



Arkansas Department of Labor

2017 Annual Report



LEON JONES, JR.
Director
Department of Labor



ASA HUTCHINSON
Governor
State of Arkansas



RALPH T. HUDSON
Deputy Director
Department of Labor

OUR MISSION

The Arkansas Department of Labor was given the responsibility of enforcing the labor laws of the state in 1913. Today, the mission of the Arkansas Department of Labor is to foster, promote, and develop the health, safety and welfare of the wage earners of Arkansas by providing services and enforcing laws to improve working conditions and enhance their opportunities for safe and profitable employment. The Department has increased both productivity and efficiency as we continuously endeavor to improve processes and public services. We look forward to serving the workforce of Arkansas even more effectively in the future.

OUR VISION

We seek to **L**ead Arkansans **B**eyond **O**rdinary **R**esults for progressive workplace safety and employee wellbeing.

OUR VALUES

We are **C**ommitted, **A**ccountable, and **R**espect the need for **E**xcellent **S**ervice that the citizens of Arkansas deserve.

Asa Hutchinson
Governor



State of Arkansas
Department of Labor

Leon Jones, Jr.
Director

The Honorable Asa Hutchinson
Governor, State of Arkansas
State Capitol Building
Little Rock, Arkansas, 72201

Dear Governor Hutchinson:

It is my great pleasure to present the Annual Report of the Arkansas Department of Labor for the fiscal year 2016-2017. The report highlights the activities and accomplishments of the agency, as well as provides a picture of the broad scope of the services provided to the citizens of Arkansas.

The Department of Labor continually strives to improve public services. For the past three years, we have particularly focused on technology projects and initiatives to improve efficiency. During this fiscal year, the Labor Standards Division and the Information Technology Division worked on a digital solution for handling wage claims and wage and hour investigations. This initiative was recognized when in January 2017, the agency received the 2016 Best Public Service Award from Laserfiche as a part of its RunSmarter award program. The agency is proud to have received this national award.

Ultimately, it is the dedication and commitment of the agency's employees that mark our success. I am proud of each and every one of the agency's employees who work hard every day to ensure the safety and security of Arkansas' workforce, and in many instances, the public in general.

Finally, I wish to thank you for your continued support of the agency and its programs. This support has been vital to our continuing efforts to provide quality services.

Sincerely,

Leon Jones, Jr.
Director



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Occupational Safety & Health

The Occupational Safety and Health Division is the largest within the Department of Labor and this division is responsible for enforcing and promoting worker safety in Arkansas. This is accomplished in a number of ways, including:

- ◆ Presenting safety awards to businesses and individuals who excel in promoting safety and health.
- ◆ 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 informational services and training classes regarding key safety and health issues in order to better equip Arkansas's workforce against occupational hazards. This may include one-on-one site visits, public speaking engagements, media resources, and targeted publications.
- ◆ Conducting annual surveys of workplace fatalities, injuries, and illnesses in the state.

SAFETY AWARDS

The Occupational Safety and Health Division presents several types of safety awards to companies and individuals in recognition of their outstanding achievements in workplace safety. These include:

- Million Work Hour Awards
- Accumulative Years Safety Awards
- Meritorious Service Awards

The Million Work Hour Award is presented to employers and employer facilities whose employees have accumulated a million work hours without a lost day away from work due to work-related injuries or illnesses.

The Accumulative Years Safety Award is designed for small employer facilities that operate for multiple 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. There is a nomination and screening process for this award.

