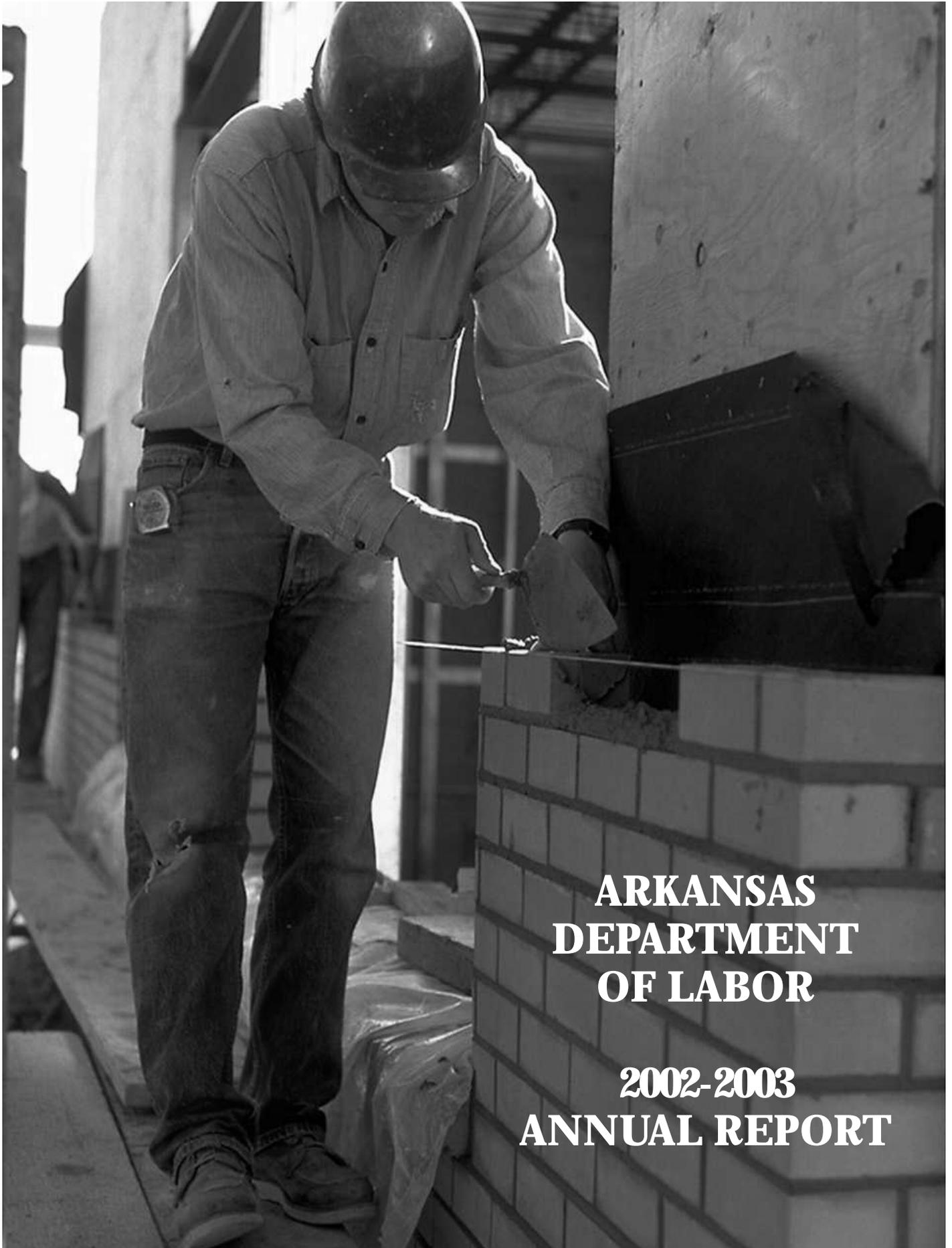




***The Faces of Labor  
in Arkansas***

**2003  
ARKANSAS  
DEPARTMENT OF LABOR  
ANNUAL REPORT**



**ARKANSAS  
DEPARTMENT  
OF LABOR**

**2002-2003  
ANNUAL REPORT**



**MIKE HUCKABEE**  
**Governor**



**JAMES L. SALKELD**  
**Director of Labor**

Mike Huckabee  
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 Huckabee  
Governor, State of Arkansas  
State Capitol Building  
Little Rock, Arkansas 72201

Dear Governor Huckabee:

It is my privilege to serve as Director of Labor under your administration and for another year acknowledge the accomplishments and services of the Arkansas Department of Labor. We deeply appreciate your support of the agency's programs and feel that it has enabled us to provide quality service to Arkansas' workforce.

We are very pleased with the number of companies we were able to recognize during the year through our Safety Award Program because of their excellence in workplace safety. We are also very proud of the agency's accomplishments in using enhanced technology to increase communication with Arkansas' citizens and provide more on-line assistance, services and information.

As always, it is my pleasure to present this edition of the Arkansas Department of Labor Annual Report that highlights the activities of the department during fiscal year 2002-2003.

