



Arkansas  
Department of  
**Labor**

**2004**  
**Annual Report**





**Working together to make Arkansas stronger.**

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**Arkansas  
Department of Labor**

**2004 Annual Report**  
2003-2004 Fiscal Year



**MIKE HUCKABEE**  
Governor  
State of Arkansas

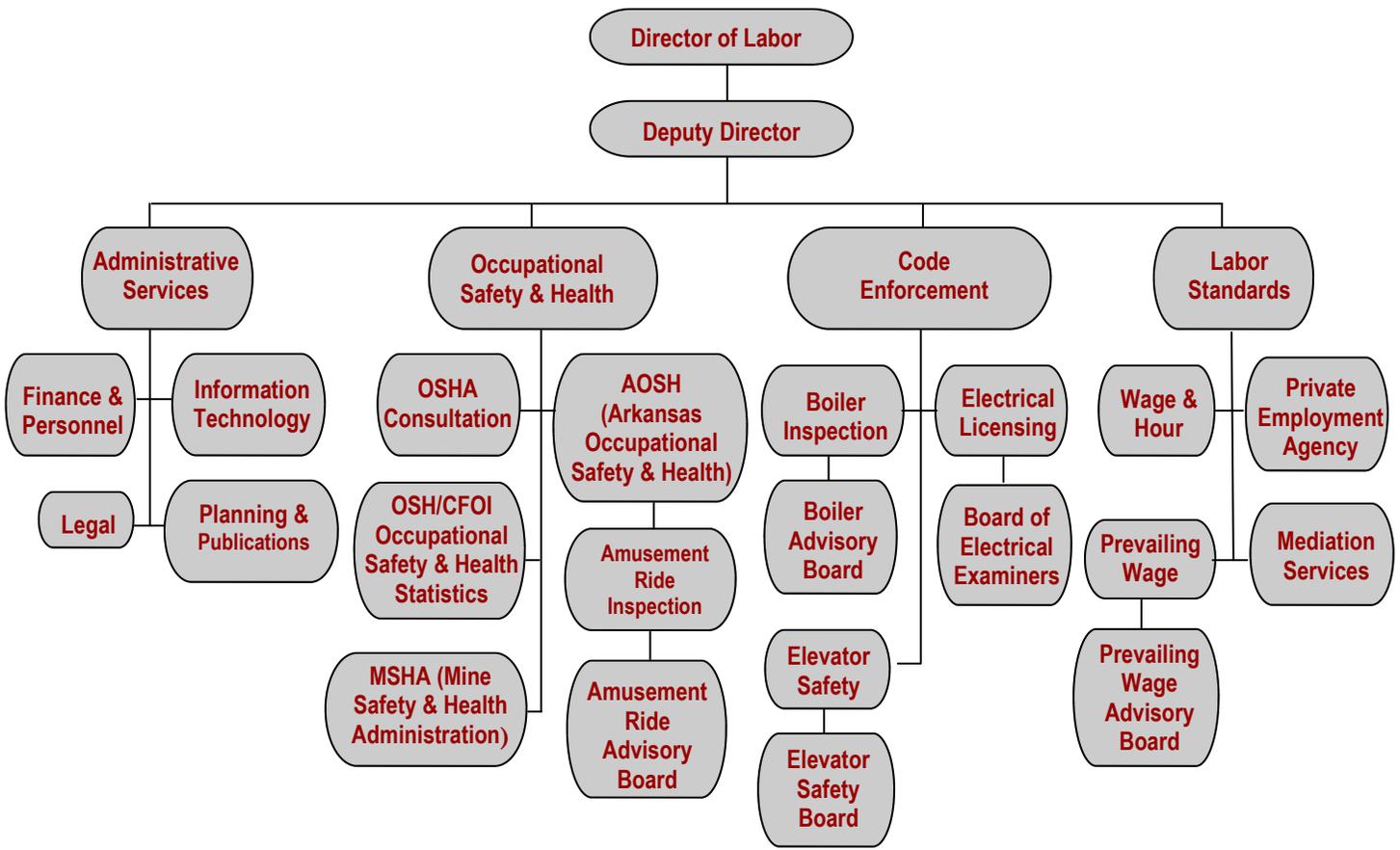


**JAMES L. SALKELD**  
Director  
Arkansas  
Department of Labor





# Organizational Chart





# Table of Contents

<b>Occupational Safety and Health Division</b>	<b>1</b>
Safety Awards	1
Statewide Safety Seminars	4
Film and Video Library	5
OSHA Consultation	6
AOSH	8
Amusement Ride Inspection	9
Amusement Ride Advisory Board	10
MSHA—Mine Safety and Health Administration	11
OSH/CFOI	12
<b>Code Enforcement Division</b>	<b>13</b>
Boiler Inspection	13
Boiler Advisory Board	16
Electrical Licensing	16
Board of Electrical Examiners	17
Elevator Safety	18
Elevator Safety Board	18
<b>Labor Standards Division</b>	<b>20</b>
Wage and Hour	20
Private Employment Agency	22
Prevailing Wage	22
Prevailing Wage Advisory Committee	23
Mediation and Conciliation	25
<b>Administrative Services Division</b>	<b>26</b>
Finance and Personnel	26
Information Technology	26
Legal	27
Planning and Publications	28

# Occupational Safety & Health Division

The 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' 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, 13 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
- Conducting annual surveys of workplace fatalities, injuries and illnesses in the state.

