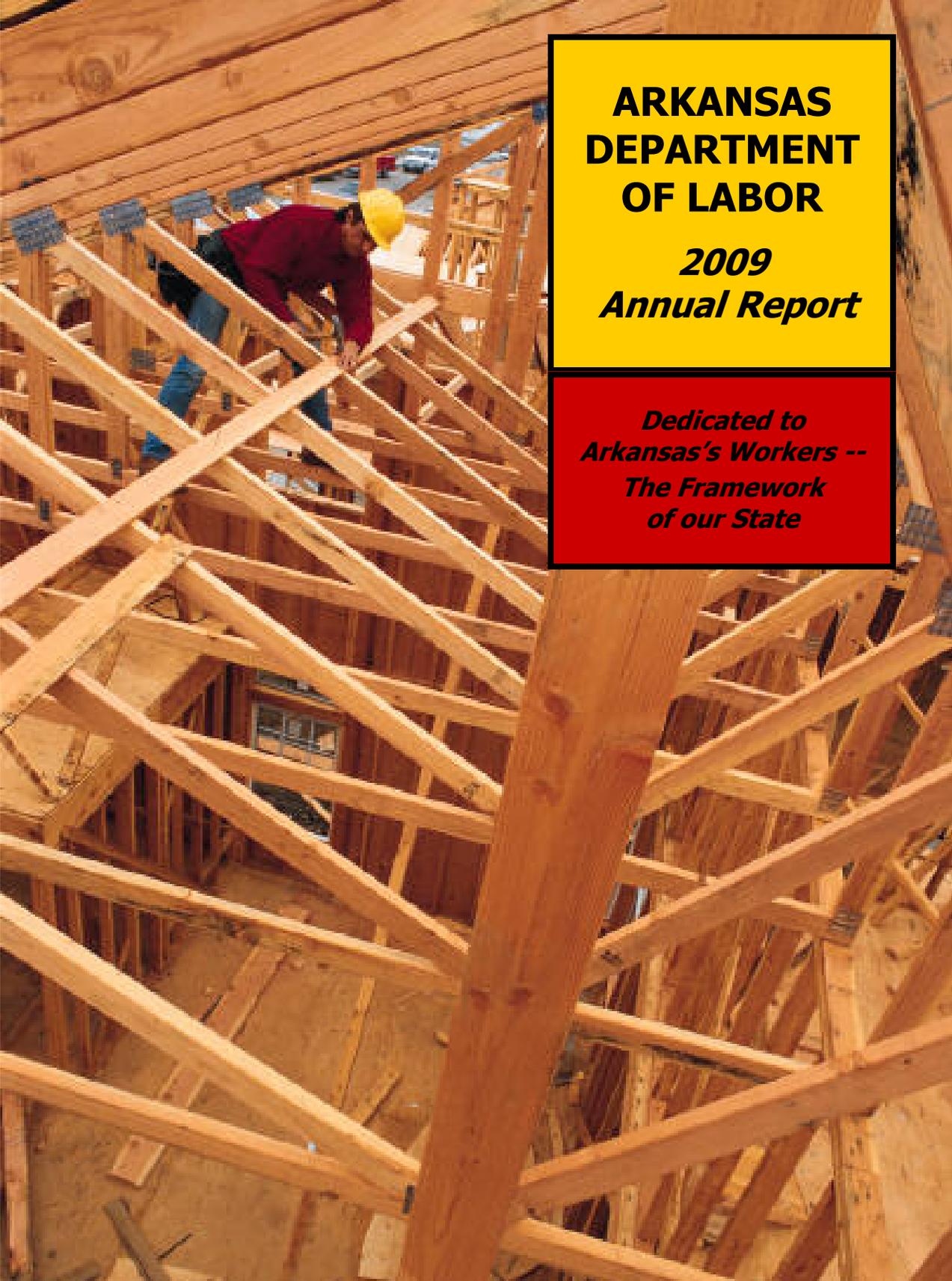


**ARKANSAS  
DEPARTMENT OF LABOR  
2009 Annual Report**





**ARKANSAS  
DEPARTMENT  
OF LABOR**

***2009  
Annual Report***

***Dedicated to  
Arkansas's Workers --  
The Framework  
of our State***



**MIKE BEEBE**

*Governor  
State of Arkansas*



**JAMES L. SALKELD**

*Director  
Department of Labor*

Mike Beebe  
Governor



STATE OF ARKANSAS

**ARKANSAS DEPARTMENT OF LABOR**

10421 WEST MARKHAM • LITTLE ROCK, ARKANSAS 72205-2190  
(501) 682-4500 • FAX: (501) 682-4535 • TDD: (800) 285-1131

James L. Salkeld  
Director

The Honorable Mike Beebe  
Governor, State of Arkansas  
State Capitol Building  
Little Rock, Arkansas 72201

Dear Governor Beebe:

It is my privilege to present this Annual Report highlighting the many accomplishments of the Arkansas Department of Labor for the fiscal year ending June 30, 2009.

As Director of Labor, I am honored to have the opportunity to present safety awards and personally commend the employers and employees throughout the state who, because of their cooperative relationship with our agency and their dedication to improving their own workplace environments, are continuing to reach unprecedented levels of workplace safety.

We are also proud to report the agency's continuing efforts to enhance its internal data systems and provide more on-line services to the general public.

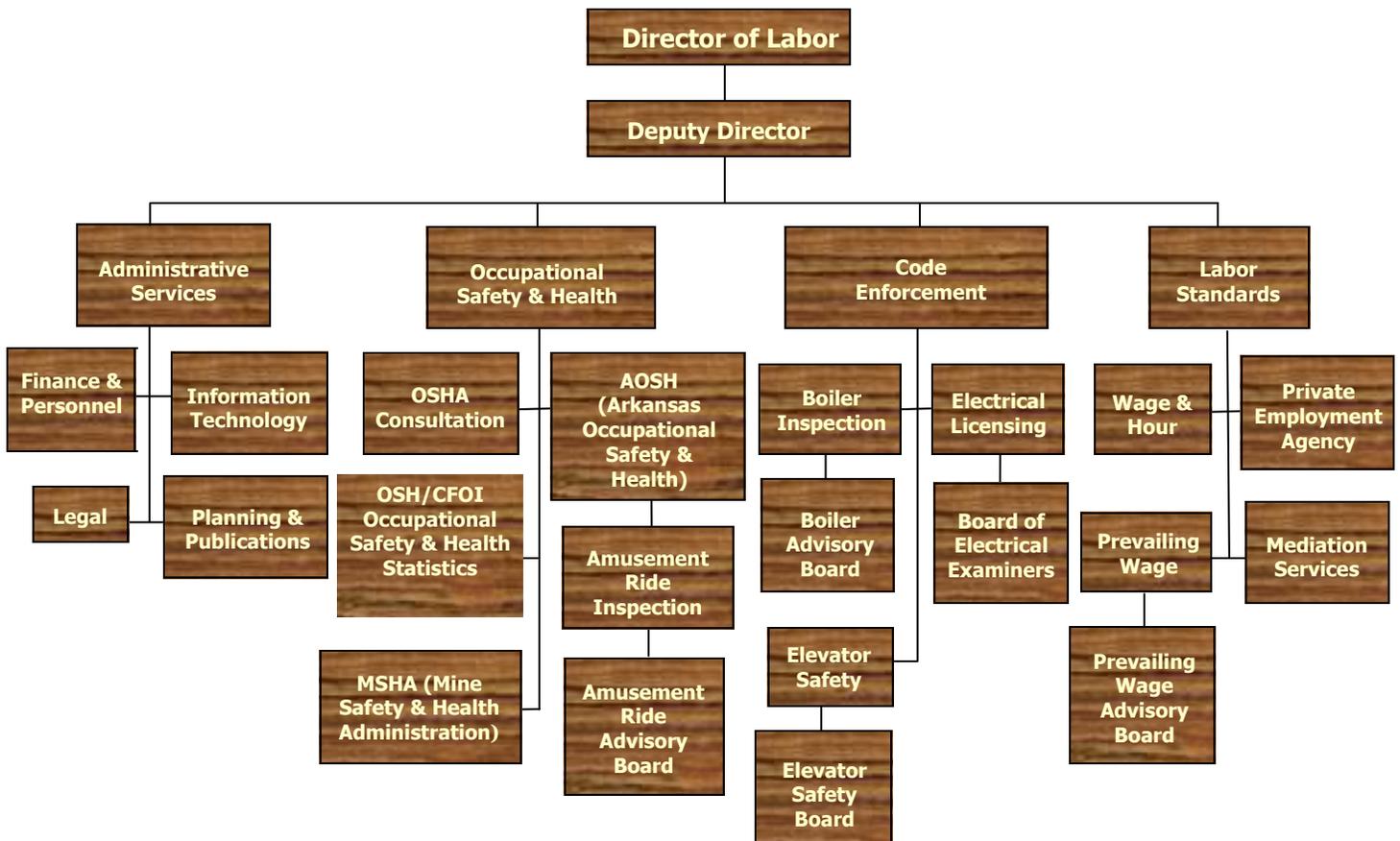
I thank you, again, for allowing me to serve as Director of Labor under your administration. We truly appreciate your support of the agency's programs, as well as the support of our State Legislature, and feel it is because of that support we have been able to provide these quality services to Arkansas's workforce.