The following were recipients of safety awards from the Department of Labor during the 2016-2017 fiscal year:

FIFTEEN MILLION WORK HOURS SAFETY AWARD
Tyson Foods, Inc., Springdale

SEVEN MILLION WORK HOURS SAFETY AWARD
Tyson Foods, Inc., Dardanelle
Rockline Industries, Springdale

FOUR MILLION WORK HOURS SAFETY AWARD
Rheem Manufacturing, Fort Smith
Denso Manufacturing, Osceola
Lockheed Martin, Camden

THREE MILLION WORK HOURS SAFETY AWARD
Pratt & Whitney, PSD, Springdale
Rheem Manufacturing, Fort Smith

TWO MILLION WORK HOURS SAFETY AWARD
Kannemetal Inc., Rogers
Mars Petcare, Fort Smith
Ozark Electric Cooperative, Ozark
Pet Solutions, Danville
Zero Mountain, Fort Smith

ONE MILLION WORK HOURS SAFETY AWARD
Tyson Foods Grannis, Wickes
Tyson Foods, Nashville

Danfoss, Arkadelphia
Anchor Packaging, Paragould
Domtar, Ashdown
Hixson Lumber Sales, Russellville
Holman Distribution, Maumelle

ACCUMULATIVE YEARS SAFETY AWARD

London Feed Mill, Russellville
36 years

Umpire Boar Stud, Umpire
21 years

Omnium, Blytheville
12 years

Cobb-Vantress, Siloam Springs
12 years

Hargrove Engineers, W. Memphis
11 years

Tyson Valley Maintenance,
Russellville 11 years

Lycus Ltd., El Dorado
11 years

CH2M, Fayetteville
10 years

Hixson Lumber Sales, Pine Bluff
10 years

Sandy River Farms, Morrilton
9 years

Cintas, Little Rock
9 years

Bates Mountain Farms, Summers
8 years

Nordex USA, Jonesboro
5 years

Insulation & Refractories Services,
W. Memphis 5 years

Jan-Eze Plating, Nashville
3 years

Americold Logistics, Springdale
3 years

Anthony Forest Laminating, El Dorado
3 years

Fayetteville Hatchery, Fayetteville
3 years

Wheeling Machine Products, Pine Bluff
2 years

Paragould Light & Water, Paragould
2 years

Malvern MDF, Malvern
1 year

Matthews International, Searcy
1 year

Primetals Technologies, Blytheville
1 year

Rineco Chemical, Benton
1 year

River Valley Animal Foods, Texarkana
1 year

Crouse Logging, Sheridan
1 year

**SAFETY AWARDS
Presented
July 1976 - June 2017**

Accumulative Years Award	657
One Million Work Hours	485
Two Million Work Hours.....	170
Three Million Work Hours.....	74
Four Million Work Hours	52
Five Million Work Hours.....	31
Six Million Work Hours.....	18
Seven Million Work Hours	14
Eight Million Work Hours	11
Nine Million Work Hours	7
Ten Million Work Hours.....	6
Eleven Million Work Hours.....	1
Twelve Million Work Hours	1
Thirteen Million Work Hours	1
Fourteen Million Work Hours.....	1
Fifteen Million Work Hours.....	1
Total Awards Presented	1,530

**Note: The Safety Award of Merit has been discontinued*

**SAFETY AWARDS
Presented
July 2016 - June 2017**

Accumulative Years Award	26
One Million Work Hours	7
Two Million Work Hours	5
Three Million Work Hours	2
Four Million Work Hours	3
Six Million Work Hours	1
Seven Million Work Hours.....	2
Eight Million Work Hours.....	1
Fifteen Million Work Hours.....	1

Total Awards Presented..... 48

STATEWIDE SAFETY CONFERENCES

The Arkansas Department of Labor and the U.S. Department of Labor presented 10 safety conferences across the state, sometimes with additional sponsorship from local safety associations. Workers' Safety Conferences were held in Ashdown, Batesville, Bentonville, Blytheville, Hope, Jonesboro, Pine Bluff, Little Rock, Dardanelle, and Jacksonville during this fiscal year and 1,462 participants from 379 companies attended.

The seminars are designed primarily for hourly employees. This focus on the hourly worker makes the seminars unique when compared to other occupational safety and health training offered throughout the state. While supervisors, managers, engineers, maintenance workers, plant managers, and people serving on organizational safety committees are welcome to attend the conferences, the emphasis remains on reaching the hourly worker.

Four or more subjects were covered at each one-day conference, selected from a wide range of topics including safety and health hazard recognition, situational awareness/avoiding complacency, defensive driving, anger and stress management, drugs in the workplace, sprains and strains, violence in the workplace, slips, trips and falls, amputation prevention and more.

