. Provided, however, that no boy or girl between the ages of 16 and 18 shall be subject to the provisions of this Act if: (a) such boy or girl is a graduate of any high school, vocational school or technical school (b) such boy or girl is married or is a parent.

Act 647 of 1987 allows for the employment of children in the entertainment industry provided the child is issued 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 682-4534.

WAGE COLLECTION ACT The Wage Collection Act provides assistance to any employee in the collection of wages due him or her for work performed. Work performed

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 sum of two thousand dollars (\$2,000.00). Employees who need help in collecting wages due them should contact the Arkansas Labor Department and Licensing. Telephone 682-4599. THIS POSTER CONTAINS **ONLY A SUMMARY** 

shall include all or any work or service performed by any person employed

Copies of the complete laws and administrative rules are available

from the Department of Labor and Licensing. ARKANSAS DEPARTMENT OF LABOR AND LICENSING DIVISION OF

LABOR 900 WEST CAPITOL LITTLE ROCK, ARKANSAS 72201

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

## **Chemical Right To Know Act**

The purpose of this law is to provide public employees access to training and information concerning hazardous chemicals in order to enable them to minimize (heir exposure to such chemicals and protect their health, safety and welfare.

**PUBLIC EMPLOYERS' DUTIES** Public employers are responsible for the following as set out by the law: 1. Post adequate notice to Inform employees of their rights

2. Ensure proper chemical labeling

a. Existing labels on containers of hazardous chemicals are not to be removed b. If a chemical is transferred to another container, it must also be labeled with the name and appropriate warnings, as provided in this law

c. A public employer is not required lo label chemicals that have been transferred to a portable container by an employee when that employee is going to immediately use the chemical 3. Maintain and make material safety data sheets available

a. Chemical manufacturers and distributors must provide public employers with the appropriate MSDSs within the prescribed times b. Public employers must maintain current copies of each MSDS and have them available to employees and their designated representatives upon request within the prescribed time

c. The employer must not require an employee lo work with a chemical until a MSDS can be furnished except as indicated by this law d. An employee who declines to work with a chemical may not be penalized e. Public employers shall provide a copy of MSDSs to the Director of Labor upon request

4. Compile and maintain a workplace chemical list for hazardous chemicals used, generated, or stored in amounts of 55 gallons or 500 pounds or more a. The Workplace Chemical List must show the chemical or common name used on the MSDS and/or the container label, the Chemical Abstracts

Service Number and the work area where it will normally be used, generated, or stored

b. Chemical lists shall be filed with the Director of Labor no later than October 14, 1991, updated when necessary, and refilled July 1 of each year 5. Provide employees with Information and training

a. The Director of Labor is responsible for maintaining a general information and training assistance program to aid public employers b. Additional training must be provided when a new hazard is introduced, when new information is received, or before new employees are assigned to a

c. Information and training programs must meet the requirements specified in the law and in the regulations of the Director of Labor d. Information and training programs must be developed by January 15, 1992, and initial information and training must be provided prior to July 15, 1992. Employers must keep a record of the dates of training sessions given to their employees

e. The Director of Labor's rules and regulations concerning refresher training and training exemptions must be followed 6. Handle trade secrets in accordance with provisions set out in the law a. The Director of Labor can request data substantiating a trade secret claim when asked lo by an employee, designated representative, or public

b. All information will be kept confidential PUBLIC EMPLOYEES' RIGHTS

Public employees who may be exposed lo hazardous chemicals must be informed and shall have access to the Workplace Chemical List, MSDSs for the chemicals on the list, and information and training as provided in this act. A public employee cannot be disciplined, discharged or discriminated against for requesting information, filing a complaint, assisting an inspector of the Department of Labor, causing any complaint or proceeding to be instituted, testifying in any proceeding, or exercising any tight afforded by this law. Any waiver of the benefits or requirement of this law are a violation and are therefore null and void.

COMPLAINTS AND INVESTIGATIONS The Director of the Department of Labor will investigate written and oral complaints from public employees concerning violations of this law The Director or his designated representative has the authority to enter the workplace and conduct a thorough investigation of the complaint as specified by this law.