Sincerely,

A handwritten signature in cursive script, reading "James L. Salkeld".

James L. Salkeld  
Director

# ORGANIZATIONAL CHART



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# OCCUPATIONAL SAFETY AND HEALTH

**T**he Occupational Safety and Health Division is the largest section within the Department of Labor and is responsible for enforcing and promoting worker safety in Arkansas. This is accomplished in a number of ways including:

- Conducting complaint, accident and fatality investigations in the public sector.
- Making routine inspections of publicly owned workplaces.
- Providing free safety consultation services to Arkansas businesses and mines.
- Inspecting amusement rides to assure the safety of visitors and workers.
- Providing thousands of hours of training classes on key safety and health issues in order to better equip Arkansas's workforce against occupational hazards. These classes are held at the employer's work site, as well as at the Arkansas Department of Labor building in Little Rock. Additionally, 12 regional seminars were held across the state during the fiscal year.
- Providing informational services for persons needing assistance on safety and health issues. This may include one-on-one site visits, public speaking engagements and targeted publications.
- Presenting safety awards to businesses and individuals who excel in promoting safety and health and meet specific guidelines
- Conducting annual surveys of workplace fatalities, injuries and illnesses in the state.

The Division's highly trained field staff is available to assist employers across the state in a variety of ways. These employees are supported by administrative staff who can

provide technical assistance on a wide variety of safety issues.

## Safety Awards

**T**he Occupational Safety and Health Division takes pleasure in presenting several types of safety awards to companies and individuals in recognition of their outstanding achievements in workplace safety. These include:

- Million Work Hour Awards
- Safety Awards of Merit
- Accumulative Years Safety Awards
- Meritorious Service Awards.

The Million Work Hour Awards are presented to companies whose employees have accumulated a million work hours without a lost day away from work due to a work related injury or illness. Similar awards are available to mining industries and state, county and municipal employees.

The Safety Award of Merit is presented to employers that have worked without a lost time injury according to the following criteria:

- Must have an effective safety and health program, and
- Must have one or more employees and have worked three or more years or accumulated at least 500,000 work hours without a lost time injury.

The Accumulative Years Service Award is designed for small employers that work years without a lost day away from work, but are unable to reach the Million Work Hour Award.

Meritorious Service Awards are given to Arkansas citizens who have either recognized an immediately dangerous situation and eliminated the potentially hazardous condition, or attempted to save or did save another person's life. The Meritorious Service Awards Committee requires that recipients be nominated by another person for their efforts and then screened by the committee.

The following industries were recipients of safety awards from the Occupational Safety and Health Division during the 2008-09 fiscal year:

**NINE MILLION WORK HOURS SAFETY AWARD**

Tyson Foods, Inc., Springdale  
Tyson Randall Road Cornish Plant, Springdale

**THREE MILLION WORK HOURS SAFETY AWARD**

Butterball LLC, Huntsville  
Gates Corporation, Siloam Springs

**TWO MILLION WORK HOURS SAFETY AWARD**

Con Agra Foods, Batesville  
Glad Manufacturing, Rogers  
Robbins/Armstrong Hardwood Flooring, Warren  
Pratt & Whitney, Springdale

**ONE MILLION WORK HOURS SAFETY AWARD**

American Greeting Corporation, Osceola  
Armtec Counter Measures, Camden  
Columbia Flooring, Melbourne  
Graphic Packaging International, Fort Smith  
Tyson Foods, Nashville



*(above) Director of Labor James L. Salkeld (left) and Pat Burge, Director of Health and Safety with the Arkansas Workers' Compensation Commission (right) present a Ten Year Accumulative Year Safety Award to Pine Bluff Chemical Agent Disposal Facility Site Project Manager Mark Greer, who accepted the award on behalf of the entire field office staff shown below.*



## SAFETY AWARDS PRESENTED FROM JULY 1976—JUNE 2009

Fiscal Year	Accum. Year	Merit	1 Mil.	2 Mil.	3 Mil.	4 Mil.	5 Mil.	6 Mil.	7 Mil.	8 Mil.	9 Mil.	10 Mil.	11 Mil.
76-77		5	4										
77-78		3	4										
78-79		4	7										
79-80		7	3	1									
80-81		16	4										
81-82		12	15	2	1								
82-83		12	10	2									
83-84		15	9										
84-85		13	9	7	3								
85-86		7	10	4	2								
86-87		7	10	4									
87-88		5	7		2	1							
88-89		1	5	2									
89-90		6	9				1						
90-91		9	2	2			1						
91-92		11	10										
92-93		3	8										
93-94		9	12	2	1	1	2						
94-95	3	26	17	5	1	1		1					
95-96	22	10	24	6	1	2	2						
96-97	33	11	31	10	8	1	1						
97-98	41	5	21	9	5	4	3						
98-99	34	7	24	8	2	2	2	3	1				
99-00	32	4	24	8	2	1	1	1	2	1			
00-01	34	2	11	8	7	3	1		1	1	1		
01-02	30	4	18	6	3	5	2				1	1	
02-03	41	2	14	6	1	2	2	1		1			
03-04	42	1	9	7	4	4	4	3	2	1	1	1	
04-05	36	1	16	7	4	1	3	2	2	1	1		1
05-06	17		9	1	1	1		2	1	1		2	
06-07	24		14	4	3	1			1	1	1		
07-08	23	1	11	3		1				1	1	1	
08-09	24		9	4	2						2		
<b>TOTAL</b>	<b>436</b>	<b>219</b>	<b>390</b>	<b>118</b>	<b>53</b>	<b>31</b>	<b>25</b>	<b>13</b>	<b>10</b>	<b>8</b>	<b>8</b>	<b>5</b>	<b>1</b>

Tyson Foods, Rogers  
Tyson Foods, Inc., Tyson Valley Maintenance,  
Russellville  
Tyson Foods Inc., Tyler Road Plant, Russellville  
Washington Demilitarization, Pine Bluff

**ACCUMULATIVE YEARS SAFETY AWARD**

Acme Brick Company, Arkansas District,  
Malvern, 20 years  
Performance Contractors, Inc., West Memphis,  
9 years  
Zero Mountain Inc., Johnson, 7 years  
Zero Mountain Inc., Lowell, 7 years  
Cintas Corporation, Searcy, 5 years  
Kenney Manufacturing, Jonesboro, 5 years  
Saint-Gobain Proppants, Bryant, 5 years  
Garlock Rubber Technologies, Paragould, 4  
years  
Tyson Valley Maintenance Center, Russellville,  
3 years  
Pine Bluff Chemical Activity, Pine Bluff, 2 years  
Yarnell's Ice Cream Company, Searcy, 2 years  
Americable Inc., El Dorado, 1 year  
Anthony Forest Laminating, El Dorado, 1 year  
Anthony Forest, Urbana, 1 year  
Bemis Company, Inc., Crossett, 1 year  
Defiance Metal Products, Heber Springs, 1 year  
Fre-Z-N-Stor, Inc., Springdale, 1 year  
Glad Manufacturing Co., Rogers, 1 year  
ITW Shippers, Sheridan, 1 year  
Rineco Chemical Industries, Benton, 1 year  
Russellville Distribution Center, Tyson Foods,  
Russellville, 1 year  
Sun Gro-Horticulture, Pine Bluff, 1 year  
Tyson Distribution Center, Rogers, 1 year  
Tyson Foods Distribution, Rogers, 1 year

**MERITORIOUS SERVICE AWARD**

Doug Rupard, Kenney Mfg., Jonesboro



**T**he Arkansas Department of Labor, the U.S. Department of Labor and the Arkansas Workers' Compensation Commission presented 12 well-attended safety

conferences across the state, sometimes with additional sponsorship from local safety associations. Preventing Occupational Injuries and Illnesses/Workers' Safety Conferences were held in Jonesboro, Little Rock, Russellville, Bentonville, Fort Smith, Batesville, Pine Bluff, Texarkana, West Memphis, El Dorado, Monticello, and Hope during this fiscal year and 1,417 participants attended. This is up from 1,395 in attendance last year.

