Sub-Minimum Wage Rate for 2019
$7.86

010.14-103 Employment of Full Time Students at Sub-Minimum Wage

1. An employer may pay a full-time student a sub-minimum wage of not less than eight-five percent (85%) of the applicable minimum wage rate, provided the following conditions are met:
   a. The employer has, in advance of employment at less than the applicable minimum wage rate, a full-time student certificate issued by the department;
   b. The full-time student attends an accredited institution of education within the State of Arkansas on a full-time basis in accordance with the institution’s definitions;
   c. The employer does not employ the student more than twenty (20) hours per week during times school is in session and not more than forty (40) hours per week during times school is not in session; and
   d. Notwithstanding paragraph (c) above, the employer does not employ the student in violation of any applicable child labor laws.

2. A full-time student retains that status during the student’s Christmas, summer and other vacations.

3. Notwithstanding paragraph 1(b) above, a full-time student residing in a border town may attend an accredited institution of education within the border sister state on a full-time basis and qualify for the subminimum wage allowed by this rule provided the student is otherwise qualified.

1. An application for a full-time student certificate shall be made on a form approved by the department and shall require submission of verification from an accredited institution of education within the State of Arkansas that the student is a full-time student in accordance with the institution’s definition of same.

2. A full-time student certificate will be issued for a period of one year and shall not be valid upon its expiration.

3. A full-time student certificate issued by the U. S. Department of Labor pursuant to 29 C.F.R. 519 is acceptable in lieu of one issued by the Arkansas Department of Labor, however the employer is responsible for complying with the other conditions of employing full-time students at a sub-minimum wage rate provided in Rule 010.14-103(A) above, including payment of wages at not less than eighty-five percent (85%) of the minimum wage established by Ark. Code Ann. § 11-4-210.

An employer may employ a learner, a student learner, or an apprentice at a sub-minimum wage, provided:

A. For learners and apprentices, the employer has current and valid certification from the U. S. Department of Labor to employ learners and apprentices at a sub-minimum wage pursuant to 29 C.F.R. 520.400 through 520.412 and pays wages to such learners and apprentices at a rate of not less than eighty-five percent (85%) of the minimum wage rate established by Ark. Code Ann. § 11-4-210(a); and
B. For student learners, the employer has current and valid certification from the U. S. Department of Labor to employ student learners at a subminimum wage pursuant to 29 C.F.R. 520.500 through 520.508 and pays wages to such learners and apprentices at a rate of not less than eighty-five percent (85%) of the minimum wage rate established by Ark. Code Ann. § 11-4-210(a).

For additional information please contact:

Arkansas Department of Labor
Labor Standards Division
10421 West Markham
Little Rock, Arkansas 72205
501-682-4534
Email asklabor@arkansas.gov
Arkansas Department of Labor
APPLICATION FOR STUDENT CERTIFICATE ELIGIBILITY
(RE 85% OF ARKANSAS MINIMUM WAGE)

INSTRUCTIONS

1. ALL SECTIONS MUST BE COMPLETED BEFORE SUBMITTING THE APPLICATION IF ALL SECTIONS ARE NOT COMPLETED, THE APPLICATION WILL BE DENIED.

2. AS A MEANS OF ESTABLISHING EMPLOYMENT, PLEASE SUBMIT A COPY OF ONE OF THE FOLLOWING:
   a) Verification of enrollment statement issued by the educational institution where student is enrolled on a full time basis;
   b) Letter from school principal verifying employment; or
   c) A notarized copy of school record.

3. The employer must complete Section 3 and sign the application or the application will be denied

NOTE: NO CERTIFICATE WILL BE ISSUED, OR WILL BE CONSIDERED VALID IF ISSUED TO STUDENTS WORKING MORE THAN TWENTY (20) HOURS PER WEEK WHEN SCHOOL IS IN SESSION, OR MORE THAN FORTY (40) HOURS WHEN SCHOOL IS NOT IN SESSION, OR WHO ARE ENROLLED LESS THAN FULL TIME.

STATEMENT of STUDENT (This statement must completed by student)  

I, the undersigned, hereby affirm that I am _______________________ and my permanent address is _______________________.

(Print Full Name)

(Street and Number) ___________________ (City) ___________________ (State) _______ (Zip Code) __________

I further certify that I am presently enrolled in _______________________ and I certify that the foregoing statements are true and correct.

(Name of Educational Institution)

I certify that I attend such educational institution on a full time ☐ part time ☐ (check one).

(Student’s Signature)

(Date)

EMPLOYER INFORMATION (To be completed by employer)  

I, the undersigned, request certification to employ _______________________ at a wage rate equal to but not less than 85% of the applicable Arkansas Minimum Wage. I hereby certify that I will pay the full Arkansas Minimum Wage for all hours worked in any workweek where this employee works more than twenty (20) hours when school is in session or more than forty (40) hours when school is not in session.

Business Name or Employer: _______________________

Mailing Address: (Street or P.O.) ___________________ (City) ___________________ (State) ___________________ (Zip) __________

Employers Phone: ( ) _______ - __________

(Signature of Employer or Authorized Agent) ___________________ (Print Name of Employer or Authorized Agent)

Proof of enrollment must be submitted with this application. Certificates expire one year from date of issue and must be renewed annually by submitting a new application and proof of enrollment.