State of Arkansas
96th General Assembly
Regular Session, 2027

A Bill

HOUSE BILL 1010

By: Representatives Barnett, Willis
By: Senators Shephard, McGruder

For An Act To Be Entitled

AN ACT TO AMEND THE MINIMUM WAGE ACT OF THE STATE OF ARKANSAS; TO CREATE THE JUST WAGE ACT; TO AMEND THE LAW RESULTING FROM INITIATED ACT 5 OF 2018; TO REPEAL THE AUTHORIZATION TO PAY BELOW MINIMUM WAGE FOR CERTAIN EMPLOYEES; TO REPEAL THE EXCEPTION FROM THE DEFINITION OF EMPLOYER FOR AN EMPLOYER WITH FEWER THAN FOUR EMPLOYEES; AND FOR OTHER PURPOSES.

Subtitle

TO CREATE THE JUST WAGE ACT; TO AMEND THE LAW RESULTING FROM INITIATED ACT 5 OF 2018; AND TO REPEAL THE AUTHORIZATION TO PAY BELOW MINIMUM WAGE FOR CERTAIN EMPLOYEES AND EMPLOYERS.

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

SECTION 1. DO NOT CODIFY. Title.

This act shall be known and may be cited as the "JUST Wage Act".

SECTION 2. Arkansas Code § 11-4-203(3)(B), concerning an exception from the definition of "employer" as used in the Minimum Wage Act of the State of Arkansas, is repealed.

~~(B) "Employer" shall not include any individual, partnership, association, corporation, business trust, or any person or group of persons acting directly or indirectly in the interest of an employer in~~

~~relation to an employee for any work week in which fewer than four (4) employees are employed;~~

SECTION 3. Arkansas Code § 11-4-210(b), concerning the minimum wage paid to full-time students under the Minimum Wage Act of the State of Arkansas resulting from Initiated Act 5 of 2018, is repealed.

~~(b) With respect to any full-time student attending any accredited institution of education within this state 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, the rate of wage shall be equal to but not less than eighty-five percent (85%) of the minimum wage provided in this section.~~

SECTION 4. Arkansas Code § 11-4-214 is repealed.

~~11-4-214. Temporary special exemptions — Definition.~~

~~(a) Any individual affected by lack of skill, age, or disability in a way that his or her earning capacity is impaired shall be granted a temporary special exemption license or permit authorizing the employment of the individual at wages lower than the minimum prescribed in this subchapter until such time as the Secretary of the Department of Labor and Licensing or his or her designee shall hold a hearing and prescribe rules regarding exemption of these individuals as authorized in this section.~~

~~(b)(1) The secretary or his or her designee may provide by rule, after notice and public hearing at which any person may be heard, for the employment in any occupation of individuals whose earning capacity is impaired by age or disability at wages lower than the minimum wage rate provided in § 11-4-210 as he or she may find appropriate to prevent curtailment of opportunities for employment, to avoid undue hardship, and to safeguard the minimum wage rate under this subchapter.~~

~~(2) In addition, the secretary or his or her designee, by rule or special order, may provide for the employment of individuals whose earning capacity is impaired by age or disability in work activities centers under special certificates at wages that are less than the minimum prescribed in § 11-4-210 that the secretary or his or her designee determines constitutes equitable compensation for the clients in work activities centers.~~

~~(c) For the purposes of this section, "work activities centers" means~~

~~centers planned and designed exclusively to provide therapeutic activities for clients with disabilities whose physical and mental impairment is so severe as to make their productivity capacities inconsequential.~~

SECTION 5. Arkansas Code § 11-4-215 is repealed.

~~11-4-215. Learners, apprentices, and full-time students.~~

~~(a) For any occupation, the Secretary of the Department of Labor and Licensing or his or her designee may provide, by rule, after a public hearing at which any person may be heard, for the employment in the occupation of learners, apprentices, and full-time students at wages lower than the minimum wage rate provided in § 11-4-210(b) as he or she may find appropriate to prevent curtailment of opportunities for employment and to safeguard the minimum wage rate under this subchapter.~~

~~(b) No employee shall be employed at wages fixed pursuant to this section, except under special license issued under applicable rules of the secretary or his or her designee.~~