The seminars are designed for hourly employees, supervisors, and people on safety committees. This emphasis on reaching the hourly worker is what makes the conferences stand out from all the other types of training offered around the state. Of course, personnel managers, engineers, maintenance workers, and plant managers are also welcome to attend.

Four or more subjects were covered at each one-day conference. Subjects included: safety and health hazard recognition, personal protective equipment, effective safety committees, defensive driving, anger and stress management, drugs in the workplace, sprains and strains, violence in the workplace, slips, trips and falls, and more.

The Arkansas Department of Labor, the federal OSHA Area Office, and a host of safety organizations continued an alliance that focuses on training employers and teen workers in fast food establishments and grocery stores, etc. In addition to state and federal OSHA, alliance members include: Arkansas Society of Safety Engineers, Northwest Arkansas Chapter of Human Resource Management, Black River Vocational Technical College, Arkansas Volunteer Protection Program, World Safety Organization, South East Arkansas Resources and Safety Committee, River City Safety and Environmental Council, Southeast Arkansas Technical College and Northwest Arkansas Safety Council. Their Teen Safety booth was displayed at every Preventing Occupational Injuries and Illnesses Conference and at different companies, events, and malls across the state. Various training materials including a promotional film on general Teen Safety were developed and are available free of charge by contacting Juanita Matlock at 501-682-9090.

The Division also held a number of specially designed seminars across the state during this fiscal year in order to address safety and health issues that are of major concern today. These seminars dealt with issues that have proven to



***(l to r) Juanita Matlock and Lashonda Daniels registered participants at the regional safety conference in Russellville. Ms. Matlock also assists companies borrowing films and videos from our media center.***

be particularly hazardous, or needs that the industrial community has expressed. Topics included How To Develop A Safety Program, Hazard Communication, Lockout/Tagout, General Safety, Blending Safety and Production, and more.

## Film and Video Library

The Occupational Safety and Health Division of the Arkansas Department of Labor houses two media centers that are co-sponsored by the Arkansas Department of Labor and the Arkansas Workers' Compensation Commission. The original and most extensive library is at our Little Rock office. A library is located at Black River Technical College's satellite campus in Paragould, and another at Northwest Arkansas Community College in Bentonville, Arkansas.

The libraries contain films, videos, and slide cassettes on safety related topics. These are available to companies and individuals to borrow for training sessions and safety committee meetings. There is no charge. New films and videos are added throughout the year.

The libraries lend more videos to more companies each year. To borrow a video or film for your organization, you must either submit a letter asking for the material, complete the form on our web page, fax a request form, or come by the Safety Division and sign a loan form.

For more information on borrowing audiovisual aids, contact Juanita Matlock at (501) 682-9090 or Fax (501) 682-4532, or e-mail [juanita.matlock@arkansas.gov](mailto:juanita.matlock@arkansas.gov)

FILM AND VIDEO LIBRARY USAGE 2008-2009 Fiscal Year		
	No. of Videos	No. of Companies
<b>Little Rock</b>		
Private Sector	1,832	721
Public Sector	<u>782</u>	<u>285</u>
<b>Total</b>	<b>2,614</b>	<b>1,006</b>
<b>Black River</b>		
Private Sector	34	16
Public Sector	<u>66</u>	<u>36</u>
<b>Total</b>	<b>100</b>	<b>52</b>
<b>Grand Total</b>	<b>2,714</b>	<b>1,058</b>

## OSHA Consultation

The OSHA Consultation Section employs four safety consultants, three industrial hygienists and supervisors whose goal is to assist employers in complying with federal OSHA requirements. They cover the entire state and are capable of adapting to the wide range of industries therein.

The Arkansas OSHA Consultation program was recognized with an award at the National On-site Consultation Training Conference in 2009. Project Manager/Safety Administrator, Clark Thomas accepted the Regional Administrator's Distinguished Consultation Award from the U.S. Department of Labor. The award recognized the Arkansas Department of Labor for teamwork and excellence in providing services to

the small business community in the state of Arkansas. Several staff members were individually recognized for their accomplishments and work done to contribute to the agency's successful workers' safety conferences conducted throughout the state. Twelve conferences with 1,417 participants were presented this fiscal year. Additionally, Clark Thomas was selected to represent Region VI Project Managers on the National Association of Occupational Safety and Health Consultation Programs' Board of Directors.

Consultants work only with industries and employers who request their help. Preference is given to small, high hazard businesses. They conduct either a limited or comprehensive safety and health survey, whichever the employer has requested. The consultant also conducts any tests that are required, such as air sampling or checking electrical continuity. Upon completion of the survey and applicable tests, a written report is processed and sent to the employer. The employer is then required to correct all serious hazards found by the consultant and notify the division when the corrections have been made.

Employers who have exemplary safety and health management systems, may qualify to be placed on the federal recognition and exemption program called SHARP (Safety and Health Achievement Recognition Program). In this program, the employer is removed from OSHA's



***(l to r) Industrial Hygienist Supervisor Tonia Cooper, along with Ocie Robinson and Tia Williams provide testing and consultation with companies on their health concerns.***

<b>OSHA CONSULTATION ACTIVITY REPORT Fiscal Year July 2008-June 2009</b>	
<b>Total Companies Assisted</b>	<b>456</b>
<b>Total Employees Affected</b>	<b>186,045</b>
<b>Initial Visits</b>	
Safety Consultant Visits	355
Health Consultant Visits	<u>145</u>
<b>Total</b>	<b>500</b>
<b>Training &amp; Assistance Visits</b>	
Safety Consultant Visits	0
Health Consultant Visits	<u>7</u>
<b>Total</b>	<b>7</b>
<b>Follow-up Visits</b>	
Safety Consultant Visits	1
Health Consultant Visits	<u>15</u>
<b>Total</b>	<b>16</b>
<b>Total Safety Visits</b>	<b>356</b>
<b>Total Health Visits</b>	<b><u>167</u></b>
<b>Grand Total Visits</b>	<b>523</b>
<b>HAZARDS IDENTIFIED</b>	
<b>Serious Hazards</b>	
Safety Hazards Identified	1,465
Health Hazards Identified	<u>448</u>
<b>Total</b>	<b>1,913</b>
<b>Other-Than-Serious Hazards</b>	
Safety Hazards Identified	209
Health Hazards Identified	<u>196</u>
<b>Total</b>	<b>405</b>
<b>Regulatory Hazards</b>	
Safety Hazards Identified	152
Health Hazards Identified	<u>32</u>
<b>Total</b>	<b>184</b>
<b>Total Safety Hazards Identified</b>	<b>1,826</b>
<b>Total Health Hazards Identified</b>	<b><u>676</u></b>
<b>Grand Total Hazards Identified</b>	<b>2,502</b>

programmed inspection schedule for one to two years. Establishments meeting the requirements to become a SHARP site for the first time, may receive a special certificate from federal OSHA, a plaque, and a SHARP banner or flag to recognize their outstanding safety and health program. Companies achieving SHARP after the first time receive an exemption from OSHA's general programmed inspections for up to two years, and may receive a special certificate from federal

OSHA. There are 56 sites participating in the program at this time.

The division also offers training and education on items found to be deficient during the survey. Consultants can tailor classes to fit the particular needs of the company.

The OSHA Consultation Section has a wealth of handout material for employers on various health and safety issues. This section has training brochures and guides covering areas such as employee noise training, working in hot environments, hazard communication and personal protective equipment. Other OSHA published handouts are also available on topics such as construction safety, wire rope inspections, changing split rim tires, and OSHA recordkeeping.

The OSHA Consultation Section also can research safety related issues by means of a national computer network that can provide updated information on chemicals, processes, and government regulations. An abundance of information can also be found on the OSHA website, [www.osha.gov](http://www.osha.gov)

For more information on the services described, contact one of the following: Jim Pumphrey (501) 682-4516 or e-mail [pumphrey.jim@dol.gov](mailto:pumphrey.jim@dol.gov), Tonia Cooper (501) 682-4527 or e-mail [cooper.tonia@dol.gov](mailto:cooper.tonia@dol.gov), or Clark E.



