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ARKANSAS DEPARTMENT OF LABOR STUDENT SUB-MINIMUM WAGE 2020

The Arkansas Department of Labor Student sub- minimum wage rate effective January 1, 2020 will be \$8.50 per hour. This program allows employers to employ full time student workers for \$8.50 per hour for up to twenty (20) hours when school is in session and forty 40 hours a week when school is not in session. Each applicant must be registered as a full-time student in Arkansas and fill out the attached form. Submit the form to the Arkansas Department of Labor, Labor Standards Division by mail to 14021 West Markham, Little Rock, Arkansas 72205, by fax to 501-682-4506, or by email to jamie.hillman@arkansas.gov for processing.

For additional information on this program, please contact the Labor Standards Division at 501-682-4534 Monday through Friday, 8:00 am to 4:00 pm.

Thank You!



**Arkansas Department of Labor
and Licensing
Labor Standards Section**

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Licensing
Labor Standards Section
10421 West Markham
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Ph 501-682-4534 fax 501-682-4506

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

**Sub-Minimum Wage Rate for 2020
\$8.50**

A. Conditions of employment

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.

B. Full-time student certificates

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.

010.14-104 Student Learners, Learners and Apprentices

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:

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501-682-4534
Email asklabor@arkansas.gov

This is provided for informational purposes only and is not to be relied on as legal advice or as the legal opinion of the agency in future or pending matters.