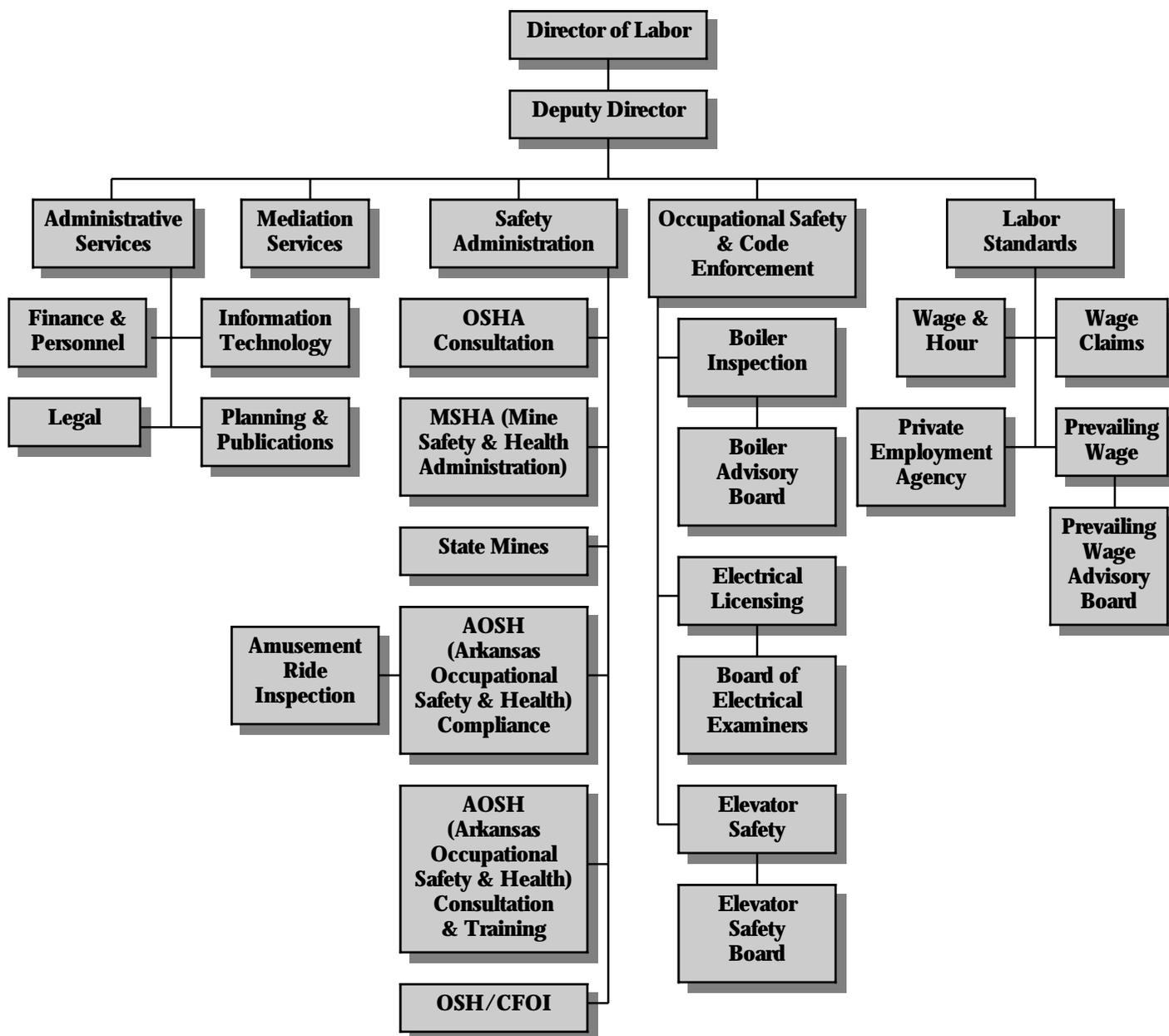
Sincerely,

A handwritten signature in cursive script that reads "James L. Salkeld".

James L. Salkeld  
Director



# ORGANIZATIONAL CHART



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# SAFETY DIVISION

**Clark E. Thomas, Safety Administrator**

The Safety 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' 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, ten regional seminars were held across the state during the fiscal year.
- Providing informational services for persons needing assistance on safety and health issues. This is done by one-on-one office visits, public speaking engagements, and publications.
  - Presenting safety awards to businesses and individuals who excel in promoting safety and health and meet specific guidelines.

The Safety Division has highly trained field employees across the state available to assist employers in a variety of ways. These employees are supported by an office staff of clerical workers, supervisors, and an administrator who understands health and safety issues and can provide technical assistance on a wide variety of safety issues.

the recognition of people and companies who have made outstanding strides in the field of safety. This is done by presenting several types of safety awards:

- 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 Safety Division during the 2002-2003 fiscal year:

## **SIX MILLION WORK HOURS SAFETY AWARD**

Arkansas Nuclear One, Russellville, June, 2003

## **SAFETY AWARDS**

One service provided by the Safety Division is

**FIVE MILLION WORK HOURS SAFETY AWARD**

Arkansas Nuclear One Entergy Operations, Russellville, September 2002

Wal-Mart Warehouse 608, Bentonville, January 2003

**FOUR MILLION WORK HOURS SAFETY AWARD**

Tyson Foods, Springdale, March 2003

Cargill Turkey Products, Springdale, May 2003

**THREE MILLION WORK HOURS SAFETY AWARD**

Cargill Turkey Products, Springdale, August 2002

**TWO MILLION WORK HOURS SAFETY AWARD**

Scroll Technologies, Arkadelphia, September 2002

Albemarle Corporation, Magnolia, September 2002

Gates Rubber Company, Siloam Springs, September 2002

Washington Demilitarization Company, Pine Bluff, January 2003

Ayrshire Electronics, Fayetteville, April 2003

Alcoa, Benton, May 2003

**ONE MILLION WORK HOURS SAFETY AWARD**

Tyson Foods, Inc., Dardanelle Processing Plant, August 2002

Washington Demilitarization Company, Pine Bluff, August 2002

La-Z-Boy Arkansas, Siloam Springs, November 2002

Tyson Foods, Inc., Russellville, November 2002

Lockheed Martin Missiles & Fire Control, Camden, December 2002

Superior Industries International Inc., Rogers, December 2002

Waterloo Industries, Inc., Pocahontas, December 2002

Butterball Turkey Company, Huntsville, December 2002

Cooper Power Systems/Kearney Operations, Fayetteville, January 2003

Wayne Farms LLC Processing Plant, Danville, January 2003

Paslode, Augusta, December 2002

Tyson Foods Entrée Division, Fayetteville, April 2003

Tyson Valley Distribution Center, Russellville, April 2003

Alcoa World Chemical, Bauxite, June 2003

**SAFETY AWARD OF MERIT**

Tyson Foods, Berryville, August 2002

Deltic Timber Corporation, Ola, October 2002

**ACCUMULATIVE YEARS SAFETY AWARD**

Tyson Foods, Inc., Waldron Feed Mill, Waldron, 12 years, July 2002

Koch Pipeline Company LP, Ammonia Division, Floral, 8 years, July 2002

Koch Pipeline Company LP, Ammonia Division, Franklin, 8 years, July 2002

Koch Pipeline Company LP, Ammonia Division, Pine Bluff, 8 years, July 2002

Johnson Manufacturing Company, Inc., Harrison, 1 year, July 2002

ACME Brick Company, Malvern, 10 years, July 2002

REL Products, Van Buren, 3 years, August 2002

Unilever Bestfoods, Little Rock, 1 year, August 2002

Bestfoods, Little Rock, 2 years, August 2002

Sam's Distribution Center, Searcy, 10 years, August 2002

Tyson Packing Warehouse (TPW), Russellville, 3 years, August 2002

L.A. Darling Company, Pocahontas, 6 years, September 2002

CIBA Specialty Chemicals, West Memphis, 1 year, September 2002

Pine Bluff Wastewater Utility, Pine Bluff, 4 years, October 2002

Stone & Webster Construction Co., Russellville, 6 years, October 2002

Highland Machine Works, Camden, 3 years, October 2002

Cedar America, Mountain View, 1 year, October 2002

Norton Proppants, Inc., Bryant, 1 year, November 2002

Tyson Distribution Center, Russellville, 10 years, November 2002

Brentwood Industries, Inc., Hope, 1 year, November 2002

Tyson Valley Maintenance Center, Russellville, 8

years, November 2002

Rineco, Benton, 2 years, February 2003

Service Painting Company of Texas, Batesville, 7  
years, February 2003

Performance Contractors Inc., West Memphis,

3 years, February 2003

Belcase Furniture, Ratcliff, 1 year, March 2003

AERT, Springdale, 2 years, March 2003

Tyson Fayetteville Freezer, Fayetteville, 11 years,  
April 2003

**SAFETY AWARDS PRESENTED FROM JULY 1976—JUNE 2003**

<b>Fiscal Year</b>	<b>Accum. Year</b>	<b>Merit</b>	<b>1 Million</b>	<b>2 Million</b>	<b>3 Million</b>	<b>4 Million</b>	<b>5 Million</b>	<b>6 Million</b>	<b>7 Million</b>	<b>8 Million</b>	<b>9 Million</b>	<b>10 Million</b>
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		
01-02	30	4	18	6	3	5	2					1
02-03	41	2	14	6	1	2	2	1				
<b>TOTAL</b>	<b>270</b>	<b>216</b>	<b>322</b>	<b>93</b>	<b>39</b>	<b>23</b>	<b>18</b>	<b>6</b>	<b>3</b>	<b>2</b>	<b>0</b>	<b>1</b>