***Industrial Hygienist Kim Fischer not only uses her hygienist skills to assist Arkansas employers, she also speaks at safety conferences around the state and develops training materials for the division.***



***(l to r) Bob Cook, Charles Ferguson, Supervisor Kevin Looney, Harry Lenhart, and Mark Lawrence represent the AOSH Division out in the field.***

Thomas (501) 682-4522 or e-mail [thomas.clark@dol.gov](mailto:thomas.clark@dol.gov)

## **AOSH (Arkansas Occupational Safety and Health)**

**A**OSH is an acronym for Arkansas Occupational Safety and Health. This section is responsible for administering Arkansas's laws dealing with safety and health. AOSH investigates complaints, accidents, and fatalities in public sector workplaces and inspects the public sector for violations of Arkansas safety and health regulations.

Employees from the public sector can call in complaints to the AOSH section, and in many cases, an inspector will visit the worksite. AOSH also conducts routine inspections of public schools, cities, counties, colleges, universities and state agencies free of charge.

The AOSH Section is a staff of safety and health specialists, responsible for administering Arkansas Code Annotated §8-7-1001 et seq., the Public Employees' Chemical Right To Know Act and the regulations issued pursuant to the act known as Safety Code 12. The purpose of this law is to provide public employees with

<b>AOSH PUBLIC SECTOR SUMMARY 2008-2009 FISCAL YEAR</b>	
<b>COMPLIANCE</b>	
Accident investigation reports (public sector)	3
Fatality investigation reports (public sector)	4
Complaint investigations (public sector)	17
Items cited	65
<b>CONSULTATION</b>	
Initial consultation reports for the public schools, technical schools, colleges and universities, state agencies, and other public sector entities	293
Consultation reports	110
Follow-up visits	28
Items cited	1,722
Serious items	1,691
Other-than-serious items	31
Employees affected by hazards found	37,208
<b>TRAINING CLASSES</b>	
Number classes/seminars conducted	101
Number employees trained	5,072
<b>AMUSEMENT RIDE INSPECTIONS</b>	
Number of rides inspected	3,410
Total items cited	525
Total fees collected	\$67,900

class, contact AOSH Supervisor Kevin Looney at (501) 682-9091, cell (501) 690-8774, or e-mail kevin.looney@arkansas.gov or download a copy of the code from our website.

AOSH is aggressively involved in promoting safe and healthful work practices so as to eliminate human suffering caused by accidents, injuries, illnesses and diseases. The consultants are responsible for identifying hazards, generating reports and providing formal and informal training and assistance.

Specific tests and equipment may be used to identify and determine hazards involving electricity, chemicals, noise, and air quality. Hazard classification is determined by the severity of each situation. When hazards are identified, they are classified as "imminent danger," "serious" or "other than serious." The consultants provide information on specific conditions (hazards), and the associated laws, standards or codes of reference. They also recommend the corrective action that should be taken to eliminate the hazards. Some of the formal training classes offered by AOSH are Public Employees' Chemical Right To Know, Bus Shop Safety, Kitchen Safety, Trenching and Excavation, Bloodborne Pathogens Programs, Ergonomics, Violence in the Workplace, Hazard Recognition, Slips/Trips/Falls, and General Safety. Additionally, on-site informal training may be provided at the time of the consultation visit. AOSH trained nearly twice as many workers this fiscal year as they trained last year.

information and training concerning any hazardous chemicals with which they may work.

AOSH staff are responsible for promoting awareness of the law and enforcing the requirements of the regulation. They conduct training and awareness programs across the state on a first come, first served basis. To receive a copy of Code 12 or to schedule a free training



***(l to r) Lashonda Daniels, Helen Johnson, Sharon Shephard, and Juanita Matlock are among the staff that provide support in the Safety Division and keep things running in an orderly and efficient manner.***

<b>AOSH BLASTING SERVICES SUMMARY JULY 2008-JUNE 2009</b>
10 blasting complaints were received
10 blasting investigations were conducted
160 blasting cards were issued through class attendance
71 blasting cards were issued through reciprocity
Two 40-hour blasting classes were conducted for 5 attendees
Seven 20-hour blasting classes were conducted for 35 attendees
Nineteen 8-hour blasting classes were conducted for 120 attendees
10 seismograph monitorings were performed
231 total blasting cards were issued
28 total blasting classes were conducted for 160 students

The consultants also promote the concept of a "safety culture" by helping to develop, implement and maintain safety and health programs whenever the need arises. A number of seminars are held throughout the state for the public sector each year.

Another key area of service in AOSH concerns blasting in the state. The Quarry and Open Pit Mine Blasting Control Act of 1995 gave the department jurisdiction over restrictions and limits on blasting at quarries and open pit mines.

AOSH provides consultation with operators, property owners, and the general public on complaints related to blasting. Seismograph monitoring of blasting sites is also available. Individuals doing blasting in Arkansas are required by Arkansas Code 13 to attend a blasting safety training course. The list of the blasting services conducted during the 2008-2009 Fiscal Year shown on the previous page indicates the division held nearly twice as many classes as last year and issued 70 more blasting cards. For more information on blasting, call Bob Cook at (501) 682-9091.

For information about AOSH in general, call Kevin Looney at (501) 682-9091, cell (501) 690-8774, or e-mail [kevin.looney@arkansas.gov](mailto:kevin.looney@arkansas.gov) or Richard Steward at (501) 682-4521 or e-mail [richard.steward@arkansas.gov](mailto:richard.steward@arkansas.gov)

## Amusement Ride Inspection

Throughout the year, AOSH inspects amusement rides at county, district, and state fairs and permanent rides at the state's various theme parks, and go-kart tracks. Department inspectors are trained and certified by the National Association of Amusement Ride Safety Officials, NAARSO. They inspected over 3,400 amusement rides this fiscal year and collected \$67,900 in fees. This is an increase of approximately 400 amusement rides and nearly \$3,800 in collections. For more information, contact Kevin Looney at (501) 682-9091, cell (501) 690-8774, or e-mail [kevin.looney@arkansas.gov](mailto:kevin.looney@arkansas.gov)

## Amusement Ride Safety Advisory Board

The Amusement Ride Safety Advisory Board's duty is to assist the director with the formulation of rules and regulations regarding the safe operation of amusement rides, and to give the department such counsel and advice as will aid it in the proper enforcement and administration of the provisions of the law.

The board is appointed by the Governor and made up of:

- The director of the Parks and Tourism Department or his designee;
- A member representing owners or opera-



*(l to r) Bobbie Via and Supervisor Susan Weaver work with the mining industry across the state.*

tors of amusement rides which are portable in nature;

- A member representing owners or operators of permanently placed amusement rides;
- A member representing fair managers in Arkansas; and
- A member representing the general public.

The Director of Labor is ex officio chair.

Present board members are:

Richard Davies

Johnny Miller

Kirby Taylor

Ralph Shoptaw

Troy Braswell

James L. Salkeld, Director of Labor

## MSHA (Mine Safety and Health Administration)

The Mine Safety and Health Administration (MSHA) Section assists mining companies and contractors in complying with the federal safety and health laws. This is done through

<b>MSHA TRAINING CLASSES JULY 2008—JUNE 2009</b>		
<b>COURSES</b>	<b># OF CLASSES</b>	<b>TOTAL ATTENDED</b>
MSHA Annual Refresher	57	842
MSHA New Miner	21	139
First Aid	75	716
CPR	74	704
<b>TOTAL</b>	<b>227</b>	<b>2,401</b>

<b>TRAINING AND EDUCATION CLASSES JULY 2008 — JUNE 2009</b>		
<b>COURSES</b>	<b># OF CLASSES</b>	<b>TOTAL ATTENDED</b>
Limited First Aid	181	1,303
Basic First Aid	4	47
CPR	208	1,474
Industrial Truck	1	15
<b>TOTAL</b>	<b>394</b>	<b>2,839</b>

assistance in preparing training plans, teaching the various safety and health subjects, and helping with training records.

The three MSHA staff personnel work with the Federal MSHA Inspectors to ensure that assistance is available to any Arkansas mine operator, miner, or contractor who needs it. Classes can be scheduled at our facility or at the mine's facility.

The Arkansas Mine Safety and Health Conference was held in Hot Springs in February 2009. For 2010, the conference dates are February 4 and 5 in Hot Springs.