The 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 and supervisors who understand health and safety issues and can provide technical assistance on a wide variety of safety issues.



**Clark Thomas has 34 years of experience with the Department of Labor working in the field of safety and health.**



## SAFETY AWARDS

One service provided by the Occupational Safety and Health Division is 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 Occupational Safety and Health Division during the 2003-04 fiscal year:

**TEN MILLION WORK HOURS SAFETY AWARD**

Whirlpool Corporation, Fort Smith, June 2004

**NINE MILLION WORK HOURS SAFETY AWARD**

Whirlpool Corporation, Fort Smith, June 2004

**EIGHT MILLION WORK HOURS SAFETY AWARD**

Whirlpool Corporation, Fort Smith, June 2004

**SEVEN MILLION WORK HOURS SAFETY AWARD**

Whirlpool Corporation, Fort Smith, June 2004

**SIX MILLION WORK HOURS SAFETY AWARD**

Wal-Mart Warehouse #6008, Bentonville, December 2003  
Cargill Turkey Products, Springdale, March 2004  
Whirlpool Corporation, Fort Smith, June 2004

**FIVE MILLION WORK HOURS SAFETY AWARD**

Cargill Turkey Products, Springdale, September 2003  
Viskase Corporation, Osceola, October 2003  
Whirlpool Corporation, Fort Smith, November 2003  
Tyson Foods Inc., Springdale, April 2004

**FOUR MILLION WORK HOURS SAFETY AWARD**

Gates Corporation, Siloam Springs, September 2003  
Maybelline.Garnier, North Little Rock, October 2003  
Washington Demilitarization Co., Pine Bluff, March 2004  
Superior Industries International, Rogers, May 2004

**THREE MILLION WORK HOURS SAFETY AWARD**

Washington Demilitarization Co., Pine Bluff, September 2003  
Albemarle Company, Magnolia, December 2003  
Superior Industries International, Rogers, January 2004  
ConAgra Frozen Foods, Batesville, February 2004

**TWO MILLION WORK HOURS SAFETY AWARD**

International Paper Ride Rite, Fordyce, October 2003  
Tyson Foods, Nashville, November 2003  
International Paper, Conway, January 2004  
Superior Industries Interna-

tional, Rogers, January 2004  
Wal-Mart Distribution Center #6082, Clarksville, March 2004  
Poulan/Weedeater, Nashville, May 2004  
Wal-Mart SDDC, Bentonville, May 2004

**ONE MILLION WORK HOURS SAFETY AWARD**

Dixie, Fort Smith, July 2003  
Tyson Foods, Nashville, July 2003  
Ayrshire Electronics, Fayetteville, August 2003  
Anchor Packaging, Paragould, November 2003  
American Greeting, Osceola, December 2003  
Baxter Healthcare Corporation, Mountain Home, January 2004  
Tyson Distribution Center, Rogers, January 2004  
Scroll Technologies, Arkadelphia, February 2004  
Thomas & Betts, Jonesboro, February 2004  
Wal-Mart Distribution Center, Bentonville, June 2004

**SAFETY AWARD OF MERIT**

Tyson Foods, Berryville, January 2004

**ACCUMULATIVE YEARS SAFETY AWARD**

Sam's Distribution Center, Searcy, 11 years, August 2003  
Alltrista Industrial Plastics, Fort Smith, 1 year, September 2003  
River Valley Animal Food, Texarkana, 1 year, September 2003  
Americold Logistics, Texarkana, 1 year, September 2003  
Rommel Dam, Malvern, 50 years, September 2003  
Townsend's of Arkansas, Batesville, 5 years, September 2003  
Midwest Lime Company, Batesville, 12 years, September 2003

**SAFETY AWARDS PRESENTED  
FROM JULY 1976—JUNE 2004**

<b>Fiscal Year</b>	<b>Ac-cum. Year</b>	<b>Merit</b>	<b>1 Mil.</b>	<b>2 Mil.</b>	<b>3 Mil.</b>	<b>4 Mil.</b>	<b>5 Mil.</b>	<b>6 Mil.</b>	<b>7 Mil.</b>	<b>8 Mil.</b>	<b>9 Mil.</b>	<b>10 Mil.</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				
03-04	43	1	10	7	4	4	4	3	1	1	1	1
<b>TOTAL</b>	<b>313</b>	<b>217</b>	<b>332</b>	<b>100</b>	<b>43</b>	<b>27</b>	<b>22</b>	<b>9</b>	<b>4</b>	<b>3</b>	<b>1</b>	<b>2</b>

Tyson Packaging Warehouse, Russellville, 4 years, September 2003

Department of Human Services, 1100 Liberty Circle, Jonesboro, 1 year, October 2003