The Division also sponsored a number of specially-designed seminars intended to address safety and health issues. Topics included "How To Develop A Safety Program," "Hazard Communication," "Lockout/Tagout," "General Safety," "Blending Safety and Production," and more.

The Arkansas Department of Labor, the federal Occupational Safety and Health Administration (OSHA) Area Office, and a host of other safety organizations continued an alliance that focuses on training employers and teen workers in fast food establishments and grocery stores, etc. In addition to state and federal OSHA, alliance members include:

- ◆ Arkansas Society of Safety Engineers
- ◆ Northwest Arkansas Chapter of Human Resource Management
- ◆ Black River Vocational Technical College
- ◆ Arkansas Volunteer Protection Program
- ◆ World Safety Organization
- ◆ Southeast Arkansas Resources and Safety Committee
- ◆ Northwest Arkansas Safety Council

The Teen Safety booth was displayed at every Workers' Safety Conference and related events across the state. Various training materials on numerous safety and health topics are available at no charge by contacting Alicia A. Evans: 501-682-4528, or email alicia.a.evans@arkansas.gov.

Additionally, the Arkansas Occupational Safety and Health Division (AOSH) held six (6) seminars and conferences, as well as other training for state and local government employees and employers. Training was provided to 2,545 attendees.

MEDIA RESOURCE CENTER

OSHA Consultation maintains a Media Library. The library is housed at our Little Rock office at 10421 West Markham Street.

The library contains DVDs on safety related topics which can be borrowed at no charge for training sessions and safety committee meetings. The Media Library Book lists the DVDs organized by category with their title, run times, and a short description of each DVD. A digital PDF copy of this book is on our website or a physical copy can be mailed.

To borrow DVDs from the Media Library, complete and submit the form (available on the website) and email, fax, or mail it to the library. Be sure to fill out the 'show date' section stating when you plan to view the DVD(s) and they will be shipped within that time period via UPS. You may check out a maximum of four (4) DVDs at one time for a two (2) week period. If the DVDs are needed for additional time, just call or send an email. We only ask that you ship the DVD(s) back via a traceable source with a tracking number, such as UPS or FedEx.

Also available are safety and health pamphlets and posters, predeveloped safety and health training programs, and sample specific written safety and health programs. These can be found on the OSHA Consultation page of the website.

For more information, contact Alicia A. Evans: 501-682-4528, or email alicia.a.evans@arkansas.gov.

MEDIA RESOURCE CENTER USAGE

Month	# of Videos	Public Sector	Private Sector
Jul. 2016	38	8	9
Aug. 2016	28	9	6
Sept. 2016	30	9	5
Oct. 2016	27	10	7
Nov. 2016	6	4	1
Dec. 2016	19	5	3
Jan. 2017	28	10	3
Feb. 2017	19	5	3
Mar. 2017	21	4	4
Apr. 2017	34	11	4
May 2017	25	6	6
Jun. 2017	18	8	3
Total:	293	89	54

OSHA CONSULTATION

The OSHA Consultation Division employs OSHA-trained safety consultants and industrial hygienists to provide compliance assistance to private sector employers or employer groups with respect to federal OSHA standards. They have a wide-range of expertise and cover the entire state.

Consultation services are provided upon request only, with a preference given to small, high-hazard businesses. The services may be limited or may include a comprehensive safety and health survey, depending on the needs and the request of the business. Consultants conduct any necessary tests, such as air sampling or checking electrical continuity. Upon completion of the survey and applicable tests, a written report is generated and sent to the employer.

Upon receipt of the written report, the employer is required to correct all serious hazards identified by the consultant and notify the Division once the corrections have been completed.

The Division also offers informal training aimed at correcting deficiencies identified during the surveys. If needed, consultants will customize training classes to fit the particular need of a company or organization. A wealth of material is available to employers regarding various health and safety issues such as employee noise training; working in hot environments; hazard communication; personal protective equipment; construction safety; wire rope inspections; changing split rim tires; and OSHA recordkeeping.