During the 2008-2009 fiscal year, the MSHA staff conducted 227 classes training 2,401, of which 1,888 were miners and 513 were contractors. Nearly 200 different operations took advantage of these classes on various safety and health issues. See the chart for a list of the classes offered. The cost was \$10.00 per person per day, and the total amount invoiced was \$16,130. Starting July 1, 2009, the cost is \$75.00 per day for five or fewer participants. The fee for six or more is \$15.00 per person per day. For more information on the MSHA program, contact Susan Weaver at (501) 682-4520 or e-mail [susan.g.weaver@arkansas.gov](mailto:susan.g.weaver@arkansas.gov).

### TRAINING AND EDUCATION

The Training and Education Section provides general safety courses for any groups, organizations, or businesses. Classes include the following: First Aid, CPR, and OSHA Regulations for Powered Industrial Trucks. The cost for First Aid and CPR classes was \$10.00 per person per day, and the total amount invoiced was \$15,600. Starting July 1, 2009, the cost is \$75.00 per day for five or fewer participants. The fee for six or more is \$15.00 per person per day.

During the 2008-2009 fiscal year, the three MSHA staff and one additional Training and Education employee conducted 394 classes, training 2,839 individuals for 138 different companies. See the chart for details. For more information, contact Susan Weaver at (501) 682-4520 or e-mail [susan.g.weaver@arkansas.gov](mailto:susan.g.weaver@arkansas.gov), or John Boswell at (501) 682-1715 or e-mail [john.boswell@arkansas.gov](mailto:john.boswell@arkansas.gov).

# OSH/CFOI

The Arkansas Department of Labor has contracted with the U.S. Department of Labor's Bureau of Labor Statistics to conduct annual surveys of workplace fatalities, injuries and illnesses.

The first data for workplace fatalities was released in the fall of 1993 for calendar year 1992 through a program known as CFOI, Census of Fatal Occupational Injuries. Findings on the number of workplace fatalities for each subsequent year are shown in the chart below.

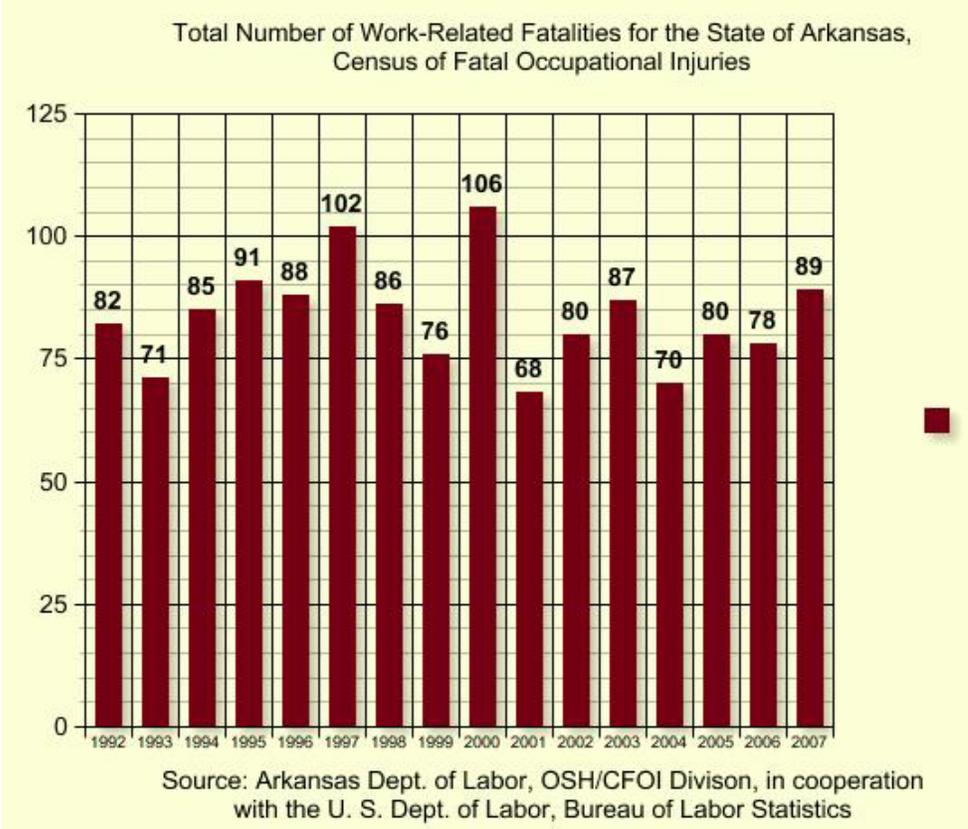
Data for the Survey of Occupational Injuries and Illnesses, SOII, was compiled under the Occupational Safety and Health (OSH) program. For 2007, 3.9 work-related injuries and illnesses were reported for every 100 full-time workers in private industry in Arkansas. Sprains and strains accounted for over 44.4% of these work-related injuries and illnesses that required recuperation away from work. This is the 16th year in a row that sprains and strains were the most common injury.

All data collected through both programs is kept confidential, however, statistical information is compiled and released annually. The data are used to help develop safety and health standards; to control work hazards; and to allocate resources for inspection, training, and consultation activities.

For more information or copies of the publications on SOII or CFOI statistics, contact Don Cash at 501-682-4542 or visit our website at [www.arkansas.gov/labor](http://www.arkansas.gov/labor)



***(l to r standing) Donna Threet, Charlotte Bon-nabel, and (seated) Supervisor Don Cash collect and analyze data on the state's occupational injuries, illnesses and fatalities.***



# CODE ENFORCEMENT

## Boiler Inspection

**T**he Boiler Inspection Division was established by legislative action in 1917 to protect the public from the inherent dangers prevailing in the construction, operation, repair, alteration and incorrect usage of boilers and pressure vessels. The Division's primary objective is the prevention of boiler and pressure vessel accidents, which might cause loss of life,

personal injury or extensive property damage.

The Division's goal of eliminating all boiler and pressure vessel accidents is accomplished by strict enforcement of the mandatory boiler and pressure vessel safety law, rules and regulations of the state of Arkansas, the adoption and enforcement of various codes formulated by the American Society of Mechanical Engineers (ASME) and adoption and enforcement of the rules and regulations of the National Board of Boiler and Pressure Vessel Inspectors.

The Boiler Inspection Division licenses installers, repair firms, and boiler operators so that safety of construction, installation, repair and operation of boilers and pressure vessels can be assured. Mandatory licensing has rendered



***(l to r) Michelle Hartwick, Supervisor Maxine Wagley, Linda Black, Loyce Brand, Julie Dove, and Chief Boiler Inspector Gary Myrick have nearly 120 combined years of experience with the Arkansas Department of Labor's Boiler Inspection Division, thus making for a well-oiled machine.***

<b>BOILER INSPECTION DIVISION ANNUAL REPORT—FISCAL YEAR 2008-2009</b>	
<b>CHARGES PROCESSED FY 2008-2009</b>	<b>QUANTITY</b>
State Boiler Inspections	4,937
Insured Boiler Inspections	23,431
Shop Inspections	2
Anhydrous Ammonia Inspections	1
Boiler Operator Licenses	5,388
Online Boiler Operator Licenses	673
Operator Pocket Cards	697
Online Boiler Operator Pocket Cards	164
Certificates of Competency Commission Cards	167
Installation Licenses and Repair Licenses	635
Permits to Install	373
Permits to Install Pressure Piping	16
Miscellaneous Charges	36
<b>FEES COLLECTED/DEPOSITED FY 2008-2009</b>	
Total Deposits	\$798,179.91

greater safety to life and property, and therefore, eliminated an untold number of accidents.

Ever advancing technology creating new sources of energy, methods, and products is accelerating temperatures and pressures higher than man has ever known, thus making boilers and pressure vessels more complex. Most boilers today are equipped with automatic control devices, computers, and other highly technical items that require skilled personnel, both in operations and maintenance. When complete dependence is placed on such automated operation, the human element is neglected, and ever-greater danger is prevalent. To presume that boilers and pressure vessels operating completely on automatic controls are safe and reliable is a mistake. Automatic controls and devices are the boiler operator's helpers, not his replacement.

The Boiler Inspection Division is proud to be a part of the National Board of Boiler and Pressure Vessel Inspectors Tracking Report, which identifies problem areas and trends related to boiler and pressure vessel operation, installation, maintenance and repair. The National Board has changed the format of their report to reflect the

trends in accidents, and indicates where emphasis should be placed on prevention, instead of indicating actual accident/death numbers. This, however, prevents us from having data for national deaths and injuries.