Department of Human Services, 1200 Liberty Circle, Jonesboro, 1 year, October 2003

Department of Human Services, 1400 Liberty Circle, Jonesboro, 1 year, October 2003

Department of Human Services, 1700 Liberty Circle, Jonesboro, 3 years, October 2003

Department of Human Services, 1800 Liberty Circle, Jonesboro, 1 year, October 2003

Mauser USA, Pine Bluff, 2 years, October 2003

Acme Brick, Malvern, 15 years, October 2003

Pine Bluff Wastewater Utility, Pine Bluff, 5 years, October 2003

Wrightsville Power Facility, Wrightsville, 1 year, October 2003

Concord Specialty Corrugated, Batesville, 1 year, November 2003

Mexican Original, Tyson Foods, Fayetteville, 1 year, November 2003

Tyson Foods, Inc., Natural Dam Hatchery, Cedarville, 5 years, November 2003

Tyson Valley Maintenance Center, Russellville, 9 years, December 2003

Norton Proppants, Bryant, 2 years, December 2003

Anthony Wood Treating, Hope, 11 years, December 2003

Smurfit-Stone Containers, Fort Smith, 1 year, January 2004

Arkansas State Plant Board, Little Rock, 8 years, January

2004

Tyson Foods, Morrilton, 20 years, February 2004

Elkhart Products, Fayetteville, 3 years, February 2004

Tyson Foods, Waldron Truck Stop, Waldron, 2 years, February 2004

Malvern MDF, Malvern, 1 year, February 2004

Performance Contractors Inc., West Memphis, 4 years, February 2004

Brentwood Industries, Hope, 2 years, February 2004

Tyson Foods Fayetteville Freezer, Fayetteville, 11 years, February 2004

Mexican Original—South, Tyson Foods, Fayetteville, 1 year, February 2004

Acme Brick Company, Ouachita Plant, Malvern, 10 years, March 2004

Potlatch Corporation R.M.D., Warren, 1 year, March 2004

River Valley Hatchery, Russellville, 1 year, March 2004

Tyson Valley Distribution Center, Russellville, 1 year, March 2004

Dardanelle Truck Shop, Dardanelle, 7 years, April 2004

American Railcar Industries Inc., Paragould, 1 year, April 2004

Wayne Farms, Danville, 12 years, April 2004

Barloworld Freightliner, Jonesboro, 1 year, May 2004

Tyson Foods Distribution Center, Russellville, 1 year, May 2004

Phelps Dodge Magnet Wire, Bentonville, 3 years, June 2004



The Arkansas Department of Labor, the U.S. Department of Labor and the Arkansas Workers' Compensation Commission presented 13 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, McGehee, Pine Bluff, Hope, and West Memphis during this fiscal year and 1,453 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.

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



**Director of Labor James L. Salkeld (right) presented a Two Million Work Hours Safety Award to International Paper Company in Conway on January 16, 2004.**

protective equipment, effective safety committees, sprains and strains, violence in the workplace, means of egress, ergonomics, behavioral safety, slips, trips and falls, and more.

The Arkansas Department of Labor, the federal OSHA Area Office, various associations, and other groups entered into a safety alliance this year that is focusing on safety training for employers and teens in grades 9-12 who work in fast food establishments and grocery stores. In addition to state and federal OSHA, other members of the Alliance 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 as well as different companies, events, and malls across the state. Various training materials on Teen Safety in general, including a promotional film, 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 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.



The Occupational Safety and Health 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 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 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.

<b>FILM AND VIDEO LIBRARY USAGE 2003-2004 Fiscal Year</b>		
	<b># Videos</b>	<b># Companies</b>
<b>Little Rock</b>		
Private Sector	1,218	478
Public Sector	<u>578</u>	<u>194</u>
<b>Total</b>	<b>1,796</b>	<b>672</b>
<b>Black River</b>		
Private Sector	78	20
Public Sector	<u>96</u>	<u>27</u>
<b>Total</b>	<b>174</b>	<b>47</b>
<b>TOTAL</b>	<b>1,970</b>	<b>719</b>

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)



The OSHA Consultation Section 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



***Nita Matlock runs the Film and Video Library located at the Arkansas Department of Labor and is available to help in the selection of films.***