The OSHA Consultation Division also provides research assistance on safety-related issues by means of a national computer network, which provides current information on chemicals, industrial processes, and government regulations. Additional resources can also be found at www.osha.gov.

**OSHA CONSULTATION
ACTIVITY REPORT
July 2016-June 2017**

Total Employers Assisted.....228
Total Employees Affected 14,440

Initial Visits

Safety Consultant Visits171
Health Consultant Visits126
Total.....297

Training & Assistance Visits

Safety Consultant Visits5
Health Consultant Visits14
Total.....19

Follow-up Visits

Safety Consultant Visits5
Health Consultant Visits23
Total.....28

Total Safety Visits.....181
Total Health Visits163
Grand Total Visits344

HAZARDS IDENTIFIED

Serious Hazards Identified1,009
Other-Than-Serious Hazards Identified.....64
Regulatory Hazards Identified 56
Grand Total Hazards Identified 1,129

SHARP/VPP

Employers who have exemplary safety and health management systems may qualify to be placed in the federal recognition and exemption program called SHARP (Safety and Health Achievement Recognition Program). Employers who achieve SHARP status receive an exemption from OSHA's general programmed inspections for one year, and if they qualify for a SHARP renewal, the exemption can be extended for up to two years. In the first year that a company or organization qualifies for SHARP, it receives a special certificate from the federal OSHA program, a plaque, and a SHARP banner or flag from the state Consultation program recognizing its outstanding safety and health program.

During the 2016-2017 fiscal year, there were 44 organizations participating in the SHARP program. The twelfth annual SHARP/VPP conference sponsored by the Arkansas SHARP/VPP Association was held September 15, 2016, and 225 participants from 67 companies attended. Monthly SHARP/VPP meetings were held at the Department of Labor and at several other locations during the 2016-2017 fiscal year.

AOSH (ARKANSAS OCCUPATIONAL SAFETY & HEALTH)

The AOSH (Arkansas Occupational Safety & Health) Division is responsible for enforcing Arkansas’s laws dealing with occupational safety and health at state and local government workplaces. This division investigates complaints, accidents, and fatalities in public sector workplaces and conducts inspections to identify violations of Arkansas safety and health regulations. The staff also conducts training and provides compliance assistance. This includes responsibility for the administration and enforcement of the Public Employees’ Chemical Right To Know Act, Arkansas Code §8-7-1001 *et seq.*, and the related administrative rules. The purpose of this law is to provide public employees with information and training concerning hazardous chemicals with which they may work.

To obtain information or compliance assistance, contact AOSH Public Sector Supervisor Mike Watson at 501-690-5271, or email him at mike.watson@arkansas.gov.

AOSH is aggressively involved in promoting safe and healthful work practices 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.

AOSH PUBLIC SECTOR SUMMARY July 2016-June 2017

AOSH Compliance Section Public Sector Accident Investigations

Accident Investigations 1

Fatality Investigations

Fatality Investigation2

Complaint Investigations

Complaint Investigations29

AOSH Consultation Inspections Public Sector

Consultation Visits 231

Training Conducted

Seminars3

Formal Training (Less Than 3 Hours)..... 91

Conferences3

Total Attendees 2545

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

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 “posing imminent danger,” “serious” or “other than serious.” AOSH consultants then provide information regarding specific conditions (hazards), and the associated laws, standards or codes of reference related to them. They also recommend what, if any, corrective actions should be taken to eliminate the hazards.

AOSH works to promote a “safety culture” at public sector worksites through its seminars and conferences throughout the year.

For information about AOSH in general, contact the AOSH Division Manager Kevin Looney at 501-682-4986, or e-mail kevin.looney@arkansas.gov.

MINE SAFETY & HEALTH ADMINISTRATION (MSHA)

The Mine Safety and Health Administration (MSHA) training program assists mining companies and contractors in complying with federal mine safety and health laws. This is accomplished by the preparation of training plans, the actual training of workers, and the review of training records.