During this fiscal year, the State and Insurance Inspectors found 740 code violations while conducting their routine inspections. Had any of these code violations been ignored, they could have ended in a tragic accident.

The Boiler Inspection Division is self-supporting and relies on fees approved by the legislature for inspection work performed and services rendered.

The Boiler Inspection staff is supervised by Gary Myrick, Chief Boiler Inspector, and is made up of two equally important sections. The field force consists of six inspectors: Jerry Vann, Dennis Hannon, David Sullivan, Steven Mathis, Clay Whaley, and Charles Cook. The office staff includes Maxine Wagley, Supervisor; Julie Dove, Linda Black, Michelle Hartwick, and Loyce Brand.

The Boiler Inspection Division works closely with sellers, installers, users, repairers, and operators, to provide assistance in interpreting the boiler safety laws of the State of Arkansas, the A.S.M.E. Code, and the National Board Inspection Codes. Other services include:

- Administer examinations to qualified applicants and issue boiler operator licenses
- Issue installation permits, repair permits, and pressure piping permits
- Issue installation licenses and repair licenses
- Issue certificates of operation for boilers and pressure vessels
- Issue certificates of competency to commissioned inspectors
- Assist insurance inspectors
- Assist firms, individuals, & companies that call or visit the Boiler Inspection Division office
- Conduct accident investigations
- Evaluate requests for code variances
- Conduct ASME and National Board certificate reviews
- Conduct state and ASME code shop inspections as well as field inspections upon request.

## Boiler Advisory Board

The Boiler Advisory Board was created to assist in the formulation of rules and regulations of the construction, installation, inspection, repair, and operation of boilers and unfired pressure vessels and their appurtenances, and of pressure piping in the state of Arkansas. The Boiler Advisory Board is also responsible for counseling and advising the Chief Inspector in the performance of his duties, and for assisting him in giving examinations to prospective boiler inspectors, in order to provide a safe environment to Arkansas citizens.

The Governor appoints the Board, and the Director of the Department of Labor or his designee serves as the ex officio chairman. The Board is made up of members who represent insurance companies who inspect and insure boilers and pressure vessels, operating engineers, owners and users of boilers and pressure vessels, and boiler manufacturers. The Board members are:

**Richard Mille´**, representing Boiler Manufacturers

**Stephen Case**, representing Operating Engineers

**Bill McCoy**, representing Boiler Users

**Larry Wolf**, representing Insurance Companies Insuring Boilers

## Electrical Licensing

The Arkansas Board of Electrical Examiners was created by Arkansas Code Annotated §§17-28-101 through -307, which is commonly known as the "State Electricians' Licensing Law." It provides for licensing of master and journeyman electricians, residential master and residential journeyman electricians,

air-conditioning electricians and industrial maintenance electricians.

An applicant for a state electrician's license must pass a written examination approved by the board, in addition to meeting experience or education requirements. Examinations are held in Little Rock, Fayetteville, and Fort Smith.

A state-issued electrician's license is required to perform electrical work in Arkansas. A temporary, one-time, six-month license may be obtained for an "industry project." Cities still require permits and inspections, and may require



***Code Enforcement Administrator Ron Baker has supervised the Boiler Inspection Division, the Electrical Licensing Division and the Elevator Safety Division since 2002.***

compliance with specific building or construction codes. Additionally, apprentices must be registered with the board.

The Arkansas Electrical Code Authority Act, Arkansas Code Annotated §20-31-101 *et seq.*, authorizes the board to adopt rules and regulations to establish statewide minimum standards for electrical work in Arkansas. The National Electrical Code, 2008 edition of the National Fire Protection Association is now the standard for the construction, installation and maintenance of electrical facilities and the performance of electrical work. The board may suspend or revoke an electrician's license for cause, including violations of the National Electrical Code.

The board's staff is available to answer inquiries about the interpretation and application

<b>BOARD OF ELECTRICAL EXAMINERS LICENSES ISSUED—FY 2008-2009</b>	
Industrial Maintenance	971
Residential Master	270
Residential Journeyman	279
Electrical Apprentice	3,041
Electrical Contractor	69
Master	4,520
Journeyman	2,832
Air Conditioning	112
Temporary Journeyman	299
Temporary Master	23
<b>TOTAL</b>	<b>12,416</b>
Industrial Maintenance Testing	12
Licenses Renewed On-line	1,692
On-Line Renewals	\$68,455
Civil Money Penalties Collected	\$27,551
<b>TOTAL DEPOSITS</b>	<b>\$498,868</b>

## Board of Electrical Examiners

The mission of the Board of Electrical Examiners is to protect the public by establishing standards for the construction, installation, and maintenance of electrical facilities, the performance of electrical work, and the licensing of electricians.

The nine-member Board of Electrical Examiners was created by Arkansas Code Annotated §§17-28-101 through -307. The Governor appoints eight members and the ninth member is the Director of Labor or his authorized representative. The responsibilities of the board include the formulation of the rules and regulations necessary for the implementation of Arkansas Code Annotated §§17-28-101 through 307 and 20-31-101 *et seq.*; the examination for master electricians, journeyman electricians, and industrial maintenance electricians; the establishment of state standards for the performance of electrical work; and the revocation and suspension of licenses for cause. The following persons served on the Board during fiscal year 2008-2009:

**Danny King, represents City Inspectors**  
**Gary Ferrell (chairperson), represents Contractors**

**H.B. Stewart, representing the Elderly**  
**Paul Brown, representing Private Utilities**  
**Sammie Cox, representing Public Utilities**  
**Bill Hegeman, representing the Public**  
**Bob Robinson, representing Electricians**  
**Randy Matthews, represents Engineers**  
**James L. Salkeld, Director of Labor**

of the National Electrical Code and provide information on licensing. They are authorized to conduct investigations dealing with licensing and the National Electrical Code, and then submit the information to the board for consideration. The board may conduct a hearing to consider the suspension or revocation of the electrician's license for cause.

The Arkansas Board of Electrical Examiners issued a total of 12,416 licenses this fiscal year, nearly 950 more than last year.



**The Board of Electrical Examiners members are: (l to r) standing, Bob Robinson, Randy Matthews, Sammie Cox, Danny King, H.B. Stewart, Bill Hegeman; seated, Ed House, Gary Ferrell, and James L. Salkeld. (not pictured: Paul Brown)**

## Elevator Safety

**E**levator Safety is responsible for enforcing state law regarding the inspection and permitting of elevators, escalators, dumbwaiters, and wheelchair lifts. Ark. Code Ann. §§20-24-101 *et seq.*

The division's data system was recently upgraded and the new FOCUS program offers a number of new features. Invoices and license renewals may now be paid online at [www.arkansas.gov/labor](http://www.arkansas.gov/labor). The system allows online entry of inspection reports, in addition to allowing inspectors to view prior violations. The billing and permitting processes are also now automated.

Licensed elevator inspectors submit annual or bi-annual inspection reports that reflect the operating status of the elevator, including any unsafe condition. Correction of any deficiencies is required in order for the owner or operator to obtain a certificate of operation, or operating permit.

The division is also responsible for witnessing

required safety and pressure tests, inspecting new installations, and licensing qualified elevator inspectors, mechanics, and contractors. Fees are charged for each function.

ELEVATOR SAFETY 2008-2009 STATISTICAL SUMMARY	
Construction permits issued on elevator installations	149
Modernizations and alterations on existing elevators	89
Certificates of Operation	3,806
Inspections conducted	8,737
Installation inspections	236
Five year full load safety tests	286
Three year pressure tests	892
One year pressure tests	77
Accident investigations	0
Elevator inspector, elevator mechanic, and elevator contractor's license issued	245
Total Deposits	\$397,819



***(l to r) Leroy Moore, Anna Smith, Jean Kilby, and Chief Elevator Inspector Larry Smothers, along with Joe Tipton (not pictured) make up the Elevator Safety Division.***

For more information on the Elevator Safety Section, call (501) 682-4538, Fax (501) 682-1765, or e-mail [anna.smith@arkansas.gov](mailto:anna.smith@arkansas.gov).

## Elevator Safety Board

The mission of the Elevator Safety Board is to protect the public by establishing safety standards, and other regulations for the safe installation and operation of elevators, escalators, dumbwaiters, and wheelchair lifts.

The Elevator Safety Board was created in 1963 and consists of five members. Arkansas Code Annotated §20-24-105. The Director of the Department of Labor serves as the chairman, and the Governor appoints the other four members.