***(l to r) Sid Degarmo, Alcoa Environmental Health and Safety Manager and Ed Black, Arkansas Alcoa Operations Manager accept a Two Million Work Hours Safety Award from Director of Labor James L. Salkeld.***

- Wal-Mart Distribution Center #6007, Fort Smith, 6 years, April 2003
- Tyson Foods, Dardanelle Complex, Morrilton, 19 years, April 2003
- East-Harding Inc., Little Rock, 2 years, April 2003
- Flanders, Fort Smith, 1 year, May 2003
- Weyerhaeuser Treating Plant, DeQueen, 5 years, May 2003
- Arkansas State Plant Board, Little Rock, 7 years, June 2003
- Arkansas State Plant Board—Bureau of Standards, Little Rock, 4 years, June 2003
- Phelps Dodge Magnet Wire, Bentonville, 2 years, June 2003
- Wayne Farms Hatchery, Danville, 11 years, June 2003
- Odom's Tennessee Pride Sausage, Little Rock 1 year, June 2003
- Johnson Manufacturing, Harrison, 2 years, June 2003
- Kaneb Pipe Line Company, Ammonia Division, Franklin, 9 years, June 2003
- Kaneb Pipe Line Company, Ammonia Division, Floral, 9 years, June 2003
- Kaneb Pipe Line Company, Ammonia Division, Pine Bluff, 9 years, June 2003

## STATEWIDE SAFETY SEMINARS

The Arkansas Department of Labor, the U.S. Department of Labor and the Arkansas Workers' Compensation Commission presented ten well-attended safety conferences across the state, sometimes with additional sponsorship from local safety associations. Preventing Occupational Injuries and Illnesses seminars were held in Jonesboro, Little Rock, Crossett, Fort Smith, Russellville, El Dorado, Springdale, Ashdown, Batesville, and West Memphis during this fiscal year and 1,415 participants attended.

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.



***Judy Harwell handles registration for our statewide safety conferences.***

The conferences each last one day, with four or more subjects discussed at each location. Subjects include the following: safety and health hazard recognition, personal protective equipment, effective safety committees, violence in the workplace, means of egress, ergonomics, behavioral safety and more.

The Safety Division also held a number of specially designed seminars across the state during this fiscal year in order to address safety and health is-

<b>FILM AND VIDEO LIBRARY USAGE 2002-2003 Fiscal Year</b>		
	<b># Videos</b>	<b># Companies</b>
<b>Little Rock</b>		
Private Sector	1,197	499
Public Sector	<u>778</u>	<u>299</u>
<b>Total</b>	<b>1,975</b>	<b>798</b>
<b>Black River</b>		
Private Sector	36	8
Public Sector	<u>12</u>	<u>5</u>
<b>Total</b>	<b>48</b>	<b>13</b>
<b>Fort Smith</b>		
Private Sector	11	13
Public Sector	<u>34</u>	<u>4</u>
<b>Total</b>	<b>45</b>	<b>17</b>
<b>TOTAL</b>	<b>2,023</b>	<b>811</b>

sues that are of major concern today. These seminars dealt with issues that have proven to 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 and more.

## FILM AND VIDEO LIBRARY

The Safety Division of the Arkansas Department of Labor houses two film libraries and media centers that are co-sponsored by the Arkansas Department of Labor, and the Arkansas Workers' Compensation



***Nita Matlock assists companies from all over the state in borrowing training materials from our Little Rock library.***

Commission. The original and most extensive library is at our Little Rock office. Another is located at Black River Technical College's satellite campus in Paragould. The media center housed in Fort Smith is temporarily closed but will relocate in the near future.

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.

To borrow a video or a film, the requesting party 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@mail.state.ar.us](mailto:juanita.matlock@mail.state.ar.us)

## THE SAFETY DIVISION IS COMPRISED OF THE FOLLOWING SECTIONS

### OSHA CONSULTATION DIVISION

The OSHA Consultation Division employs six safety consultants, four 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.

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.

Small employers (companies with 250 employees on site and no more than 500 at all sites corporation-wide) 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 Pro-

**OSHA CONSULTATION  
ACTIVITY REPORT  
Fiscal Year July 2002-June 2003**

<b>Total Companies Assisted</b>	<b>490</b>
<b>Total Employees Affected</b>	<b>60,566</b>
<b>Initial Visits</b>	
Safety Consultant Visits	389
Health Consultant Visits	<u>120</u>
<b>Total</b>	<b>509</b>
<b>Training and Assistance Visits</b>	
Safety Consultant Visits	32
Health Consultant Visits	<u>19</u>
<b>Total</b>	<b>51</b>
<b>Follow-up Visits</b>	
Safety Consultant Visits	9
Health Consultant Visits	<u>20</u>
<b>Total</b>	<b>29</b>
<b>Total Safety Visits</b>	<b>430</b>
<b>Total Health Visits</b>	<b>159</b>
<b>Grand Total Visits</b>	<b>589</b>
<b>HAZARDS IDENTIFIED</b>	
<b>Serious Hazards</b>	
Safety Hazards Identified	4,051
Health Hazards Identified	<u>381</u>
<b>Total</b>	<b>4,432</b>
<b>Other-Than-Serious Hazards</b>	
Safety Hazards Identified	1,143
Health Hazards Identified	<u>43</u>
<b>Total</b>	<b>1,186</b>
<b>Regulatory Hazards</b>	
Safety Hazards Identified	108
Health Hazards Identified	<u>10</u>
<b>Total</b>	<b>118</b>
<b>Total Safety Hazards Identified</b>	<b>5,302</b>
<b>Total Health Hazards Identified</b>	<b>434</b>
<b>Grand Total Hazards Identified</b>	<b>5,736</b>

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 Division 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 services described above, contact Leo Swaby at (501) 682-4516 or e-mail [swaby.leo@dol.gov](mailto:swaby.leo@dol.gov) or Tonia Cooper at (501) 682-4527 or e-mail [cooper.tonia@dol.gov](mailto:cooper.tonia@dol.gov) or call Clark E. Thomas at (501) 682-4522 or e-mail [thomas.clark@dol.gov](mailto:thomas.clark@dol.gov)



*(l to r) Industrial Hygienists Rosemary Coleman, Gina Prasifka, Tonia Cooper, and Ronnie Deloney inspect equipment before going out in the field to conduct tests.*

gram). In this program, the employer is removed from OSHA's programmed inspection schedule for one to two years. Starting in July 2002, along with a certificate, companies receive a special SHARP banner or flag to recognize their outstanding safety program.

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.