If the Director of Labor finds a public employer in violation of this law, he shall issue an order to cease and desist the act or omission constituting the violation. If the Director of labor finds that a public employer has failed to provide the required Information and training by the prescribed lime, he may conduct the program and charge the employer for the costs incurred. Violation of this act shall be cause for adverse personnel action against the responsible supervisor as set out in this act. **CAUSE OF ACTION - ATTORNEY FEES** 

Any citizen denied their rights under this law may commence civil action in circuit court and the court shall hear the petition within seven days. The court shall have the jurisdiction to restrain violations of this act and to order all appropriate relief. Those who refuse to comply with these orders will be in contempt of court Attorney fees and court costs will be assessed to the defendant and plaintiff as set out by the law. NO EFFECT ON OTHER LEGAL DUTIES

The provision of information to a public employee does not affect the liability of the employer with regard to the health and safety of the employee, or the employer's responsibility to prevent the occurrence of occupational disease. The provision of Information to an employee also does not affect any other duly or responsibility of a chemical manufacturer or distributor to warn users of a hazardous chemical.

ARKANSAS DEPARTMENT OF LABOR 10421 WEST MARKHAM

> LITTLE ROCK, ARKANSAS 72205 PH. (501) 682-4500

EMPLOYERS ARE REQUIED TO POST THIS NOTICE IN A CONSPICUOUIS PLACE

**IRS Withholding** 

### YOU MAY NEED TO CHECK YOUR WITHHOLDING If you can answer "yes"...

Since you last filed Form W-4 with your employer did you... Marry or divorce? Gain or lose a dependent?

Change your name?

Were there major changes to... Your nonwage income (interest, dividend, capital gains, etc.)? ended a job)?

Your family wage income (you or your spouse started or Your itemized deductions? Your tax credits?

Employer: Please poster or publish this Bulletin Board Poster so that your employees will see it. Please indicate where they can get forms and information on this subject.

individuals on the IRS website.

ALL RIGHTS RESERVED. COPYRIGHT BY STATE AND FEDERAL POSTER, INC.

To any of these or you owed extra tax when you filed your last return,

you may need to file a new Form W-4. See your employer for a copy of

your withholding. For more details, get Publication 919, How Do I Adjust

My Tax Withholding?, or use the Withholding Calculator at www.irs.gov/

Form W-4 or call the IRS at 1-800-829-3676. Now is the time to check

### **Handwashing** Employees shall keep their hands and exposed portions of their arms clean. Wash hands after each visit to the toilet & after any other

**Hand Cleaning Procedure** Food employees shall clean their hands and exposed portions of their arms with soap for at least 20 seconds in a designated hand wash sink.

probable contamination.

The Employer Shall:

Fingers, finger tips, areas between the fingers, hands and arms shall be vigorously lathered and scrubbed for 10 to 15 seconds, followed by Thorough rinsing under clean, running warm water; and Immediately followed by thorough drying with individual, disposable towels or a heated hand drying device. www.healthyarkansas.com

**Workers' Compensation** All employees of this establishment entitled to benefits under the provisions of the Arkansas workers' compensation laws are hereby notified that their

employer has secured the payment of such compensation as may at any time be due employees or their dependents. This employer is required by state law to provide workers' compensation coverage or this employer has waived the exclusion or exemption from the operation of the workers' compensation laws, and the employer certifies by the display of this poster that workers' compensation coverage is now provided by a workers' compensation insurance policy or by enrollment in the Arkansas Self-Insurance Program or by the Public Employee Claims Division of the Arkansas Insurance Department.

# (Place label indicating Insurer's Name, Claims Office Address, Claims Office Phone Number and Policy Expiration Date)

1. Provide all necessary medical, surgical and hospital treatment, as required by law, following the injury and for such additional time as ordered by the 2. Provide compensation payments in accordance with the provisions of the law. The first installment of compensation becomes due on the 15th day after the employer has notice of the injury or death, except in those cases where liability has been denied by the employer. 3. Provide prompt reporting of accidents to appropriate parties. 4. Keep a record of all injuries received by its employees.

IN CASE OF JOB-RELATED INJURIES OR OCCUPATIONAL DISEASES

The employee shall report the injury to the employer on Form N and to a person or at a place specified by the employer, unless the injury either renders the employee physically or mentally unable to do so, or the injury is made known to the employer immediately after it occurs. The employer shall not be responsible for disability, medical, or other benefits prior to receipt of the employee's notice of injury. All reporting procedures specified by the employer

must be reasonable and shall afford each employee reasonable notice of the reporting requirements. The foregoing shall not apply when an employee

foregoing, except emergency treatment, shall be at the claimant's expense." Ark. Code Ann. § 11-9-514(f), however, indicates: When compensability is