**OSHA CONSULTATION  
ACTIVITY REPORT  
Fiscal Year July 2003-June 2004**

<b>Total Companies Assisted</b>	<b>518</b>
<b>Total Employees Affected</b>	<b>71,576</b>
<b>Initial Visits</b>	
Safety Consultant Visits	443
Health Consultant Visits	<u>157</u>
<b>Total</b>	<b>600</b>
<b>Training and Assistance Visits</b>	
Safety Consultant Visits	30
Health Consultant Visits	<u>14</u>
<b>Total</b>	<b>44</b>
<b>Follow-up Visits</b>	
Safety Consultant Visits	13
Health Consultant Visits	<u>24</u>
<b>Total</b>	<b>37</b>
<b>Total Safety Visits</b>	<b>486</b>
<b>Total Health Visits</b>	<b>195</b>
<b>Grand Total Visits</b>	<b>681</b>
<b>HAZARDS IDENTIFIED</b>	
<b>Serious Hazards</b>	
Safety Hazards Identified	3,859
Health Hazards Identified	<u>381</u>
<b>Total</b>	<b>4,240</b>
<b>Other-Than-Serious Hazards</b>	
Safety Hazards Identified	928
Health Hazards Identified	<u>84</u>
<b>Total</b>	<b>1,012</b>
<b>Regulatory Hazards</b>	
Safety Hazards Identified	120
Health Hazards Identified	<u>12</u>
<b>Total</b>	<b>132</b>
<b>Total Safety Hazards Identified</b>	<b>4,907</b>
<b>Total Health Hazards Identified</b>	<b>477</b>
<b>Grand Total Hazards Identified</b>	<b>5,384</b>

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

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

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



***(l to r) OSHA Industrial Hygienists Rosemary Coleman, Kim Fischer and Gina Prasifka go into industries across the state conducting a variety of tests at the request of the company.***



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

AOSH 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 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.

The AOSH Section 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 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@Arkansas.gov](mailto:mike.watson@Arkansas.gov)

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", "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, Respirator Programs, and General Safety. Additionally, on-site informal training is provided at the time of the consultation visit.

During fiscal year 2003-

<b>AOSH PUBLIC SECTOR SUMMARY 2003-2004 FISCAL YEAR</b>	
Accident investigation reports (public sector)	6
Fatality investigation reports (public sector)	1
Complaint investigations (public sector)	25
Items cited	65
<b>CONSULTATION/COMPLIANCE</b>	
Initial consultation reports for the public schools, technical schools, colleges and universities, state agencies, and other public sector entities	386
Follow-up visits	121
Items cited	1,123
Serious items	1,088
Other-than-serious items	35
Employees affected by hazards found	47,070
<b>TRAINING CLASSES</b>	
Number classes/seminars conducted	19
Number employees trained	980
<b>AMUSEMENT RIDE INSPECTIONS</b>	
Amusement Ride Inspections/Reports	289
Number of rides inspected	2,970
Total employees affected	34,974
Total amusement ride accident investigations	2
Total complaints on amusement rides	0
Total items cited	861
Total fees collected	\$53,400.00

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. A list of the blasting services conducted during the 2003-2004 Fiscal Year is shown on the adjacent page. For more information on blasting, call George Ainsworth at (501) 690-8774.

For information about AOSH in general, call Mike Watson at (501) 682-9091, or e-mail [mike.watson@arkansas.gov](mailto:mike.watson@arkansas.gov) or Richard Steward at (501) 682-4521 or e-mail [richard.steward@arkansas.gov](mailto:richard.steward@arkansas.gov)

2004, AOSH taught 463 classes, training 3,072 Arkansas workers in First Aid, Powered Industrial Truck Safety Train-the-Trainer, General Safety and CPR. There is a \$10 registration fee for the First Aid and CPR classes but the others are offered free of charge. Training revenue totaling \$21,840 was deposited to the State Treasury.

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.



**Richard Steward, who has been with the department since 1971, is Manager of the AOSH Section.**



**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. During this fiscal year, inspectors

## AOSH BLASTING SERVICES SUMMARY JULY 2003-JUNE 2004

12 blasting complaints received  
 12 blasting investigations conducted  
 30 blasting consultations conducted  
 109 blasting cards were issued through class attendance  
 59 blasting cards were issued through reciprocity  
 Two 40-hour blasting classes were conducted for 8 attendees  
 Three 20-hour blasting classes were conducted for 17 attendees  
 Four 8-hour blasting classes were conducted for 25 attendees  
 3 seismograph monitoring

spent a great deal of time at Magic Springs in Hot Springs assuring that their new, dual train steel suspended looping coaster was safe for riders.

Department inspectors are trained and certified by the National Association of Amusement Ride Safety Officials, NAARSO. They inspected nearly 3,000 amusement rides this fiscal year and collected \$53,400 in fees. For more information, contact Mike Watson at (501) 682-9091, or e-mail [mike.watson@arkansas.gov](mailto:mike.watson@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 operators 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  
 David Scharfenberg  
 Louise Fiser  
 Mark Clinton  
 James L. Salkeld, Director of Labor



*Dolly Williams has been with the Labor Department since 1979 and troubleshoots computers in the Safety Division.*



*(l to r standing) Sharon Shephard, Margie Huckaby and (seated) Karen Green conduct support services for several divisions within Safety.*

**MSHA TRAINING CLASSES  
JULY 2003—JUNE 2004**

<b>COURSES</b>	<b># OF CLASSES</b>	<b>TOTAL ATTENDED</b>
Basic First Aid	62	491
CPR Heartsaver	56	470
MSHA New Miner (metal/ nonmetal)	25	177
MSHA Annual Refresher (metal/nonmetal)	58	880
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 Supervisor Training	2	12
	2	56
<b>Total</b>	<b>208</b>	<b>2,110</b>

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 State and Federal MSHA so more information can get to the mine operators than would be possible through individual on-site assistance.