OSHA consultants have a wealth of handout material for employers on various health and safety issues. This division has training brochures and guides covering areas such as employee noise training, working in hot environments, hazard communication and

**AOSH DIVISION  
COMPLIANCE AND  
CONSULTATION**

AOSH is an acronym for Arkansas Occupational Safety and Health. This division is responsible for administering Arkansas's laws dealing with safety and health.

AOSH investigates complaints, accidents, and fatalities in public sector workplaces and checks 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, colleges, universities and state agencies free of charge. During the fair season, AOSH inspects amusement rides at county, district, and state fairs and permanent rides at the state's various theme parks, and go-kart tracks.

The AOSH Division comprises both safety inspectors and industrial hygienists. The industrial hygiene group focuses on protecting the health of employees and is 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 and known as Safety Code 12. The purpose of this law is to provide public employees with information and training concerning any hazardous chemicals with which they may work.

AOSH industrial hygienists 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 class, contact AOSH Supervisor Mike Watson at (501) 682-9091 or e-mail [mike.watson@mail.state.ar.us](mailto:mike.watson@mail.state.ar.us)

AOSH Consultation is aggressively involved in



***(l to r) AOSH Consultants Charles Ferguson, Harry Lenhart, Kevin Looney, Reiman Diles, Anthony Fleming, Bernie Fullaway, Wilburn New, Charlotte Burton, Bob Cook and Supervisor Mike Watson perform a variety of duties across the state to assure the safety of Arkansas workers.***

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", "serious" or "other than serious". The consultants provide information on specific conditions (hazards), on the potential effects the hazards may cause, 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 free of charge by the AOSH Consultation Division are Public Employees' Chemical Right To Know, Bus Shop Safety, Kitchen Safety, Trenching and Excavation, Blood Borne Pathogens Programs, Respirator Programs, and General Safety. Additionally, on-site informal training is provided at the time of the consultation visit.

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. Several seminars are held throughout the state for the public sector each year.

For more information about AOSH, call Mike Watson at (501) 682-9091, or e-mail [mike.watson@mail.state.ar.us](mailto:mike.watson@mail.state.ar.us) or Richard Steward at (501) 682-4521

<b>AOSH PUBLIC SECTOR SUMMARY 2002-2003 FISCAL YEAR</b>	
Accident investigation reports (public sector)	10
Fatality investigation reports (public sector)	1
Complaint investigations (public sector)	20
Items cited	110
<b>CONSULTATION/COMPLIANCE</b>	
Initial consultation reports for the public schools, technical schools, colleges and universities, state agencies, and other public sector entities	520
Follow-up visits	42
Items cited	2,275
Serious items	1,901
Other-than-serious items	281
Employees affected by hazards found	39,126
<b>TRAINING CLASSES</b>	
Number classes/seminars conducted	29
Number employees trained	1,068
<b>AMUSEMENT RIDE INSPECTIONS</b>	
Amusement Ride Inspections/Reports	251
Number of rides inspected	2,187
Total employees affected	3,793
Total amusement ride accident investigations	4
Total complaints on amusement rides investigations	2
Total items cited	880
Total fees collected	\$55,800.00

## STATE MINES DIVISION

The Mine Office located in Fort Smith, Arkansas was moved, along with all its services, to the Arkansas Department of Labor's Little Rock office at the end of the 2002-2003 fiscal year. The Arkansas Legislature created this division over 100 years ago. In 1995, the legislature enacted the Quarry and Open Pit Mine Blasting Control Act, which gave the division jurisdiction over restrictions and limits on blasting at quarries and open pit mines in the state.

The division 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.

For more information you may call the blasting inspector supervisor, George Ainsworth at (501) 690-8774.

### BLASTING SUMMARY JULY 2002-JUNE 2003

10 blasting complaints received  
 5 blasting investigations conducted  
 46 blasting consultations conducted  
 48 blasting cards were issued through class attendance  
 18 blasting cards were issued through reciprocity  
 Two 40-hour blasting classes were conducted for 8 attendees  
 Eight 20-hour blasting classes were conducted for 51 attendees  
 Twelve 8-hour blasting classes were conducted for 111 attendees  
 1 seismograph monitoring

## MSHA DIVISION MINE SAFETY AND HEALTH ADMINISTRATION

The Mine Safety and Health Administration (MSHA) Division assists miners in complying with the federal safety and health laws. This is done through free on-site consultation visits and assistance in preparing annual training plans and helping with training records. They also offer training classes free

### MSHA TRAINING CLASSES JULY 2002—JUNE 2003

COURSES	# OF CLASSES	TOTAL ATTENDED
Basic First Aid	66	578
CPR Heartsaver	67	533
MSHA New Miner (metal/nonmetal)	26	216
MSHA Annual Refresher (metal/nonmetal)	52	783
MSHA Surface Coal First Aid Annual Refresher	1	5
MSHA Surface Coal Annual Certification Refresher	1	5
MSHA Surface Coal Electrical Cert. Refresher	1	7
MSHA Underground Coal Electrical Cert. Refresher	1	7
MSHA Instructor	4	16
<b>Total</b>	<b>219</b>	<b>2,150</b>

of charge to certify miners under federal requirements. There is however a \$10.00 fee for the First Aid and CPR training offered by MSHA and the Safety Training and Education Division. The division deposited \$6,040 to the State Treasurer this fiscal year for this training.

The MSHA staff is working closely with the Federal MSHA Inspectors to insure that assistance is there to help when any Arkansas mine operator or miner needs it. Also special emphasis seminars are conducted during the year as a joint venture with the State and Federal MSHA Divisions so more information can get to the mine operators than would be possible through individual on-site assistance.

The 2003 Annual Arkansas MSHA Safety and Health Conference was held at the Clarion Resort on the Lake in Hot Springs in February and will be held there again on February 12-13, 2004. During the 2002-2003 fiscal year, the MSHA Division trained 2,150 miners on safety and health issues. For more information on the MSHA Division, contact Bonita Stocks at (501) 682-4520 or e-mail bonita.stocks@mail.state.ar.us

## SAFETY TRAINING AND EDUCATION

The Safety Training and Education Division offers safety courses to industries, civic groups, and employee associations and unions. These classes are taught either at the employer's location or at the Department of Labor's Little Rock office.

Workshops are taught on a level that employees can relate to, using real-life experiences and examples that workers can apply to their own jobs. Videos, charts, hands-on demonstrations, and handouts are used to relay the information as effectively as possible. The instructors strive to make learning interesting and encourage employees to work safely.

During fiscal year 2002-2003, the Safety Training and Education Division taught 558 classes, training 4,278 Arkansas workers in such topics as First Aid, Powered Industrial Truck Safety, and CPR. There is a \$10 registration fee for the First Aid and CPR classes but the others are offered free of charge. The division deposited \$18,450 to the State Treasury.

