

■ **MINIMUM WAGE ACT OF THE STATE OF ARKANSAS (*HOURS AND OVERTIME*)**

TERMS: With certain major exceptions, farm employers may not employ a worker for more than 40 hours a week unless the worker receives overtime compensation at a rate not less than 1½ times the worker's regular rate of pay.

Exceptions — This law *does not apply* to workers in any of the following categories:

- (1) Workers employed by a farming operation that did not use more than 500 worker-days of farm labor in any calendar quarter of the preceding year (for example, 50 workers employed for 10 days, 20 workers employed for 25 days, or any other such combination).
- (2) Workers employed as hand-harvest laborers who are paid on a piecework basis, travel daily from their permanent home to the farm where they work, and were employed in agriculture less than 13 weeks during the preceding calendar year.
- (3) Migrant workers 16 years old or younger who are employed as hand-harvest laborers, paid on a piecework basis, work on the same farm as their parents, and are paid the same piecework wage as workers over the age of 16 on the same farm.

ENFORCEMENT: *Labor Standards Division, Arkansas Department of Labor, Little Rock, Arkansas 72205 (501-682-4500).* Workers who believe that they have not received the wages they are entitled to under these provisions may file a claim with this agency, which has authority to investigate and take action against the employer to collect any unpaid wages.

Instead of filing a claim for unpaid wages with the state labor department, a worker may take legal action against the employer directly, using a private attorney or a public legal service provider.

SPECIAL NOTE: A person may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law.