The 2004 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 3-4, 2005. During the 2003-2004 fiscal year, the MSHA staff trained 2,110 miners on safety and health issues. See the chart above for a list of the classes offered. For more

deposited \$4,700 to the State Treasurer this fiscal year as a result of this training.



**MSHA  
MINE SAFETY AND HEALTH  
ADMINISTRATION**

The Mine Safety and Health Administration (MSHA) Section 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 of charge to certify miners under federal requirements. There is, however, a \$10 fee for the First Aid and CPR training. The section



**MSHA Supervisor Bonita Stocks (seated) and her staff of trainers, (l to r) Susan Weaver, Bob Hall, Lisa Cain, and John Boswell, conduct training classes across the state.**

information on the MSHA program, contact Bonita Stocks at (501) 682-4520 or e-mail [bonita.l.stocks@arkansas.gov](mailto:bonita.l.stocks@arkansas.gov)



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:

YEAR	#FATALITIES
1992	82
1993	71
1994	85
1995	91
1996	88
1997	102
1998	86
1999	76
2000	106
2001	68
2002	80

Data on occupational injuries and illnesses was compiled under the



*James Tucker is a statistician with the OSH/CFOI Division and has been with the Department of Labor since 1984.*

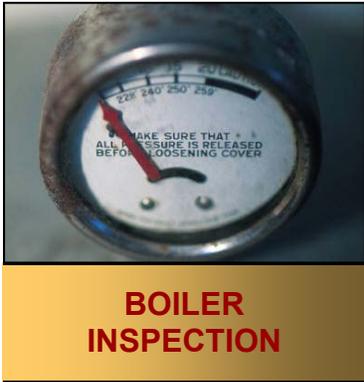
Health (OSH) program. For 2002, 5.7 work-related injuries and illnesses were reported for every 100 full-time workers in private industry in Arkansas. This was down for the tenth consecutive year. Sprains and strains accounted for over 44% of these work-related injuries and illnesses that required recuperation away from work. This is the eleventh 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

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.arkansas.gov/labor](http://www.arkansas.gov/labor)

# Code Enforcement Division



Boiler Inspection 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 Section'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 Section'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.

Boiler Inspection 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.

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 control devices, computers,



**Chief Boiler Inspector Gary Myrick (center) works closely with the other inspectors (l to r) Jerry Vann, Dennis Hannon, Steven Mathis, and Floyd Donaldson.**



***Supervisor Maxine Wagley (seated) has worked alongside (l to r) Linda Black, Loyce Brand, Julie Dove, and Michelle Hartwick for a number of years keeping the large volume of data accurate and up-to-date.***

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.

Arkansas Boiler Inspection 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 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 2003 Incident Report, which was the latest survey conducted by the National Board of Boiler and Pressure Vessel Inspectors, we are pleased to report that in 2003, there were no deaths resulting from boiler accidents.

While this was a positive report, it was tempered by the reality that there were eight deaths caused by accidents involving unfired pressure vessels. Another disturbing fact this report revealed was that all the fatalities were a result of human error (e.g., Improper Installation and Operation Error or Poor Maintenance).

During this fiscal year, Arkansas had four reported incidents, resulting in one injury and no deaths.

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 inspector normally makes the original recommendation for repairs. It is Boiler Inspection's responsibility to make sure code violations have been corrected, which usually requires the inspectors to perform a follow-up inspection.

Our inspectors found 283 code violations while conducting their routine inspections. Had any of these code violations been ignored, they could have caused a tragic accident.

Boiler Inspection 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 three National Board commissioned inspectors, Jerry Vann, Dennis Hannon, and Steve Mathis; and one trainee inspector, Floyd Donaldson. 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:

## BOILER INSPECTION—ANNUAL REPORT 2003-2004

Date	Boilers State		Boilers Insured		Boiler Op. License		Operator Pocket Cds.		Shop Inspections		Permits to Install		Permits to Install PP	
	No.	Fees	No.	Fees	No.	Fees	No.	Fees	No.	Fees	No.	Fees	No.	Fees
2003 Jul	612	\$17,405.00	880	\$18,285	800	\$ 13,496	30	\$150	0	\$0	22	550	1	\$100
Aug	497	14,711.36	1,200	28,400	587	12,305	73	365	0	0	29	670	4	400
Sep	515	15,130.00	1,025	23,745	507	8,768	81	405	0	0	25	630	3	300
Oct	559	16,118.00	1,529	31,410	519	9,112	56	280	2	1,698.09	23	615	2	200
Nov	396	11,771.00	1,229	24,690	360	6,376	34	170	2	1,798.41	28	570	3	300
Dec	570	15,755.00	1,111	24,225	729	12,656	63	315	0	0	27	595	3	300
2004 Jan	279	8,389.00	837	17,730	522	9,116	83	415	1	1,316.29	30	600	1	100
Feb	394	11,089.00	2,119	44,880	586	10,620	89	445	1	1,170.58	18	420	2	200
Mar	629	18,566.00	2,219	49,785	647	11,543	67	335	1	666.82	17	340	1	100
Apr	680	19,525.00	1,664	36,855	575	10,783	56	280	2	1,730.19	24	595	1	100
May	494	13,872.00	1,418	28,245	405	7,197	71	355	1	812.88	33	770	1	100
Jun	588	16,670.04	1,314	28,365	519	9,055	63	315	0	0	7	115	2	200
Total	6,213	\$179,001.40	16,545	\$356,615	6,756	\$121,027	766	\$3,830	10	\$9,193.26	283	\$6,470	24	\$2,400