If you have any questions regarding your rights under the Arkansas workers' compensation laws, you may call an Arkansas Workers' Compensation

requires emergency medical treatment outside the employer's normal business hours; however, in that event, the employee shall cause a report of the injury to be made to the employer on the employer's next regular business day. Failure to give such notice shall not bar any claim (1) if the employer had knowledge of the injury or death, (2) if the employee had no knowledge that the condition or disease arose out of and in the course of employment, or (3) if the Commission excuses such failure on the grounds that for some satisfactory reason such notice could not be given. Objection to failure to give notice must be made at or before the first hearing on the claim. Ark. Code Ann. § 11-9-514(b) states: "Treatment or services furnished or prescribed by any physician other than the ones selected according to the

controverted, subsection (b) shall not apply if: (1) The employee requests medical assistance in writing prior to seeking the same as a result of an alleged compensable injury; and (2) The employer refuses to refer the employee to a medical provider within forty-eight (48) hours after such written request as provided above; and (3) The alleged injury is later found to be a compensable injury; and (4) The employer has not made a previous offer of medical treatment

Commission legal advisor at our toll-free number listed above. All employers who come within the operation of the Arkansas workers' compensation laws and have complied with its provisions must post this notice in a

CONSPICUOUS place in or about their place or places of business.

Rogers Russellville

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

**Family Medical Leave Act** 

LEAVE ENTITLEMENTS: Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a

for the following reasons: • The birth of a child or placement of a child for adoption or foster care;

 To bond with a child (leave must be taken within 1 year of the child's birth or placement); • To care for the employee's spouse, child, or parent who has a qualifying serious health condition; • For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job; • For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

12-month period to care for the servicemember with a serious injury or illness. An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule. Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies. BENEFITS & PROTECTIONS: While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions. An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any

practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA. ELIGIBILITY REQUIREMENTS: An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The · Have worked for the employer for at least 12 months; Have at least 1,250 hours of service in the 12 months before taking leave;\* and

• Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

incomplete, it must provide a written notice indicating what additional information is required.

\*Special "hours of service" requirements apply to airline flight crew employees. REQUESTING LEAVE: Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures. Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility. Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave. **ENFORCEMENT:** Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is

EMPLOYER RESPONSIBILITIES: Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

For additional information: 1-866-4-USWAGE (1-866-487-9243) TTY: 1-877-889-5627 www.dol.gov/whd U.S. Department of Labor • Wage and Hour Division

### **USERRA** • FOR USE BY PRIVATE SECTOR AND STATE GOVERNMENT EMPLOYERS •

YOUR RIGHTS UNDER USERRA THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

against past and present members of the uniformed services, and applicants to the uniformed services.

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating

**HEALTH INSURANCE PROTECTION** 

• If you leave your job to perform military service, you have the right to

elect to continue your existing employer-based health plan coverage

for you and your dependents for up to 24 months while in the military.

Even if you don't elect to continue coverage during your military

**REEMPLOYMENT RIGHTS** You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and: you ensure that your employer receives advance written or verbal notice of your service; • you have five years or less of cumulative service in the uniformed services while with that particular employer; · you return to work or apply for reemployment in a timely manner after conclusion of service; and

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

may not deny you: · initial employment; reemployment; retention in employment;

• You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA. In addition, an employer may not retaliate against anyone assisting

• promotion; or any benefit of employment because of this status.

rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.

## **Polygraph Protection**

The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the course of employment.

disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities. The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers. The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer.

Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons. **ENFORCEMENT** 

The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employees or job applicants may

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT. 1-866-487-9243 • TTY: 1-877-889-5627 www.dol.gov/whd

also bring their own court actions.

WAGE AND HOUR DIVISION

**UNITED STATES DEPARTMENT OF LABOR** 





# **Wage & Sex Discrimination**

(a) Every employer in the state shall pay employees equal compensation for equal services, and no employer shall discriminate against any employee in the matter of wages or compensation solely on the basis of the sex of the employee. (b) An employer who violates or fails to comply with the provisions of this section shall be guilty of a Class C misdemeanor, and each day that the violation or failure to comply continues shall be a separate offense.

11-4-602 - 11-4-606. [Reserved.] 11-4-607. Definitions for §§11-4-608 - 11-4-612. As used in §§11-4-608 - 11-4-612, unless the context otherwise requires:

(B) However, it shall not include persons engaged in domestic service in the home of the employer; in agricultural service, or in temporary or seasonal employment; employees of any social club, fraternal, charitable, educational, religious, scientific, or literary association, no part of the net earnings of which inures to the benefit of any private individual; (2) "Employer" shall include any person, natural or artificial, acting in the interest of an employer directly or indirectly; and (3) "Employment" means any employment under contract of hire, expressed or implied, written or oral.