The board meets on the second Thursday of every other month and is responsible for:

- Revocation or suspension of any elevator inspector's license for cause;
- Adopting, amending or repealing rules and regulations;
- Issuing variances; and
- Hearing any appeals from action taken by the Elevator Safety Section.

Present Elevator Board members are:

- James L. Salkeld**, Director of Labor
- Kenneth Dryden**, representing building owners and lessees
- Allen Gaulding**, representing insurance companies
- Reed Myers**, representing elevator manufacturers
- Bob Gram**, representing the public at large
- Marvin Vaughter**, representing the elevator union

# LABOR STANDARDS

**T**he Labor Standards Division is comprised of Wage and Hour, Private Employment Agency, Prevailing Wage and Mediation and Conciliation.

## Wage and Hour

**W**age and Hour administers and enforces the Arkansas labor laws relating to minimum wage, overtime, student

learners, child labor, disabled workers, equal pay and the collection of unpaid wages involving \$1,000 or less for employees who work or worked in this state. Once again this year, the division increased collections of minimum wage and overtime back wages and penalties, and child labor civil money penalties collecting \$295,657.38. Last years' collections totaled \$234,326.73.

Field staff conducts routine inspections of workplaces throughout the state providing information, enforcing the labor laws, investigating complaints and wage claims and consulting with both employers and employees.

The Labor Standards staff assists the public in



***(l to r) Rusty Geurin, Nathan Butler, Tina Brown, Lindsay Moore, Labor Standards Administrator Tom Hudson and Sheila Stewart field thousands of calls and distribute hundreds of pieces of literature every month to assist workers in getting their lawful wages.***

<b>WAGE AND HOUR FY 2008-09 SUMMARY</b>	
<b>Wage and Hour Inspections</b>	180
Number of Employees	2,847
Minors under 16	13
Minors under 18	219
Females	1,542
Males	1,073
Interviews	304
<b>Violations in Facilities</b>	
Employment Certificate	7
Underage -- Under 14	4
Hours Child Under 16	6
Hours Under 18	12
Poster	5
Minimum Wage	31
Overtime	42
Record Keeping	31
Record Keeping Child Labor	6
Record Accessibility	1
Semi Monthly Payment	2
<b>Minimum Wage and Overtime Restitution</b>	
Collected	\$285,357.38
<b>Child Labor Civil Money Penalties</b>	
Collected	\$10,300
<b>Work Permits Issued</b>	<b>1,979</b>
<b>Student Certificates Issued</b>	<b>59</b>

<b>LABOR STANDARDS WAGE CLAIMS 2008-2009</b>
<b>Wage Claims Processed—447</b>
<b>Wage Claim Collections—\$48,083.53</b>

understanding their rights and responsibilities under the wage and hour law, and pursues reported violations of the law. Little Rock staff also coordinates the activities of the field staff, standardizes enforcement procedures, and interprets the rules and regulations.

Wage and Hour also handles issuing employment certificates to minors, student learner permits, special disability permits, and certificates of eligibility. Certificates of eligibility allow employers to pay full time students 85% of the

applicable minimum wage to work not more than twenty hours during weeks that schools are in session, or forty hours during weeks that schools are adjourned.

Wage and Hour also receives claims for unpaid wages, sick and vacation pay, holiday benefits and commissions. Claims are also received for shortages, cash advances, damaged property charges, and other unauthorized deductions from employees' wages. Over \$48,000 in back pay was collected and returned to workers this fiscal year.

When a claim is received, a notice of wage claim is issued to the employer. The employer may elect to respond by answering one of the choices given on the form and attaching any relevant evidence. After an investigation is conducted by field inspectors, the inspector issues a preliminary wage determination as to the validity of the claim received.

After notification of the preliminary order, a dissatisfied party may request an administrative hearing. If the claim remains unresolved, it may be forwarded to the Arkansas Department of Labor Legal Section.

Complaints and wage claims may now be filed electronically via the Arkansas Department of Labor's website. All services are free of charge.



Arkansas Code Annotated §11-11-101 *et seq.* authorized the Private Employment Agency Section to license and regulate all private employment agencies in Arkansas that charge a fee to the applicant. Agencies are licensed only after bonding and examination requirements have been met and after the agency has demonstrated business integrity, financial responsibility and sound judgment.

All agency owners, managers, and counselors are required by law to pass a qualifying examination. They are also required to maintain records on the following: refunds due to applicants, agency newspaper advertisements,

applicant referrals, job orders solicited from clients, and all agency business transactions. These records are subject to review by the Private Employment Agency Section. They also investigate any complaints concerning agency activities.

The Private Employment Agency Section enforces a ninety-day guaranty provision that states if applicants leave the job for any reason within 90 days of their hire date, the fee will be prorated, thus protecting applicants who pay an agency to find them a job. The law also prohibits agencies from charging applicants a fee for any service other than actually being placed on a job.

## Prevailing Wage

**P**revailing Wage administers the Arkansas Prevailing Wage Law, Arkansas Code Annotated §§ 22-9-301 through -315. This office is responsible for conducting annual wage surveys of both building and heavy construction projects to establish minimum wages for laborers and mechanics employed on public works projects. This is an ongoing process beginning in August or September of each year and usually being finalized in late May or June of the following year.

Nearly 4,000 solicitation letters are mailed and numerous follow-up phone calls are made to insure that every contractor licensed to do business in this state has an opportunity to

<b>PREVAILING WAGE SUMMARY OF WAGE DETERMINATIONS ISSUED JULY 1, 2008—JUNE 30, 2009</b>						
Mo.	Bldg.	Hvy.	Multiple	Res- dntl.	Total	Dollar Amount
Jul	20	16	3	0	39	\$ 72,553,507.78
Aug	26	13	3	0	42	80,170,363.00
Sep	24	15	0	0	39	114,109,809.11
Oct	27	23	0	0	50	75,900,501.00
Nov	17	16	1	0	34	28,227,353.00
Dec	12	13	1	0	26	28,727,900.00
Jan	19	20	2	0	41	55,875,421.00
Feb	13	25	1	0	39	32,998,499.00
Mar	30	37	2	0	69	108,467,672.00
Apr	31	19	1	0	51	79,073,246.50
May	16	14	0	0	30	45,239,660.86
Jun	23	29	3	2	57	81,110,414.30
<b>Total</b>	<b>258</b>	<b>240</b>	<b>17</b>	<b>2</b>	<b>517</b>	<b>\$802,454,347.65</b>
% of Total	50%	47%	4%	>1%		



***(l to r) David Cornell and Jill Stacy conduct surveys of the prevailing wages paid in our state as well as collect back wages for those workers who haven't been paid the mandated amount.***

participate in the survey. This additional effort is made to increase the percentage of survey responses and insure the most accurate survey results. Survey results are reviewed and approved by the Prevailing Wage Advisory Committee before being certified by the Department of Labor on or about July 1 of each year.

It is the responsibility of the public body awarding any contract, where the cost of all labor and materials is expected to exceed \$75,000, to ascertain the prevailing hourly rate of pay in the county in which the work is to be performed. The public body must also see that a stipulation is inserted in the contract that not less than the prevailing hourly rate of wages as found by the department, or determined by the court on appeal, shall be paid to all workers performing work under the contract.

Arkansas Code Annotated §22-9-302 defines "public body" as the State of Arkansas or any

officer, board or commission of the state, any county, city, municipality or other political subdivision, or any of the agencies thereof. "Public works" means all works constructed for public use, whether or not done under public supervision or direction or paid for wholly or in part out of public funds, but it does not include any work done for or by any drainage, improvement, or levee district. Other exemptions include highway, road, street, or bridge construction and maintenance or related work contracted for or performed by incorporated towns, cities, counties or the Arkansas State Highway and Transportation Department, and public school construction.

During Fiscal Year 2008-2009, Prevailing Wage issued 517 wage determinations for projects with estimated values totaling \$802,454,347.65.

The Prevailing Wage Law also empowers the Director of Labor or his representatives to

investigate any alleged violation. As a result of such investigations, Prevailing Wage collected \$66,257.35 in back wages for 55 workers. Investigator David Cornell has visited 95 sites, inspected 53 contractors, interviewed 202 employees and has completed seven audits.

## Prevailing Wage Advisory Committee

The mission of the Prevailing Wage Advisory Committee is to provide advice and assistance to the Director of Labor and his staff in the ongoing review of the content, adequacy and effectiveness of the Department of Labor's administration and enforcement of the Arkansas Prevailing Wage Law.