Date	Certificates of Competency		Install & Repair Licenses		Misc. Charges		Total # Of Charges	Total Fees	Receipts
	No.	Fees	No.	Fees	No.	Fees			
2003 Jul	2	\$ 50	6	\$ 450	10	\$ 224	2,363	\$ 50,710.00	\$ 58,924.00
Aug	3	45	1	75	2	8	2,396	56,979.36	38,154.36
Sep	6	90	2	150	6	72	2,170	49,290.00	64,380.31
Oct	7	115	2	150	4	62	2,703	59,760.09	49,959.65
Nov	0	0	124	9,300	2	24	2,178	54,999.41	55,321.92
Dec	4	90	346	25,950	350	285.50	3,203	80,171.50	87,452.01
2004 Jan	2	30	79	5,925	2	54	1,836	43,675.29	51,777.34
Feb	2	50	14	1,050	57	290	3,282	70,214.58	53,622.87
Mar	0	0	15	1,125	22	134	3,618	82,594.82	74,335.82
Apr	1	25	15	1,125	10	212	3,028	71,230.19	66,414.00
May	51	765	11	825	4	62	2,489	53,003.88	73,196.00
Jun	75	1,145	12	900	13	194	2,593	56,959.04	55,821.11
Total	153	\$2,405	627	\$47,025	482	\$1,621.50	31,859	\$729,588.16	\$729,359.39

- 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.

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 members are:

**Richard Mille´ - representing Boiler Manufacturers**  
**Stephen Case - representing Operating Engineers**  
**Larry Wolf - representing Boiler Users**  
**Bill McCoy - 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", 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



## 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



***(l to r standing) Chief Electrical Inspector Charles Covington and Labor Code Enforcement Administrator Ron Baker oversee all services in Electrical Licensing. (l to r seated) Beth Cox and Lenora Watson handle all licensing of electricians.***

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 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.



**BOARD OF ELECTRICAL EXAMINERS**

<b>BOARD OF ELECTRICAL EXAMINERS LICENSES ISSUED—FY 2003-2004</b>	
Industrial Maintenance	1,246
Residential Master	270
Residential Journeyman	83
Electrical Apprentice	2,064
Electrical Contractor	88
Master	4,090
Journeyman	2,234
Air Conditioning	138
Temporary Journeyman	89
Temporary Master	2
<b>TOTAL</b>	<b>10,315</b>
Industrial Maintenance Testing	33

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 2003-2004:

**Danny King, Chief Electrical Inspector**

**Gary Ferrell, Contractor**

**Hugh Brewer, Licensed Professional Engineer**

**Ed Carrington, Master Electrician**

**Paul Brown, representing private utilities**

**Sammie Cox, representing public utilities**

**J.D. Chastain, representing Elderly**

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



**ELEVATOR SAFETY**

Elevator Safety is responsible for enforcing state law regarding the inspection



**Office staff (l to r) Jean Kilby and Anna Brannon work under the direction of Chief Elevator Inspector Larry Smothers. Elevator Inspector Edward Penn conducts inspections around the state.**

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 Section, call Chief Elevator Inspector Larry Smothers at (501) 682-4530, Fax (501) 682-1765, or e-mail [larry.smothers@arkansas.gov](mailto:larry.smothers@arkansas.gov) or [jean.kilby@arkansas.gov](mailto:jean.kilby@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.

**ELEVATOR SAFETY  
2003-2004 STATISTICAL SUMMARY**

Construction permits issued on elevator installations	176
Modernizations and alterations on existing elevators	64
Certificates of Operation (renewed)	3,368
Certificates of Operation (new)	176
Temporary Certificates of Operation	38
Inspection reports (posted and filed)	7,294
Five year full load safety test reports posted, filed and billed	234
Three year pressure test reports posted, filed and billed	751
Acceptance tests witnessed	176
Re-inspection of new elevators	64
Accident investigations	0
Semi-annual inspections	101
Elevator Inspector's license issued	22
Deposited to the State Treasury	\$296,652.96

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 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

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



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

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



### WAGE AND HOUR

Wage 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.

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 understanding their rights and responsibilities under the wage and hour law, and pursues reported violations of the law.