For more information on classes taught by the Safety Training and Education Division, contact Bonita Stocks at (501) 682-4520 or e-mail [bonita.stocks@mail.state.ar.us](mailto:bonita.stocks@mail.state.ar.us)

### SAFETY TRAINING AND EDUCATION CLASSES JULY 2002—JUNE 2003

COURSES	# OF CLASSES	TOTAL ATTENDED
Back Safety	13	276
Basic First Aid	25	302
Limited First Aid	212	1,573
Heartsaver CPR	297	2,005
Powered Industrial Truck Train-the-Trainer	11	122
<b>Total</b>	<b>558</b>	<b>4,278</b>



*(l to r) Supervisor Bonita Stocks and Trainer John Boswell coordinate schedules as they travel the state presenting safety training to Arkansas employers and employees.*

# BOILER INSPECTION DIVISION

**Sammie E. Lyons, Chief Boiler Inspector**



The Boiler Division's main focus is to protect the citizens of the state of Arkansas from the inherent dangers of boilers and pressure vessels. Pressurized vessels must be handled with caution, as improper operation can cause accidents, which may result in extensive property damage, personal injury, or even death. A hot water heater may have enough pressurized force behind and explosion to propel a car as high as a 2-story building. It is vitally important, therefore, to set such standards of operation, regulation, and inspection to assure that a boiler or pressure vessel is safe to operate, and to assure the knowledge and capability of those who operate, repair, install, and inspect the vessels.

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

All firms making repairs to boilers or pressure vessels must be licensed by the state. Arkansas does not require an "R" Stamp to make welded repairs, but we fully support and encourage that weld repairs be made by a firm holding an "R" Stamp. Arkansas law requires that all welded repairs must be reported on the R-1 form. Improper welding can cause serious damage to a boiler or pressure vessel.

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. Located throughout the

state, boilers and pressure vessels are used as heat exchangers and to produce steam in hospitals, theaters, churches, industries, schools, office buildings, and electric generating plants. The temperatures and pressures of these type vessels range up to three hundred psi (pounds per square inch) and over one thousand degrees in temperature. Unless properly dealt with, they are considered to be extremely dangerous.

Most boilers today are equipped with automatic controls 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 helper, not his replacement.

The Boiler Inspection Division is proud to be a part of the National Board Tracking Report and Incident Report Programs. The Tracking Report identifies problem areas and trends related to boiler



***(l to r) Julie Dove, Loyce Brand, Tina Brown, Linda Black, Michelle Hartwick and (seated) Supervisor Maxine Wagley comprise the office staff that support the Boiler Inspection Division.***

## **BOILER ADVISORY BOARD**

and pressure vessel operation, installation, maintenance and repair. This information helps to identify the problems, which leads to enforcing repairs prior to adverse conditions occurring.

According to the 2002 Incident Report, which was the latest survey conducted by the National Board of Boiler and Pressure Vessel Inspectors, the year 2002 represents the lowest annual number of deaths, injuries and accidents since 1991. In 2002, there were five deaths, 22 injuries, and 1,663 accidents, which were boiler and pressure vessel related. We are proud to report that Arkansas had no deaths or injuries, and only one accident.

The boiler and pressure vessel inspectors are charged with making thorough inspections for the preservation of life and property. They must be ever on the alert to insure safety for the public. Each inspector must be qualified by examination and in possession of a current Arkansas and National Board of Boiler and Pressure Vessel Inspectors Commission.

An insurance or state boiler inspector normally makes the original recommendation for repairs. It is the Boiler Inspection Division's responsibility to make sure their recommendation has been complied with, which usually requires the inspectors to perform a follow-up inspection.

The low number of accidents is a direct result of thorough in-depth inspections. Our inspectors found 320 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 Division is made up of two equally important sections, the field force and the office staff. The field force is made up of four boiler inspectors, based in strategic locations within the state. These locations enable the inspectors to expedite emergency response and complete inspections in a timely manner. This allows the Boiler Inspection Division to control inspection expenses, while at the same time facilitating quicker response to the public needs. The office staff handles all the day-to-day functions, including issuing licenses, permits, certificates and all the paperwork submitted by state and insurance inspectors.

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 are also responsible for counseling and advising the Chief Inspector in the performance of his duties, and to assist him in giving examinations to prospective boiler operators, 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 boiler and pressure vessels, operating engineers, owners and users of boilers and pressure vessels, and boiler manufacturers. The Board members are:

**Richard Mille´**  
**Stephen Case**  
**Larry Wolf**  
**Bill McCoy**

## BOILER INSPECTION DIVISION—ANNUAL REPORT 2002-2003

Date	Boilers State		Boilers Insured		Boiler Op. License		Cert. Of Competency		Shop Inspections		Permits to Install PP		AA Inspections	
	No.	Fees	No.	Fees	No.	Fees	No.	Fees	No.	Fees	No.	Fees	No.	Fees
2002 Jul	753	\$17,429.00	1,622	\$26,160	428	\$ 5,188	97	\$1,505	1	\$1,752.50	4	\$ 400	0	0
Aug	656	14,987.36	934	12,860	732	8,940	4	90	0	0	5	500	0	0
Sep	588	13,944.62	708	10,340	510	6,318	9	155	0	0	0	0	0	0
Oct	454	11,107.00	1,625	21,460	595	7,284	2	50	0	0	1	100	0	0
Nov	350	8,255.00	1,605	24,390	388	4,976	2	50	0	0	4	400	0	0
Dec	537	12,231.00	1,151	15,690	595	7,240	7	145	4	2,458.79	2	200	0	0
2003 Jan	633	14,450.62	1,344	18,440	707	8,616	0	0	0	0	3	300	0	0
Feb	444	10,232.80	1,354	18,080	560	6,896	4	100	0	0	1	100	1	\$18
Mar	676	15,613.00	1,993	27,470	560	7,024	2	50	0	0	7	700	0	0
Apr	627	14,538.00	1,876	28,370	615	7,764	44	680	0	0	1	100	1	18
May	642	14,825.00	1,463	20,020	551	6,804	48	760	2	1,341.75	1	100	6	80
Jun	591	13,345.36	1,223	18,460	382	4,708	65	1,005	4	3,227.56	2	200	0	0
Total	6,951	\$160,958.76	16,898	\$241,740	6,623	\$81,758	284	\$4,590	11	\$8,780.60	31	\$3,100	8	\$116

Date	Permits to Install		Install & Repair Licenses		Misc. Charges		Total # Of Charges	Total Fees	Receipts
	No.	Fees	No.	Fees	No.	Fees			
2002 Jul	33	\$ 810	6	\$ 450	5	\$ 82	2,949	\$ 53,776.50	\$ 47,898.00
Aug	49	1,265	2	150	4	32	2,386	38,824.36	41,817.86
Sep	10	235	3	225	21	100	1,849	31,317.62	39,141.62
Oct	17	520	5	375	36	186	2,735	41,082.00	36,253.00
Nov	94	2,325	135	10,125	2	54	2,580	50,575.00	47,233.00
Dec	51	1,415	344	25,800	2	54	2,693	65,233.79	70,368.00
2003 Jan	23	515	53	3,975	54	278	2,817	46,574.62	41,182.41
Feb	42	1,250	17	1,275	14	226	2,437	38,177.80	41,092.00
Mar	55	1,530	9	675	5	82	3,307	53,144.00	45,090.00
Apr	28	660	8	600	72	304	3,272	53,034.00	52,886.00
May	8	225	4	300	2	24	2,727	44,479.75	43,494.00
Jun	15	525	5	375	5	82	2,292	41,927.92	43,377.44
Total	425	\$11,275	591	\$44,325	222	\$1,504	32,044	\$558,147.36	\$549,833.33



# BOARD OF ELECTRICAL EXAMINERS

**Ron Baker, Labor Code Enforcement Administrator**

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.