Any employer who violates any provision of §§11-4-607 - 11-4-612, or who discharges or in any other manner discriminates against any employee because the employee has made a complaint to his or her employer, the Director of the Department of Labor, or any other person, has instituted or caused to be instituted any proceedings under or related to §§11-4-607 - 11-4-612, or has testified or is about to testify in any such proceeding shall be fined not more than five 16 hundred dollars (\$500) nor

11-4-609. Administration of §§11-4-607 - 11-4-612. The Director of the Department of Labor shall have the power and it shall be his or her duty to carry out and administer the provisions of §§11-4-607 - 11-4-612. 11-4-610. Wage discrimination between sexes prohibited.

rates less than the rates paid to male employees for comparable work. (b) Nothing in §§11-4-607 - 11-4-612 shall prohibit a variation in rates of pay based upon a difference in seniority, experience, training, skill, ability, differences in duties and services performed, differences in the shift or time of day worked, or any other reasonable differentiation except

11-4-611. Action to collect unpaid wages. (a) An employer who violates the provisions of §11-4-610 shall be liable to the employee or employees affected in the amount of their unpaid (b)(1) Action to recover the wages may be maintained in any court of competent jurisdiction by any one (1) or more employees. (2) Any agreement between the employer and the employee to work for less than the wage to which the employee is entitled under §§11-4-607 - 11-4-612 shall be no defense to the action.

(4) At the request of any employee paid less than the wage to which he or she is entitled under §§11-4-607 - 11-4- 612, the Director of the Department of Labor may take an assignment of the wage claim in trust for the employee and shall bring any legal action necessary to collect the claim. The director shall not be required to pay any court costs in connection with the action. (c) Any action to recover wages and liquidated damages based on violation of §11-4-610 must be commenced within two (2) years of the accrual

(3) In addition to any wages recovered, the court in the action shall allow an additional equal amount of liquidated damages plus a reasonable

**Arkansas State Board of Health** 

**Unemployment Insurance** 

ARKANSAS Division of WORKFORCE SERVICES

## NOTICE TO EMPLOYEES HOW TO CLAIM UNEMPLOYMENT INSURANCE

The Law provides Unemployment Benefits for unemployed workers and under certain conditions for those working only part time. As a covered employee, your employer has contributed to or will reimburse the Arkansas Unemployment Trust Fund from which benefits are paid. NO DEDUCTIONS CAN BE MADE FROM YOUR WAGES FOR THIS PURPOSE. Be sure your employer has your correct Social Security Number.

File a claim for benefits through the Division of Workforce Services. We will try to help locate work for you both before benefit payments start and while they are being paid. B. If you are attached to a regular employer, working less than full time due entirely to lack of work, you may be eligible for partial Unemployment

Our Local Office will answer questions and supply further information. Full time Local Offices are situated in the following cities to provide services to Unemployment Insurance Claimants:

**Hot Springs** 

\*\*\* Servicios de Interpretación/Traducción disponibles por medio de su oficina local. --- Ewōr Jerbal in ukok ikijien jeje im kennaan ilo opij ko ijo kwoj pād ie. --- Các Dịch Vụ Thông Dịch/Phiên Dịch có sẵn qua văn phòng địa phương của quý vị. --- ຫ້ອງການປະຈຳທ້ອງຖິ່ນຂອງທ່ານໃຫ້ບໍຣິການນາຍພາສາແລະການແປເອກະສານ --- Interpretation/Translation services available through your local office.\*\*\*

# TO REORDER, CALL 1-888-488-7678 OR ORDER AT STATEANDFEDERALPOSTER.CO

A safe workplace.

Raise a safety or health concern with your employer or OSHA, or report a workrelated injury or illness, without being retaliated against.

All workers have the right to:

Occupational Safety and Health Health Administration

Job Safety and Health IT'S THE LAW!

**Employers must:** 

injury or illness.

understand.

workplace.

Provide employees a workplace free from

rights under the law, including raising a

health and safety concern with you or

with OSHA, or reporting a work-related

Comply with all applicable OSHA standards.

workplace fatality or within 24 hours of

Provide required training to all workers

in a language and vocabulary they can

any work-related inpatient hospitalization,

Notify OSHA within 8 hours of a

amputation, or loss of an eye.