The Advisory Committee was created by executive order in 1994. The committee is comprised of five members representing workers employed in construction, three representing contractors engaged in the construction of public works, two members representing state and local government agencies engaged in the construction of public works, and two ex-officio members.

The twelve-member committee, which serves at the will of the Governor, is made up of the following.

**Anne Laidlaw**, Director, Arkansas Building Authority

**Dennis Donahou**, Executive Secretary/Treasurer with Arkansas Regional Council of Carpenters

**Tony Ellis**, Retired, Business Manager, Plumbers & Pipefitters Local #155

**Edward Finney**, Doyne Construction Company

**Patrick Hays**, Mayor, City of North Little Rock

**David Marsh**, Retired, Business Manager, Ironworkers Local #321

**Dan McAlister**, Retired, IBEW Local #295

**John Roy McNatt**, County Judge, Miller County

**James Ryan**, Financial Secretary/Treasurer, Plumbers and Pipefitters Local #155

**Lloyd Webre**, Associated Builders and Contractors of Arkansas

**James Alessi**, Alessi-Keyes Construction

**James L. Salkeld**, Director, Arkansas Department of Labor

## Mediation and Conciliation

Arkansas Code Annotated §11-2-201 *et seq.* authorizes Mediation and Conciliation to intervene in any labor dispute, strictly in a mediatory or conciliatory capacity, to assist both parties in reaching an equitable agreement.

The Federal Labor Management Relations Act of 1947 requires all parties wishing to amend or terminate an agreement to notify both state and federal mediation authorities of their intent. Our state mediator's responsibility is to then promote peace and harmony in employer/employee relations by encouraging voluntary arbitration between parties, thereby avoiding lockouts, boycotts, blacklists, discrimination, and legal proceedings.

The state mediator holds all information obtained during negotiations in the strictest of confidence and his services are free of charge. During fiscal year 2008-2009, Mediation received notices from 31 local unions and employers of contract negotiations, and he was involved in 23 contract negotiations.



**April Murphy provides administrative assistance to the Director, Finance and Personnel Manager and the State Mediator.**

# ADMINISTRATIVE SERVICES

The Administrative Services Division includes Finance and Personnel, Information Technology, Legal, and Planning and Publications. These sections provide support services for the entire agency.

## Finance and Personnel

Managing the agency's annual budget of approximately \$7.4 million is one of the primary responsibilities of the Finance and

Personnel Division. This includes budget preparation and monitoring, transfer and disbursement of funds, preparation of reports and grant applications, and management of federal grants received from the Occupational Safety and Health Administration, the Mine Safety and Health Administration and the Bureau of Labor Statistics. The section is also responsible for purchasing and inventory control, policy development and implementation, advertising job vacancies and personnel recruitment, and handling employee benefits and payroll. During Fiscal Year 2009, the agency had 104 authorized full-time positions.



**Manager Becky Bryant (seated) came to the Arkansas Department of Labor in 1976. Collectively, the Finance and Personnel Division staff, also including (l to r) Linda Whisnant, April Murphy, Sandra Welchman, Vicki Campo, and Kay Stacy, has nearly 140 years of service with the agency.**



***(l to r) Don Gantt and Ken Anderson have worked together to keep the agency's information technology equipment running smoothly without interruption since 2001.***

## Information Technology

The Information Technology Section provides local area network support for the internal operations of the Arkansas Department of Labor. This includes computer network administration and support for more than one hundred desktop PC's and portable PC's, agency servers and all supporting network equipment, as well as software licensing. The IT Section is responsible for planning, designing, implementing, installing, and maintaining the agency's computer network and all associated components. The IT Section implements technology solutions to further agency initiatives, provides internal support and assistance for all software currently being used by the Arkansas Department of Labor, and for all databases used in various agency programs.

With computer technology being ever-changing and constantly improving, the IT Section must stay abreast of changes and determine how, if, and when the agency can benefit from the latest technology.

They are continuously improving and expanding in-house training classes for employees, and striving to streamline and automate processes such as license renewals, certifications, and permits. They are partnering with the Information Network of Arkansas (INA) to offer online renew-

als for licenses, and adding other online services as opportunities arise.

Doris Anderson, Manager of the agency's Information Technology Division, serves as the agency's representative for several information technology working groups, collaborating with staff across Arkansas state government. Doris also serves on the six-member State Technology Council ([www.stc.arkansas.gov](http://www.stc.arkansas.gov)). In March 2009, Doris was awarded the CGEIT™ (Certified in the Governance of Enterprise IT) certification which is designed for professionals who have management, advisory, and/or assurance responsibilities relating to the governance of IT. She is one of five Arkansans holding this internationally-recognized certification that is intended to recognize professionals for their knowledge and application of IT governance principles and practices.

## Legal

Legal services are provided to the agency and its regulatory boards by two staff attorneys and a paralegal. They handle the agency's



***Attorney Daniel Faulkner has been a part of the Legal Division since 2002, alongside Attorney Supervisor Denise Oxley and Legal Services Specialist Susan Miller.***

2008-2009 LEGAL COLLECTIONS	
PROGRAM	AMOUNT
Labor Standards	\$ 69,445.20
Board Of Electrical Examiners	17,710.66
Amusement Ride Safety	2,510.00
Elevator Safety	334.81
<b>TOTAL</b>	<b>\$ 90,000.67</b>

litigation, as well as provide legal advice to the agency's enforcement staff. They have the responsibility of analyzing and monitoring proposed legislation, as well as drafting administrative regulations. Additionally, they serve as a source of information for the general public and other state agencies regarding Arkansas's labor laws.

Much of the litigation initiated by the legal staff is collection work relating to the enforcement of state wage laws, including the state's minimum wage and overtime law. Other litigation may involve collection of administrative fines. Additionally, the legal staff represents the agency and its regulatory boards in administrative appeals involving licensing, permitting or other enforcement activities. This may involve such operations as boilers, elevators, amusement rides, or the installation of electrical wiring. Collections for the 2009 fiscal year more than doubled last year's figures, totaling \$90,000.67.

## Planning and Publications

Planning and Publications handles nearly all the printing, publications, and website management for the Department of Labor. This requires editing and writing text; designing artwork, and layout; typesetting; preparing camera-ready artwork; photography; writing printing specifications, and printing the final product.

The Section publishes two free, quarterly newsletters. The *Safety News* newsletter addresses safety issues and timely topics on occupational safety and health. *Labor News* features articles on labor trends, job statistics, and employment programs. Over 29,000 newsletters were mailed to workers in Arkansas and nearly 4,300 more were e-mailed during the 2008-2009 fiscal year. The division also publishes a monthly employee calendar entitled *The Laborgram*. Additionally, the division printed 1,250 wage and hour posters, 20,270 brochures (nearly 9,000 more than last year), and nearly 3,000 booklets (1,000 more than the previous year) on various labor laws, rules and regulations which were distributed to Arkansas citizens.

Other available publications include the *Arkansas Laws Relating to Labor* manual, which is updated each biennium when the Arkansas General Assembly passes revisions to the law;



*(l to r) Among other duties, Sharon Adams handles all website management and press releases, and Jeanette Donahue edits the agencies newsletters, annual report and other publications.*

*Statutes Regulating Wages and Hours; Child Labor Laws; Administrative Regulations Pertaining to the Arkansas Minimum Wage Act;* and other handbooks on specific areas such as safety, boilers, prevailing wage, electrical safety, etc.

Planning and Publications handles all press releases, and board meeting announcements, in addition to publicity for department seminars, training programs, and safety award presentations.

For a complete listing of the Arkansas Department of Labor's publications, visit our website at [www.arkansas.gov/labor](http://www.arkansas.gov/labor).



The Arkansas Department of Labor does not discriminate on the basis of disability in employment or in the admission or access to, or treatment or employment in, its programs, services, or activities. Becky Bryant, Arkansas Department of Labor, 10421 West Markham, Little Rock, Arkansas 72205-2190, (501) 682-4540 (voice) 1-800-285-1131 (TDD) email [becky.bryant@arkansas.gov](mailto:becky.bryant@arkansas.gov) has been designated to coordinate compliance with the non-discrimination requirements contained in 28 CFR 35.107 of the Department of Justice regulations. Information concerning the provisions of the Americans with Disabilities Act, and the rights provided thereunder, are available from the ADA coordinator.

**ARKANSAS DEPARTMENT OF LABOR**  
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