<b>WAGE AND HOUR FY 2003-04 SUMMARY</b>	
<b>No. Wage and Hour Inspections</b>	2,012
<b>No. of Wage Claim Inspections</b>	540
<b>TOTAL INSPECTIONS</b>	2,552
<b>Wage and Hour Inspections</b>	
No. Employees	39,775
Minors under 16	227
Minors under 18	4,210
Females	16,425
Males	10,017
Minimum Wage Employees	2,850
Overtime Employees	524
Interviews	599
<b>Total Violations</b>	
Under Age	12
Employment Certificate	120
Hours Child Under 16	124
Hours Under 18	250
Hazardous Occupations	7
Poster	163
Minimum Wage	80
Overtime	93
Record keeping	179
<b>Minimum Wage and Overtime Restitution</b>	
Computed	\$197,847.00
Collected	89,323.72
Collected by Legal Division	95,011.34
<b>Child Labor Civil Money Penalties</b>	
Computed	\$1,202,732.00
Collected	111,260.68
Collected by Legal Division	32,132.24
<b>Work Permits Issued</b>	<b>2,301</b>



**Labor Standards Administrator Cindy Uhrynowycz (seated) oversees the Labor Standards Division. Investigators and office staff are (back row l to r) Harry Komprood, Rusty Geurin, Pam Brown, Kathy Dilbeck, (front row l to r) Jill Stacy, Donna Brannon, Sarah Jones, and Tasha Koski.**

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 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.

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

**LABOR STANDARDS  
WAGE CLAIMS—2003-2004**

**Wage Claims Filed**

Number of Claims—792    Amount of Claims—\$476,270.74

**Wage Claims Collected**

Number of Claims—137    Amount of Claims—\$49,400.58  
Amount Collected by Legal Division—\$14,089.31

**Wage Claims Closed**

Number of Claims—287

**Wage Claims Referred to Legal Division**

Number of Claims—69

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.

All services are free of charge.



### PRIVATE EMPLOYMENT AGENCY

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 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.



### PREVAILING WAGE

Prevailing Wage administrators 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. 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

<b>WAGE DETERMINATIONS BY COUNTY—FY 2003-2004</b>						
<b>County</b>	<b>Bldg. Const.</b>	<b>Heavy. Const.</b>	<b>Multiple</b>	<b>Resid.</b>	<b>Total</b>	<b>\$ Amt.</b>
Arkansas	1	0	0	0	1	\$ 150,000
Ashley	3	0	0	0	3	3,775,000
Baxter	0	1	0	0	1	160,000
Benton	9	22	2	0	33	36,728,000
Boone	0	1	0	0	1	500,000
Bradley	1	0	0	0	1	3,600,000
Calhoun	1	0	0	0	1	75,000
Carroll	1	1	0	0	2	490,000
Chicot	2	2	0	0	4	1,750,000
Clark	4	3	1	0	8	3,139,290
Clay	0	2	0	0	2	1,639,600
Cleburne	1	6	0	0	7	2,807,776
Columbia	1	1	0	0	2	3,190,000
Conway	1	3	0	0	4	695,000
Craighead	7	4	0	1	12	22,909,150
Crawford	1	3	1	0	5	3,434,000
Crittenden	0	2	0	0	2	566,000
Cross	0	2	0	0	2	660,000
Dallas	0	1	0	0	1	550,000
Desha	3	1	0	0	4	9,879,000
Drew	1	1	1	0	3	1,225,000
Faulkner	11	7	0	2	20	31,387,276
Franklin	3	1	0	0	4	1,750,000
Fulton	0	1	0	0	1	85,000
Garland	4	8	0	0	12	5,625,100
Greene	1	1	1	0	3	3,155,000
Hempstead	2	2	0	0	4	1,515,000
Hot Spring	1	6	1	2	10	10,972,494
Independence	3	3	0	0	6	6,237,750
Izard	1	0	0	0	1	75,000
Jackson	2	1	0	0	3	4,185,000
Jefferson	4	4	0	0	8	4,858,000
Johnson	0	9	0	0	9	3,708,000
Lawrence	1	5	1	0	7	4,261,000
Lee	1	0	0	0	1	450,000
Lincoln	0	1	0	0	1	960,000
Little River	0	1	0	0	1	106,000
Logan	0	1	0	0	1	181,000
Lonoke	4	3	0	0	7	3,950,475
Madison	0	2	0	0	2	\$ 1,400,000
Marion	1	0	0	0	1	4,000,000
Miller	3	0	0	0	3	718,438
Mississippi	2	2	0	0	4	2,370,700
Monroe	0	0	1	0	1	366,575
Nevada	0	0	0	1	1	195,000
Ouachita	0	1	0	0	1	250,000
Perry	0	1	0	0	1	198,000
Phillips	2	0	0	0	2	165,000
Pike	0	5	0	0	5	5,201,600
Poinsett	0	2	0	0	2	299,000
Polk	3	1	0	0	4	2,240,000
Pope	5	2	0	0	7	4,890,244
Prairie	0	2	0	0	2	1,372,500
Pulaski	47	31	3	0	81	80,553,193
Randolph	1	2	0	0	3	1,880,000
St. Francis	3	3	1	0	7	1,160,000
Saline	1	8	0	0	9	6,850,000
Scott	0	2	0	0	2	591,200
Searcy	0	1	0	0	1	700,000
Sebastian	10	5	0	0	15	4,484,692
Sevier	1	0	0	0	1	90,000
Sharp	1	0	1	0	2	773,000
Stone	3	0	0	0	3	1,530,000
Union	4	2	0	0	6	3,917,098
Van Buren	1	1	0	0	2	394,000
Washington	35	17	1	0	53	51,039,941
White	2	3	1	0	6	3,128,000
Woodruff	1	0	0	0	1	100,000
Yell	1	3	2	2	8	4,612,000
Wash./Bentn.	0	1	0	0	1	6,000,000
Clark & Montg.	0	1	0	0	1	980,000
<b>Total</b>	<b>202</b>	<b>208</b>	<b>18</b>	<b>8</b>	<b>436</b>	<b>\$373,835,092</b>
% of Total	46%	48%	4%	2%	100%	