Prominently display this poster in the

Post OSHA citations at or near the

place of the alleged violations.

On-Site Consultation services are

programs in every state.

available to small and medium-sized

employers, without citation or penalty,

through OSHA-supported consultation

recognized hazards. It is illegal to retaliate

against an employee for using any of their

- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Reguest a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.
- 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.

File a complaint with OSHA within

- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

This poster is available free from OSHA.

Contact OSHA. We can help.

**Federal Minimum Wage Employers subject to the** 

state minimum wage law are obligated to pay the higher rate \$7.25 PER HOUR BEGINNING JULY 24, 2009 The law requires employers to display this poster where employees can readily see it. **OVERTIME PAY:** 

At least 1½ times the regular rate of pay for all hours worked over 40 in a workweek. CHILD LABOR: An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment.

1-800-321-OSHA (6742) • TTY 1-877-889-5627 • www.osha.gov

The FLSA requires employers to provide reasonable break time for a nursing mother employee who is subject to the FLSA's overtime requirements in order for the employee to express breast milk for her nursing child for one year after the child's birth each time such employee has a need to express breast milk. Employers are also required to provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk. **ENFORCEMENT:** The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other

violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or

repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's

child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any

the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate

Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers

must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference.

**ADDITIONAL INFORMATION:**  Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions. Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico. Some state laws provide greater employee protections; employers must comply with both.

the difference between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and

Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special

· Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is important to know

### 1-866-487-9243 • TTY: 1-877-889-5627 • www.dol.gov/whd WAGE AND HOUR DIVISION • WAGE AND HOUR DIVISION • UNITED STATES DEPARTMENT OF LABOR

**Know Your Rights: Workplace Discrimination is Illegal** The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from discrimination in employment. If you

correctly classified independent contractors are not.

certificates issued by the Department of Labor.

minor employee, and such assessments may be doubled when

in any proceeding under the FLSA.

the EEOC may be able to help.

Who is Protected?

Job applicants

Job training

in any of the following ways:

eeoc.gov/Portal/Login.aspx

SUBCONTRACTS

**AMBULANCE:** 

**HOSPITAL**:

**ALTERNATE:** 

**Call** 1–800–669–4000 (toll free)

 Union members and applicants for membership in a union What Organizations are Covered? Most private employers State and local governments (as employers) Educational institutions (as employers)

believe you've been discriminated against at work or in applying for a job,

• Employees (current and former), including managers and temporary

regardless of your immigration status, on the bases of: Religion Sex (including pregnancy and related conditions, sexual orientation, or • Age (40 and older)

Under the EEOC's laws, an employer may not discriminate against you,

What Types of Employment Discrimination are Illegal?

What Employment Practices can be Challenged as Discriminatory? All aspects of employment, including: Discharge, firing, or lay-off Harassment (including unwelcome verbal or physical conduct) Pay (unequal wages or compensation)

Failure to provide reasonable accommodation for a disability or a

sincerelyheld religious belief, observance or practice

Genetic information (including employer requests for, or purchase, use,

or disclosure of genetic tests, genetic services, or family medical history)

Retaliation for filing a charge, reasonably opposing discrimination, or

participating in a discrimination lawsuit, investigation, or proceeding.

Classification Referral Obtaining or disclosing genetic information of employees Requesting or disclosing medical information of employees Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or participating in an investigation or

What can You Do if You Believe Discrimination has Occurred?

Contact the EEOC promptly if you suspect discrimination. Do not delay,

**Submit** an inquiry through the EEOC's public portal: https://publicportal.

because there are strict time limits for filing a charge of discrimination (180

or 300 days, depending on where you live/work). You can reach the EEOC

I–800–669–6820 (TTY) I-844-234-5122 (ASL video phone) Visit an EEOC field office (information at www.eeoc.gov/field-office) **E-Mail** info@eeoc.gov Additional information about the EEOC, including information about filing a

Compliance Programs (OFCCP) enforces the nondiscrimination and

the Federal Government. If you are applying for a job with, or are an

employee of, a company with a Federal contract or subcontract, you are

□ WEEKLY □ BI-WEEKLY □ SEMI-MONTHLY □ MONTHLY □

protected under Federal law from discrimination on the following bases:

affirmative action commitments of companies doing business with

charge of discrimination, is available at www.eeoc.gov.