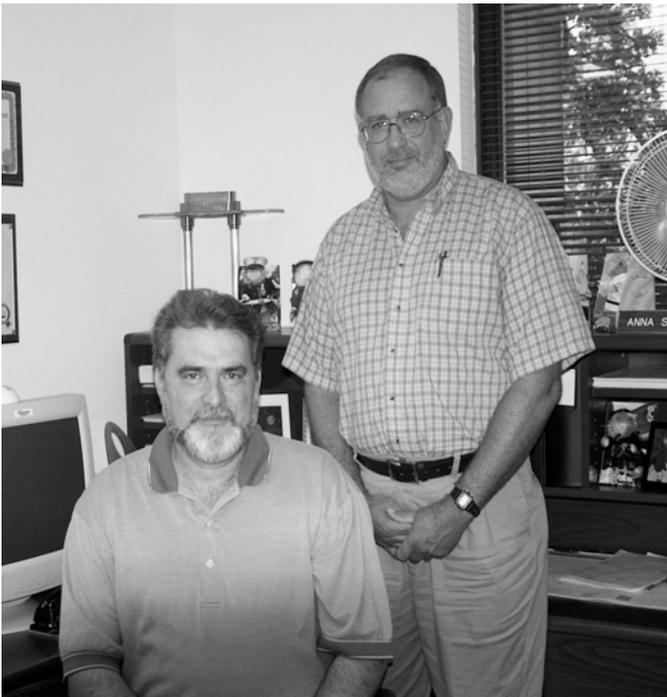
An applicant for a state electrician's license must pass a written examination administered by the board, in addition to meeting experience or education requirements. Examinations are held in Little Rock, Fayetteville, and Fort Smith.

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", if an electrician is licensed in another state. Cities still require permits and inspections, and may require 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, 2002 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 of the National Electrical Code and provide information on licensing and inspection requirements on the local level. They are authorized to conduct investigations into complaints against licensed electricians, and then submit the information to the board for consideration. The board may then conduct a hearing to consider the suspension or revocation of the electrician's license for cause.

The Arkansas Board of Electrical Examiners has issued a total of 10,572 licenses during this fiscal year. A statistical breakdown follows.



***(l to r) Labor Code Enforcement Administrator Ron Baker and Chief Electrical Inspector Charles Covington have worked closely on revisions to the electrical rules and regulations.***

<b>BOARD OF ELECTRICAL EXAMINERS LICENSES ISSUED—FY 2002-2003</b>	
Industrial Maintenance	1,450
Residential Master	237
Residential Journeyman	73
Electrical Apprentice	2,031
Electrical Contractor	109
Master	4,176
Journeyman	2,197
Air Conditioning	186
Temporary Journeyman	107
Temporary Master	6
<b>TOTAL</b>	<b>10,572</b>
Industrial Maintenance Testing	37

## **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 2002-2003:

**Gary Ferrell, Chairperson**

**J.D. Chastain**

**Robert Thompson**

**Hugh Brewer**

**Paul Brown**

**Danny King**

**Ed Carrington**

**Sammie Cox**

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



# ELEVATOR SAFETY DIVISION

**Larry Smothers, Chief Elevator Inspector**

The Elevator Safety Division 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.* 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. Fees are charged for each function.

For more information on the Elevator Safety Division, call Chief Elevator Inspector Larry Smothers at (501) 682-4530, Fax (501) 682-1765, or e-mail [larry.smothers@mail.state.ar.us](mailto:larry.smothers@mail.state.ar.us) or [jean.kilby@mail.state.ar.us](mailto:jean.kilby@mail.state.ar.us)

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 who serves as the chairman, and the Governor appoints the other four members. One member represents owners and lessees of elevators in Arkansas; one member represents elevator manufacturers; one member represents insurance companies that insure elevators in Arkansas; and one member represents the public at large.

The board meets at the call of the Director of Labor 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 Division.

## ELEVATOR SAFETY BOARD

The mission of the Elevator Safety Board is to

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**

**Steve Kinzler, representing the public at large**



***(l to r) Elevator Inspector Ed Penn, Administrative Assistant Jean Kilby, and Chief Elevator Inspector Larry Smothers work to assure the safety of all the elevators, escalators and dumbwaiters in the state.***

**ELEVATOR SAFETY DIVISION  
2002-2003 STATISTICAL SUMMARY**

Construction permits issued on elevator installations	166
Modernizations and alterations on existing elevator	53
Certificates of Operation (renewed)	3,711
Certificates of Operation (new)	168
Temporary Certificates of Operation	38
Inspection reports (posted and filed)	5,574
Five year full load safety test reports posted, filed and billed	153
Three year pressure test reports posted, filed and billed	404
Acceptance tests witnessed	166
Re-inspection of new elevators	53
Accident investigations	2
Semi-annual inspections	58
Elevator Inspector's license issued	19
Deposited to the State Treasury	\$211,597.91



# LABOR STANDARDS DIVISION

Cindy Uhrynowycz, Labor Standards Administrator

The Labor Standards Division comprises the Wage and Hour Division, Private Employment Agency, Wage Claims, and the Prevailing Wage Division.

## WAGE AND HOUR DIVISION

The Wage and Hour Division administers and enforces the Arkansas labor laws relating to minimum wage, overtime, student learners, child labor, disabled workers and equal pay.

Field staff conducts routine inspections of

workplaces throughout the state providing information, enforcing the labor laws, investigating complaints and consulting with both employers and employees.

The Little Rock staff assists the public in understanding their rights and responsibilities under the wage and hour law, and pursues reported violations of the law. They also coordinate the activities of the field staff, standardize enforcement procedures, and interpret the rules and regulations.

The Wage and Hour Division 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. Arkansas' minimum wage became \$5.15 on October 1, 1997.

### WAGE AND HOUR STATISTICAL SUMMARY FISCAL YEAR 2002-2003

<b>No. Inspections</b>	<b>2,298</b>
No. Employees	30,534
Minors under 16	378
Minors under 18	3,994
Females	15,851
Males	10,354
Minimum Wage Employees	2,471
Overtime Employees	380
Interviews	622
<b>Total Violations</b>	
Under Age	11
Employment Certificate	96
Hours Child Under 16	81
Hours Under 18	118
Hazardous Occupations	4
Record keeping	147
Poster	112
Minimum Wage	48
Overtime	55
<b>Minimum Wage and Overtime Restitution</b>	
Computed	\$194,606.53
Collected	32,499.49
<b>Child Labor Civil Money Penalties</b>	
Computed	\$1,558,879.25
Collected	100,902.82
<b>Work Permits Issued</b>	<b>2,401</b>

## PRIVATE EMPLOYMENT AGENCY DIVISION

Arkansas Code Annotated §11-11-101 et seq. authorized the Private Employment Agency Division 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 Division. They also investigate any complaints concerning agency activities.

