

ARKANSAS REGISTER

Proposed Rule Cover Sheet



Secretary of State
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Name of Department _____

Agency or Division Name _____

Other Subdivision or Department, If Applicable _____

Previous Agency Name, If Applicable _____

Contact Person _____

Contact E-mail _____

Contact Phone _____

Name of Rule _____

Newspaper Name _____

Date of Publishing _____

Final Date for Public Comment _____

Location and Time of Public Meeting _____

LEGAL NOTICE

The Arkansas Department of Labor and Licensing will hold a public hearing on **Friday, April 10, 2020 at 10:00 a.m. in Room 216 of the Arkansas Department of Labor and Licensing, 10421 West Markham Street, Little Rock, Arkansas 72205**. The public hearing will be conducted for the purpose of accepting public comment on proposed amendments to the administrative rules of the Labor Standards Section of the Division of Labor. First, the rules regarding the Arkansas Minimum Wage Act would be amended as follows: 1) incorporate the test for determining a bona fide independent contractor established by 2019 Ark. Acts 1055; 2) eliminate the \$.30 per hour cap on allowances for furnishing board, lodging, apparel and other facilities to conform to the federal standard under the Fair Labor Standards Act (FLSA) per 2019 Ark. Acts 853; 3) provide specific authorization for an employer to pay by providing a preloaded debit card in compliance with 2019 Ark. Acts 853; 4) update the tip credit language to conform to statute; and 5) change references to the statute of limitations from 3 years to 2 years per 2019 Ark. Acts 853.

Second, the rules relating to child labor, the Arkansas Minimum Wage Act, and the section's general procedures would be amended as follows: 1) revise organizational names as needed; 2) update internal references to state and federal laws; 3) update contact information; and 4) make some grammatical and stylistic changes.

Written comment will be accepted through Friday, April 10, 2020 at 10:00 a.m. by the Arkansas Department of Labor and Licensing at the above address. A copy of the proposed amendments may be obtained by calling the Labor Standards Section at (501)682-4501. A copy of proposed amendments can also be accessed on the Department of Labor's website at:

<http://www.labor.arkansas.gov/proposed-rule-making>

or the Secretary of State's website at:

http://www.sos.arkansas.gov/rules_and_regs/index.php/rules/search/new

Ralph T. Hudson, Director
Division of Labor
Department of Labor and Licensing

This Legal Notice will be published in the Arkansas Democrat-Gazette February 28-29 and March 1, 2020.