Three ADL employees work with federal MSHA inspectors to ensure that assistance is available to any Arkansas mine operator, miner, or contractor who requires it. Classes can be scheduled at our facility or at the company’s facility.

During the 2017 fiscal year, the MSHA staff conducted 348 classes on various safety and health issues and trained 4,138 persons.

**MSHA Training Classes
July 2015- June 2016**

Courses	No. of Classes	Total Attendance
MSHA Annual Refresher	84	1,216
MSHA New Miner	26	206
First Aid	68	679
CPR	68	679
TOTAL	246	2,780

Currently, the cost is \$200.00 per day for five or fewer participants and \$40.00 per person per day for six or more participants.

The MSHA training program also provides **general safety courses** for any group, organization, or business. The cost for First Aid and CPR classes is \$200.00 per day for five or fewer participants and \$40.00 per person per day for six or more participants. Classes can be scheduled at our facility or at the company's facility.

During the 2017 fiscal year, the staff conducted 102 general safety classes, training 1,358 individuals. For more information on the MSHA training program, or general safety courses, contact Susan Weaver at 501-682-4520 or email her at susan.g.weaver@arkansas.gov.

**General Safety
Classes
July 2015 - June 2016**

Courses	# of Classes	Total Attendance
First Aid	51	679
CPR	51	679
TOTAL	102	1,358

OCCUPATIONAL SAFETY AND HEALTH STATISTICS

The Arkansas Department of Labor administers two statistical programs through a grant/agreement with the U. S. Department of Labor, Bureau of Labor Statistics (BLS). The first program, known as the Survey of Occupational Injuries and Illnesses (SOII), involves collecting data from a random sample of both public and private employers. The data collected from this survey includes annual average employment, total hours worked, and injury and illness totals for the State of Arkansas. Demographic and case characteristic data are provided for work injury cases that involve one or more day away from work. For 2015, 2.6 work-related injuries and illnesses were reported for every 100 full-time workers in private industry in Arkansas, statistically unchanged from 2014. The national private sector incidence rate in 2015 was 3.0. Sprains, strains, and tears were again the most common injury, accounting for 35.9% of the work-related injuries that required day(s) away from work for 2015 in Arkansas. For the public sector in Arkansas, there were 4.1 work-related injuries and illnesses reported for every 100 full-time workers in 2015, up from 3.7 in 2014. The national public sector incidence rate was 5.1.

The second statistical program is known as the Census of Fatal Occupational Injuries (CFOI). This program collects data to produce comprehensive, accurate, and timely counts of fatal work injuries in the State of Arkansas. To compile counts that are as complete as possible, the census uses multiple sources to identify, verify, and profile fatal worker injuries. Information about each fatal workplace injury – occupation and other worker characteristics, equipment involved, and circumstances of the event – is obtained by cross-referencing source records such as death certificates, workers' compensation reports, and federal and state agency administrative reports. In 2015, 74 workers lost their lives in Arkansas, up from 67 in 2014.

The division compiles data issued annually for the preceding calendar year. Safety and health policy analysts and researchers use this information to help prevent fatal work injuries by:

- Informing workers of life threatening hazards associated with various jobs.
- Promoting safer work practices through enhanced job safety training.
- Assessing and improving workplace safety standards.
- Identifying new areas of safety research.

For more information or copies of the

publications of SOII or CFOI statistics, contact Don Cash at 501-682-4542 or visit our website at www.labor.ar.gov.

Work-Related Fatalities in Arkansas

2000.....	106
2001.....	68
2002.....	80
2003.....	87
2004.....	70
2005.....	80
2006.....	78
2007.....	89
2008.....	85
2009.....	75
2010.....	88
2011.....	93
2012.....	63
2013.....	63
2014.....	67
2015.....	74

In January 2017, one of the division’s statisticians, Donna Threet, was recognized by the U. S. Department of Labor for her peer training work at the 2017 Bureau of Labor Statistics National Training Conference.