The Private Employment Agency Division en-



***(l to r) Labor Standards Administrator Cindy Uhrynycz, Judy Eason, Jill Stacy and Donna Brannon expedite all wage and hour, private employment agency and wage claim processes from our Little Rock office.***

forces a ninety-day guaranty provision that states that 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.

## **WAGE CLAIMS DIVISION**

The Wage Claims Section is authorized by Arkansas Code Annotated §11-4-301 through 304 to collect unpaid wages involving \$1,000 or less for employees that work or worked in this state. This section 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 an employees' wages.

In 2002, the structure of the Wage Claims Division was changed. 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. Field investigations on wage claims may be done by the Labor Standards Wage and Hour Inspectors. After an investigation, the inspector issues a preliminary wage determination as to the validity of the claim received.

After notification of the preliminary order, a dis-

satisfied party may request an administrative hearing. If the claim remains unresolved, it may be forwarded to the Arkansas Department of Labor Legal Division.

Services rendered by the Wage Claims Division are free of charge.

<b>LABOR STANDARDS DIVISION WAGE CLAIMS—2002-2003</b>	
<b>Wage Claims Filed</b>	
Number of Claims—450	Amount of Claims—\$234,937.84
<b>Wage Claims Collected</b>	
Number of Claims—79	Amount of Claims—\$32,384.67
<b>Wage Claims Closed</b>	
Number of Claims—251	Amount of Claims—\$159,832.12
<b>Wage Claims Referred to Legal Division</b>	
Number of Claims—17	Amount of Claims—\$10,825.96
<b>Pending Wage Claims</b>	
Number of Claims—150	Amount of Claims—\$62,099.68
<i>These numbers exclude October, November and December 2002, when our system was being reorganized and the database was being set up.</i>	

## **PREVAILING WAGE DIVISION**

The Prevailing Wage Division 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.

Over 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 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.

**PREVAILING WAGE DETERMINATIONS  
BY COUNTY—FY 2002-2003**

County	Hvy. Const.	Bldg. Const.	Multiple	Resid.	Total	\$ Amt.
Arkansas	1	3	0	0	4	\$ 725,000
Ashley	0	3	1	0	4	3,103,500
Baxter	2	3	0	1	6	3,988,250
Benton	4	21	2	0	27	84,859,224
Boone	0	1	0	0	1	172,000
Bradley	3	2	0	0	5	5,545,575
Calhoun	1	0	0	0	1	85,000
Carroll	1	2	0	0	3	7,870,000
Chicot	2	0	0	0	2	1,350,000
Clark	9	1	0	0	10	3,620,000
Clay	1	4	0	0	5	610,000
Cleburne	2	2	0	0	4	3,845,150
Columbia	3	0	0	0	3	12,573,000
Conway	2	3	1	0	6	5,475,138
Craighead	8	1	0	0	9	32,922,592
Crawford	0	3	0	0	3	81,440,000
Crittenden	1	4	0	0	5	1,100,000
Cross	1	1	1	0	3	5,272,552
Desha	2	2	0	0	4	2,382,000
Drew	1	3	1	0	5	1,074,600
Faulkner	5	3	0	0	8	4,430,000
Franklin	1	0	0	0	1	350,000
Fulton	1	0	0	0	1	125,000
Garland	4	4	0	0	8	3,518,630
Greene	4	5	1	0	10	6,900,000
Hempstead	1	1	0	0	2	500,000
Hot Spring	0	2	0	1	3	440,000
Howard	2	2	0	0	4	6,100,000
Independence	4	3	0	0	7	4,288,000
Izard	2	1	0	0	3	720,000
Jackson	1	0	0	1	2	256,000
Jefferson	3	5	0	0	8	2,315,500
Johnson	0	1	0	0	1	180,000
Lafayette	1	0	0	0	1	80,000
Lawrence	1	1	0	0	2	850,000
Lincoln	2	1	0	0	3	280,000
Little River	0	1	0	0	1	165,000
Logan	3	0	0	0	3	22,870,000
Lonoke	4	5	0	0	9	\$ 2,266,400
Marion	0	3	0	0	3	950,000
Miller	0	1	0	0	1	100,000
Mississippi	2	2	0	0	4	1,875,000
Monroe	1	2	0	0	3	420,000
Nevada	0	2	0	1	3	620,000
Newton	1	0	0	0	1	125,000
Quachita	1	0	0	0	1	1,250,000
Perry	1	2	0	0	3	1,763,000
Phillips	3	1	0	0	4	895,000
Pike	1	5	2	0	8	4,209,060
Poinsett	1	2	0	0	3	850,000
Polk	5	1	0	0	6	3,077,545
Pope	6	4	0	1	11	4,230,075
Pulaski	44	29	2	1	76	47,995,943
Randolph	2	1	0	0	3	950,000
St. Francis	2	3	0	0	5	660,000
Saline	3	9	1	0	13	7,838,000
Scott	0	2	1	0	3	1,250,000
Sebastian	15	13	2	0	30	14,125,633
Sevier	2	2	0	0	4	653,000
Stone	0	3	0	0	3	407,131
Union	1	4	0	0	5	9,872,300
Van Buren	1	0	1	0	2	11,037,000
Washington	33	17	0	0	50	100,569,133
White	2	4	0	0	6	2,843,000
Yell	0	2	2	2	6	3,891,152
<b>Total</b>	<b>212</b>	<b>214</b>	<b>19</b>	<b>8</b>	<b>453</b>	<b>\$595,552,543</b>
% of Total	47%	47%	4%	2%	100%	

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

**PREVAILING WAGE DIVISION  
SUMMARY OF  
WAGE DETERMINATIONS  
ISSUED—JULY 1, 2002—JUNE 30, 2003**

Mo.	Bldg.	Hvy.	Multiple	Resid.	Total	Dollar Amount
Jul	29	27	0	0	56	\$ 44,432,867.00
Aug	19	17	0	0	36	48,415,600.00
Sep	15	21	0	1	37	22,798,154.00
Oct	13	13	6	0	32	41,494,843.00
Nov	10	18	3	2	33	17,110,863.00
Dec	17	18	3	3	41	89,822,802.00
Jan	18	16	2	1	37	117,684,815.00
Feb	17	14	2	1	34	27,176,128.00
Mar	14	21	0	0	35	95,505,678.00
Apr	27	31	1	0	59	55,373,126.00
May	19	13	2	0	34	23,510,536.00
Jun	14	5	0	0	19	12,227,131.00
<b>Tot.</b>	<b>212</b>	<b>214</b>	<b>19</b>	<b>8</b>	<b>453</b>	<b>\$595,552,543.00</b>
% of Total	47%	47%	4%	2%		



***Don Cash conducts wage surveys and investigations.***

performed by incorporated towns, cities, counties or the Arkansas State Highway and Transportation Department, and public school construction.

During Fiscal Year 2002-2003, the Prevailing Wage Division issued 453 wage determinations with a total estimated value of \$595,552,543.00.

The Prevailing Wage Law also empowers the Director of Labor or his representatives to investigate any alleged violation. As a result of such investigations, the Prevailing Wage staff collected and disbursed \$44,777.54 in back wages from eight companies for the benefit of 77 employees. The Legal Division settled two cases for a total of \$38,276.66 in back wages from two companies for the benefit of 71 employees. Total back wages collected were \$83,054.20 from ten companies for 148 employees. At the end of the fiscal year, the Prevailing Wage Division had two claims being processed and two claims pending in the Legal Division.

