

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025

A Bill

SENATE BILL 279

4
5 By: Senator Irvin
6 By: Representative Wooldridge

For An Act To Be Entitled

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8
9 AN ACT TO AMEND THE MINIMUM WAGE ACT OF THE STATE OF
10 ARKANSAS; TO ASSIST THE DIVISION OF LABOR WITH
11 ENFORCING THE FAIR AND PROMPT PAYMENT OF WAGES TO
12 ARKANSAS CITIZENS; TO CLARIFY THE MANNER IN WHICH
13 WAGE AND HOUR COMPLAINTS ARE INVESTIGATED; AND FOR
14 OTHER PURPOSES.

Subtitle

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18 TO ASSIST THE DIVISION OF LABOR WITH
19 ENFORCING THE FAIR AND PROMPT PAYMENT OF
20 WAGES TO ARKANSAS CITIZENS; AND TO
21 CLARIFY THE MANNER IN WHICH WAGE AND
22 HOUR COMPLAINTS ARE INVESTIGATED.

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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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26 SECTION 1. Arkansas Code § 11-4-218(d)(1), concerning wage and hour
27 investigations by the Director of the Division of Labor, is amended to read
28 as follows:

29 (d)(1) The Director of the Division of Labor shall have the authority
30 to ~~fully~~:

31 (A) Fully enforce this subchapter by instituting legal
32 action to recover any wages that he or she determines to be due to employees
33 under this subchapter; and

34 (B)(i) Investigate all complaints filed with the Division
35 of Labor for unpaid wages to determine if this subchapter has been violated.

36 (ii) The assessment period shall be for the two (2)



1 years preceding the filing of the complaint but may be extended through the
2 date the director issues a notice of assessment if the director determines a
3 violation of this subchapter or any other law or rule the director may
4 enforce hindered the director's investigation.

5 (iii)(a) The filing of a complaint with the director
6 tolls the director's statute of limitations until the entry of a final order
7 adjudicating the claim.

8 (b) Notwithstanding subsection (g) of this
9 section, a legal action by the director to recover wages, liquidated damages,
10 or civil penalties shall be commenced within one (1) year of the entry of the
11 final order adjudicating the claim.

12 (iv) If a violation of this subchapter or any other
13 law or rule the director may enforce prevents the director from discovering a
14 valid claim for compensation of an employee, the employee may be joined in
15 the administrative proceeding at any reasonable time before the
16 administrative hearing or a separate notice of assessment may be issued on
17 behalf of the employee.

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20 **APPROVED: 3/25/25**
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