Code Enforcement

The Arkansas Department of Labor is responsible for protecting the public from hazards associated with the installation, use, and operation of boilers, elevators, and amusement rides, as well as the activities of electricians and individuals involved in certain blasting operations. This is accomplished through, licensing, permitting, and inspections focused on the enforcement of relevant codes.

BOILER SAFETY

The Boiler Safety Division was established by legislative action in 1917 to protect the public from the inherent dangers prevailing in the construction, operation, repair, alteration and incorrect usage of boilers and pressure vessels. Its primary objective is the prevention of boiler and pressure vessel accidents, which might cause loss of life, personal injury or extensive property damage. It is self-supporting and relies on fees approved by the legislature for inspection work performed and services rendered.

The Department of Labor has adopted of various codes formulated by the American Society of Mechanical Engineers (ASME) and the National Board of Boiler and Pressure Vessel Inspectors. In addition, the Boiler Safety Division participates in the National Board of Boiler and Pressure Vessel Inspectors Tracking Report, which identifies problem areas and trends related to boiler and pressure vessel operation, installation, maintenance and repair.

BOILER INSPECTION DIVISION

JULY 2016-JUNE 2017

INSPECTIONS PROCESSED

STATE BOILER INSPECTIONS	4,934
INSURED BOILER INSPECTIONS	21,791
SHOP INSPECTIONS/SHOP	
INSPECTION SERVICES	23
ANHYDROUS AMMONIA	
INSPECTIONS	0

MISCELLANEOUS CHARGES PROCESSED

BOILER OPERATOR EXAMINATION	
CHARGES	114

LICENSES ISSUED

BOILER OPERATOR LICENSES	5,631
INSPECTOR	
COMMISSIONS/CERTIFICATES	OF
COMPETENCY	169
SELL/INSTALLATION LICENSES	414
REPAIR LICENSES	264

PERMITS ISSUED

PERMITS TO INSTALL BOILERS AND	
PRESSURE VESSELS	706
PERMITS TO INSTALL PRESSURE	
PIPING	16
REPAIR/ALTERATION PERMITS	188

FEES COLLECTED/DEPOSITED

TOTAL DEPOSITS	\$777,966.10
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The Boiler Safety Division also administers the licensing program for installers, repair firms, boiler operators, and boiler inspectors employed by insurance companies. State boiler inspectors handle a number of inspections, including mandatory inspections on those vessels who fail to obtain an inspection from their insurance company.

Compliance assistance is provided, particularly with respect to the technical codes adopted by the agency. Other services include:

- Administering examinations to qualified applicants and issuing boiler operator licenses;
- Issuing installation permits, repair permits, and pressure piping permits;
- Issuing installation licenses and repair licenses;
- Issuing certificates of operation for boilers and pressure vessels;
- Issuing certificates of competency to commissioned inspectors;
- Assisting insurance inspectors;
- Assisting firms, individuals, and companies that contact or visit the Boiler Inspection Division office;
- Conducting accident investigations;
- Evaluating requests for code variances;
- Conducting ASME and National Board certificate reviews; and
- Conducting state and ASME code shop inspections as well as field inspections upon request.

ELECTRICAL LICENSING

The Arkansas Board of Electrical Examiners was created in 1979 by the Arkansas General Assembly. The board has general regulatory authority over the licensing of electricians, including master and journeyman electricians, residential master and residential journeyman electricians, air-conditioning electricians, industrial maintenance electricians and sign specialists. The board is also responsible for licensing local government electrical inspectors.

Additionally, the Arkansas Electrical Code Authority Act, Arkansas Code Annotated §20-31-101 *et seq.*, authorizes the board to adopt administrative rules to establish statewide minimum standards for the performance of electrical work in Arkansas. The National Electrical Code, 2014 edition of the National Fire Protection Association, with minor revisions, is the current standard for the construction, installation and maintenance of electrical facilities and the performance of electrical work.

It is the board's duty to adopt administrative rules for licensing and the technical standards for electrical work; to conduct licensing examinations; and to grant, revoke or suspend licenses. It is the duty of the Arkansas Department of Labor to administer and enforce the licensing and inspection program as provided by statute and the rules of the board. The board may suspend or revoke an electrician's license for a number of causes, including violations of the National Electrical Code, as adopted.