## **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 ex-

ecutive 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.

**Robert Laman, Director  
State Building Services**

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

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

**Edward Finney  
Doyne Construction Company**

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

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

**Lewis May, President  
May Construction Co., Inc.**

**James C. Aldridge Sr.  
J.C. Aldridge & Son, Inc.**

**Steve Schaeffer, Executive Director, Associated  
Builders and Contractors, Inc.**

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



# MEDIATION AND CONCILIATION

**Edward L. House, State Mediator**

Arkansas Code Annotated §11-2-201 et seq. authorizes the Mediation and Conciliation Division 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 2002-2003, he received notices from 78 local unions and employers of contract negotiations. He participated in 28 of those negotiations and attended 75 other meetings. There was one strike during the fiscal year. He also coordinated the Fifth Annual Labor Management Conference which is held each year in Hot Springs.



***State Mediator Ed House participates in numerous contract negotiations across the state.***

# OSH/CFOI DIVISION

Leon Cornett, Agency Program Coordinator



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 as follows:

Data on occupational injuries and illnesses was compiled under the Occupational Safety and

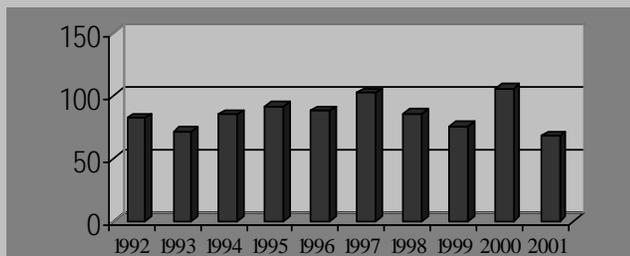
Health (OSH) program. For 2001, 5.8 work-related injuries and illnesses were reported for every 100 full-time workers in private industry in Arkansas. This was down for the ninth consecutive year. Sprains and strains accounted for over 44% of these work-related injuries and illnesses that required recuperation away from work. This is the tenth 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 department is hopeful that this data will be very useful in developing additional training programs for employers and employees, and in assisting them in increasing their awareness of potential occupational hazards.

For more information or copies of the publications on OSH or CFOI statistics, contact Leon Cornett at 501-682-4542 or visit our website at [www.accessarkansas.org/labor](http://www.accessarkansas.org/labor)

## Number of Fatalities from 1992 - 2001

■ # Fatalities



*Sharon Schmidt conducts surveys of occupational injuries, illnesses and deaths in the state of Arkansas.*



# LEGAL DIVISION

**Denise Oxley, Attorney Supervisor**

The Legal Division of the Arkansas Department of Labor handles all legal matters on behalf of the Director, including advising each division on such matters as the interpretation and application of state and federal law. The staff attorneys have the responsibility of reviewing proposed legislation and drafting administrative regulations. They also serve as a source of information for the public and other state agencies regarding Arkansas's labor laws.

Individual wage claims, together with violations of state minimum wage and overtime laws and prevailing wage laws constitute much of the litigation handled by this division. In addition, court action may be initiated for the enforcement of the state's safety laws and laws regulating such operations as boilers, elevators, and private employment agencies.

At the end of the 2002-2003 fiscal year, the Legal Division had collected \$89,936.31.



***Daniel Faulkner, the newest attorney in the Legal Division, assists the public with questions regarding labor laws in Arkansas.***

<b>LEGAL DIVISION COLLECTIONS</b>								
<b>Fiscal Year 2002-2003</b>								
<b>07/02— 6/03</b>	<b>Child Labor</b>	<b>Wage/Hour</b>	<b>Wage Claims</b>	<b>Boiler</b>	<b>Elevator</b>	<b>Prevailing Wage</b>	<b>AOSH</b>	<b>Monthly Totals</b>
July	\$ 500.00	\$ 2,617.00	\$1,124.50	\$ 183.00				\$ 4,424.50
August	500.00	1,768.41		246.00				2,514.41
September	500.00	3,033.92						3,533.92
October	500.00	2,367.76	877.43	143.00				2,474.19
November	1,000.00		309.00	33.00				1,342.00
December	2,090.00		1,646.23	376.00				4,112.23
January	1,887.92	327.37	911.96	150.00	\$100.94			3,378.19
February	240.00	327.37	984.77	437.80		\$17,841.00		19,830.94
March	4,740.00	1,327.37		466.00		14,000.00		20,533.37
April	240.00	1,592.85	2,253.20	80.00		6,435.66		10,601.71
May	240.00	7,681.17	1,181.00	240.00				9,342.17
June	4,045.00	3,271.37	264.31	198.00			\$70.00	7,848.68
<b>YTD Total</b>	<b>\$16,482.92</b>	<b>\$24,314.59</b>	<b>\$9,552.40</b>	<b>\$2,552.80</b>	<b>\$100.94</b>	<b>\$38,276.66</b>	<b>\$70.00</b>	<b>\$89,936.31</b>

# PLANNING AND PUBLICATIONS

Jeanette Donahue, Manager



***(l to r) Jeanette Donahue and Sharon Adams have composed the Planning and Publications Division since 1990.***

tion 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.accessarkansas.org/labor](http://www.accessarkansas.org/labor)

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

The division 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. Due in part to increased readership, a record 34,760 newsletters went out to workers in Arkansas during the 2002-2003 fiscal year. The division also publishes a monthly employee calendar entitled *The Laborgram*.

With the exception of the newsletters, the department's most frequently requested publication is the *Arkansas Laws Relating to Labor* manual, which is updated each biennium when the Arkansas General Assembly passes revisions to the law. Other available publications include *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 addi



# ADMINISTRATIVE SERVICES

**Becky Bryant, General Business Manager**

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

## FINANCE AND PERSONNEL

The Finance and Personnel Section is directly responsible for establishing and monitoring the agency's annual budget, managing federal grants, purchasing and inventory control, policy implementation and management of personnel recruitment, employee benefits and payroll. The agency's total FY2003 budget was approximately \$5,836,288.



***(l to r) Vicki Campo, Kay Stacy, General Business Manager Becky Bryant, Linda Whisnant, and Robyn Clark conduct all finance and personnel duties for the department.***

## INFORMATION TECHNOLOGY

The Information Technology Section is responsible for planning, designing, implementing, installing, and maintaining the agency's computer network, all associated components, and related data-



***(l to r) Ken Anderson, Don Gantt, and IT Manager Doris Anderson maintain all computers and networks in addition to designing on-line services.***

bases and business operations.

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. All stateside agency desktops and notebooks operate under the Windows 2000/Office 2000 environment.

We are continuously improving and expanding in-house training classes for our employees. We are striving to streamline processes such as license renewals, certifications, and permits. We are partnering with the Information Network of Arkansas (INA) to offer online renewals for licenses, and we are adding other online opportunities as they are developed.

The database for the AOSH Amusement Ride Inspectors is in full implementation and this database will serve as a model for other states to follow.