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

During Fiscal Year 2003-2004, Prevailing Wage issued 436 wage determinations for projects with estimated values totaling \$373,835,092.00.

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 \$66,376.53 in back wages from 15 companies for the benefit of 84 employees. Additionally, the Department's Legal staff collected \$3,577. At the end of the fiscal year, the Prevailing Wage Section had 11 pending claims being processed.



**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



**Don Cash has been conducting wage surveys and collecting back wages for the division since 1993.**

**David Marsh, Business Mgr.,**  
Ironworkers Local #321

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

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

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

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

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.

**Anita Murrell, Director**  
Arkansas Building Authority

**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

**PREVAILING WAGE  
SUMMARY OF WAGE DETERMINATIONS  
ISSUED—JULY 1, 2003—JUNE 30, 2004**

<b>Mo.</b>	<b>Bldg.</b>	<b>Hvy.</b>	<b>Multi- ple</b>	<b>Resid ntl.</b>	<b>Total</b>	<b>Dollar Amount</b>
Jul	20	29	1	1	51	\$ 47,250,350.00
Aug	17	22	0	1	40	20,534,000.00
Sep	19	22	1	1	43	20,382,546.00
Oct	18	18	2	0	38	38,901,574.00
Nov	7	12	1	0	20	17,626,150.00
Dec	21	8	2	1	32	26,587,267.00
Jan	13	10	1	1	25	15,507,290.00
Feb	16	17	1	0	34	39,186,000.00
Mar	17	25	4	1	47	39,093,168.00
Apr	17	14	2	2	35	57,633,705.00
May	17	17	2	0	36	35,990,169.00
Jun	20	14	1	0	35	15,142,873.00
<b>Tot.</b>	<b>202</b>	<b>208</b>	<b>18</b>	<b>8</b>	<b>436</b>	<b>\$373,835,092.00</b>
<b>% of Total</b>	<b>46%</b>	<b>48%</b>	<b>4%</b>	<b>2%</b>		



## 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 2003-2004, he received notices from 56 local unions and employers of contract negotiations. He participated in 30 of those negotiations and attended 80 other meetings. He also coordinated the Sixth Annual Labor Management Conference which is held each year in Hot Springs.



***Ed House has traveled the state participating in contract negotiations as state mediator since 1991.***



# Administrative Services Division

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



**General Business Manager Becky Bryant (seated) and her staff (l to r) Tina Brown, Linda Whisnant, Robyn Clark, Kay Stacy, and Vicki Campo provide a wide variety of services to the department including payroll, benefits, purchasing, inventory, budgeting and more.**



## 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 \$5,723,771.



## 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

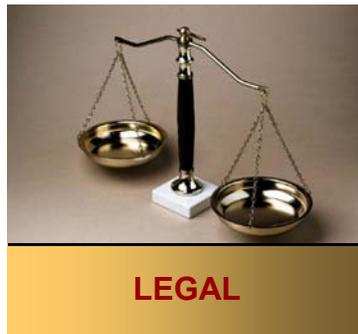


*(r to l) IT Manager Doris Anderson, Don Gantt, and Ken Anderson*

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. The IT Section is currently updating software on agency computers to the Windows XP/Office XP environment.

We are continuously improving and expanding in-house training classes for our employees. We are striving to streamline and automate 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 services as opportunities arise.



The Legal Section 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 section. 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 2003-2004 fiscal year, collections for the Legal Division totaled \$150,191.57 with \$32,132.24 of that total for Child Labor penalties.

<b>2003-2004 LEGAL COLLECTIONS</b>	
<b>PROGRAM</b>	<b>AMOUNT</b>
Child Labor	\$ 32,132.24
Wage/Hour	95,011.34
Wage Claims	14,089.31
Boiler	3,713.00
Elevator	705.05
Prevailing Wage	3,576.75
AOSH	963.88
<b>TOTAL</b>	<b>\$150,191.57</b>



**Attorney Daniel Faulkner represents the department in litigation as well as board meetings and also addresses a large number of the legal questions we receive through e-mail.**

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)



## **PLANNING AND PUBLICATIONS**

Planning and Publications 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 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. Due in part to increased readership, a record 34,863 newsletters went out to workers in Arkansas during the 2003-2004 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







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 (TRS) e-mail [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.