A state-issued electrician's license is required to perform any electrical work in Arkansas. Cities often require permits and inspections, and may also require compliance with specific building or construction codes. Additionally, apprentices must be registered with the board. An applicant for a state electrician's license must pass a written examination approved by the board, in addition to meeting certain experience or education requirements. Examinations are administered in Little Rock, Fayetteville, El Dorado, Conway, Paragould, and Fort Smith. The Arkansas Board of Electrical Examiners issued a total of 11,817 licenses this fiscal year.

BOARD OF ELECTRICAL EXAMINERS

The nine-member Board of Electrical Examiners consists of eight persons appointed by the Governor, with the ninth member being the Director of Labor or his authorized representative. The following persons were members of the Board of Electrical Examiners on June 30, 2017.

Danny King, Chair, representing city inspectors;
Charlotte Bradley, Vice Chair, representing private utilities;
Robert Unwer, representing contractors;
Todd Hopwood, representing public utilities;
Roger Scott Polston, representing the public;
Charles Carrington, representing electricians;
Benjamin "Rusty" Mullen, representing engineers;
George Taylor, representing the elderly; and
Leon Jones, Jr., Director of Labor

BOARD OF ELECTRICAL EXAMINERS
Licenses Issued or Renewed— July 2016-June 2017

License Renewals	11,817
Licenses Issued:	
Master	3094
Journeyman	3470
Residential Master	237
Residential Journeyman	199
Temporary Master	11
Temporary Journeyman	340
Electrical Apprentice	3375
Electrical Contractors	23
Industrial Maintenance	723
AC Electrician	53
Sign Specialist	82
Electrical Inspector	210
Conference Fees	\$10,500.00
CMP's collected	\$18,186.00
INA Payments	\$74,112.50
Total Deposits	\$478,841.00

ELEVATOR SAFETY

The Elevator Safety Board was created by Act 189 of 1963, Ark. Code Ann. §20-24-105, and given regulatory authority over the construction, alteration, repair, maintenance, operation and inspection of elevators, escalators, moving sidewalks, dumbwaiters, and wheelchair lifts. The board also oversees the licensure of elevator inspectors, elevator mechanics, and elevator contractors. The Department of Labor is charged with the enforcement of the state's laws regarding elevator safety, as well as the administrative rules of the board.

An elevator owner or lessee is required to obtain an annual or biannual inspection from a licensed elevator inspector. The elevator inspector submits a report that reflects the operating status of the elevator, including any unsafe conditions to the Elevator Safety Section. Correction of any deficiencies is required in order for the owner or operator to obtain a certificate of operation, or operating permit. Periodic safety tests are also required, depending on the type of conveyance.

Invoices and license renewals can be paid online at www.labor.ar.gov.

ELEVATOR SAFETY 2017 Statistical Summary

For more information on the Elevator Safety Section, call Debbie Probst at 501-683-5475, or e-mail her at debbie.probst@arkansas.gov.

Certificate of Operation	2391
Witness Fee	77
Inspection Service Fee	40
Re-Inspection Fees	2
Temporary Permit Certificate	16
Temporary Permit Renewal	15
Permit to Install	172
Late Charges	42
Permit Alteration	58
Waiver Late Fee	13
Variance Fee	6
License Service Fee	66
INA3 - License Services	2
Previous Year Fees	28
Civil Penalty	3
INA2 - Inspection Services	172
TOTAL DEPOSIT	\$321,434.00

NOTE: Effective August 2, 2017, elevator inspections are required only on an annual basis. 2017Ark.Acts 968

ELEVATOR SAFETY BOARD

The Elevator Safety Board consists of six (6) members. The Director of the Department of Labor serves as chair, and the Governor appoints the other four members. The board meets on the second Thursday of every other month and is responsible for:

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

The following were members of the Elevator Safety Board on June 30, 2017:

Leon Jones, Jr., Chair, Director of Labor;
Raymond Styers, representing manufacturers;
Mike Campbell, representing the elevator union;
Colin Caldwell, representing insurers;
Dru English, representing owners and lessees; and
Lawrence Ash, representing the public.

