

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

SENATE BILL 279

By: Senator Irvin

By: Representative Wooldridge

For An Act To Be Entitled

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

Subtitle

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

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

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

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

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

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

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



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

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

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

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

APPROVED: 3/25/25