EMPLOYERS HOLDING FEDERAL CONTRACTS OR

The Department of Labor's Office of Federal Contract

**Equal Employment Opportunity** Race, Color, Religion, Sex, Sexual Orientation, Gender Identity,

> Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other Section 503 of the Rehabilitation Act of 1973, as amended, protects

> contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including **Protected Veteran Status** The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as

Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise

opposes discrimination by Federal contractors under these Federal laws.

Any person who believes a contractor has violated its nondiscrimination

or affirmative action obligations under OFCCP's authorities should contact

200 Constitution Avenue, N.W. Washington, D.C. 20210 1-800-397-6251 (toll-free) If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services. OFCCP may also be contacted by submitting a question online to OFCCP's Help Desk at https://ofccphelpdesk.dol.gov/s/, or by calling an OFCCP regional or

district office, listed in most telephone directories under U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage at https://

www.dol.gov/agencies/ofccp/contact.

as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance.

who, with or without reasonable accommodation, can perform the essential functions of the job. If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should

immediately contact the Federal agency providing such assistance.

# PHYSICIAN:

**POLICE:** 

**Emergency Notice** 

HAZARDOUS MATERIAL:

**PAY SCHEDULE IS** 

**Payday Notice** 

**PAYDAY IS ON** 

□ MONDAY □ TUESDAY □ WEDNESDAY □ THURSDAY □ FRIDAY □ SATURDAY □ SUNDAY

OF THE MONTH PAYCHECKS ARE ISSUED ON THE

Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment. Asking About, Disclosing, or Discussing Pay

qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal

amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service

The Office of Federal Contract Compliance Programs (OFCCP) U.S. Department of Labor

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL **ASSISTANCE** Race, Color, National Origin, Sex In addition to the protections of Title VII of the Civil Rights Act of 1964,

Individuals with Disabilities Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities

# FIRE-RESCUE:

El Dorado

**Fayetteville** 

pending.

Arkadelphia

Batesville

**Blytheville** 

In that case, claim partial benefits --promptly --by reporting the facts (dates, wages, employer). Do not delay doing this.

Camden Pine Bluff Malvern Conway Helena CAUTION: False statements to obtain benefits, concealment of material facts, or failure to report earnings for the purpose of obtaining or increasing Unemployment Insurance Payments, are violations of criminal laws and lead to prosecution.

A. If and when you know you are going to be out of work for a calendar week or more, YOU SHOULD PROMPTLY:

service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries. • vou have not been separated from service with a disqualifying discharge or under other than honorable conditions. The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of • For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-866-4-USA-DOL or visit its website at

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION https://www.dol.gov/agencies/vets/. An interactive online USERRA Advisor can be viewed at • are a past or present member of the uniformed service; https://webapps.dol.gov/elaws/vets/userra have applied for membership in the uniformed service; or If you file a complaint with VETS and VETS is unable to resolve are obligated to serve in the uniformed service; then an employer it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for

in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection. The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address: https://www.dol.gov/agencies/vets/programs/userra/poster Federal law requires employers to notify employees of their

Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging,

The law does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests. **EXAMINEE RIGHTS** 

WAGE AND SEX DISCRIMINATION 11-4-601. Discrimination on the basis of sex prohibited.

(1)(A) "Employees" shall mean any person employed for hire in any lawful business, industry, trade, profession, or enterprise.

11-4-608. Penalties for violation of §§11-4-607 - 11-4-612. imprisoned more than one (1) year, or both.

(a) No employer shall discriminate in the payment of wages as between the sexes or shall pay any female in his or her employ salary or wage

thereof and not afterwards. 11-4-612. Employer to keep records.

(a) Every employer subject to §§11-4-607 - 11-4-612 shall keep and maintain records of the salaries and wage rates, job classifications, and other

terms and conditions of employment of the persons employed by him or her, and the records shall be preserved for a period of three (3) years.

(b) The records shall also be made available to the parties and to the court wherein an action to recover unpaid wages under this subchapter is

**Clean Indoor Air Act** Smoking is prohibited in all public places and enclosed areas within places of employment. For more information go to: www.arcleanair.com Or call 1-800-235-0002 It is unlawful for any employer to discriminate or retaliate in any manner against a person for making a complaint of a possible violation.

\_\_are covered by the Division of Workforce Services Law.

**Forrest City** Jonesboro **Mountain Home** Searcy Fort Smith Little Rock Newport Texarkana Harrison Magnolia **Paragould West Memphis** 

Mena

Monticello

MAKING UNAUTHORIZED COPIES IS AGAINST THE LAW AND MAY SUBJECT YOU TO CIVIL AND CRIMINAL LIABILITY