AMUSEMENT RIDE INSPECTION

The Arkansas Occupational Safety and Health Division (AOSH) has responsibility for more than just public sector occupational safety and health. It is also responsible for enforcing state law regarding the safety of amusement rides and attractions. Department inspectors are trained and certified by the National Association of Amusement Ride Safety Officials, (NAARSO).

Permanent rides or attractions must be inspected every 6 months. Portable rides and attractions, with some exceptions for such things as climbing walls and inflatables, must be inspected every time they are set up in a new location. Each ride must be insured in the minimum amount of \$1,000,000 per incident or occurrence.

Total number of site inspections:	466
Total number of violations:	664
Total number of companies inspected:	177
Total number of rides inspected:	4545

For more information, contact Mark Lawrence by phone at 501-690-8774, or by email at mark.lawrence@arkansas.gov.

AMUSEMENT RIDE SAFETY ADVISORY BOARD

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

The Director of Labor and the Director of the Department of Parks and Tourism serve by virtue of their position. The other members of the board are appointed by the Governor. Members of the Amusement Ride Safety Advisory Board as of June 30, 2017 include:

- Leon Jones, Jr.**, Director of Labor, and ex officio chair
- Kane Webb**, Director of Arkansas Parks & Tourism
- Johnny Miller**, representing owners/operators of portable amusement rides
- Jessyka Hanna**, representing owners/operators of permanently placed rides
- Weldon Wynn**, representing fair managers

BLASTING

The Quarry and Open Pit Mine Blasting Control Act of 1995, Arkansas Code §§20-27-1101 *et seq.*, established restrictions and limits on blasting at quarries and open pit mines. The Department of Labor is charged with the administration and enforcement of the law. To that end, the AOSH Division provides consultation to operators, property owners, and the general public concerning complaints related to blasting. The division may conduct seismograph monitoring of blasting sites in certain circumstances. Additionally, most individuals conducting blasting in Arkansas, regardless of whether it is at a quarry or open pit mine, are required by state law to obtain certification of qualification and attend a blasting safety training course. Arkansas Code § 20-27-1102 and Safety Code No. 13. For more information about blasting, contact Kevin Looney at 501-682-9091, or e-mail him at kevin.looney@arkansas.gov.

Blasting Services

Complaints Investigated	0
Blasting Cards Issued - Class Attendance.....	81
Total Certificates Issued This Fiscal Year	232
Blasting Cards Issued Through Reciprocity	151
8-Hour Blasting Classes Conducted.....	2



Labor Standards

The Labor Standards Division enforces the minimum wage, overtime pay, and recordkeeping requirements of the Arkansas Minimum Wage Act, Arkansas Code § 11-4-201 *et seq.* The division also administers a wage claim program pursuant to Arkansas Code §11-4-301 *et seq.*, to help resolve wage disputes that do not exceed \$2000. Other state laws enforced by this division include child labor laws; the law on breaks for nursing mothers; the law regarding the costs of medical exams and drug tests required as a condition of employment; the prohibition against requiring an employee to provide an employer access to the employee's social media account; and laws regulating private employment agencies. The staff of the Labor Standards Division also provide public information and compliance assistance.

During the 2017 fiscal year, the Labor Standards Division worked closely with the agency's Information Technology staff on digital solutions for wage claims and wage and hour investigations. Among other things, this technology initiative eliminated file cabinets with paper cases and reduced the processing/investigation time on individual wage claims from an average of 120 days to an average of 46 days. Our efforts resulted in a national RunSmarter award from Laserfiche as the 2016 Best Public Service Award winner.

Additionally, Labor Standards Manager, Lindsay Moore, served as President of the Interstate Labor Standards Association (ILSA). This is an organization comprised of state labor department officials with responsibilities for administration and enforcement of laws in the area of labor standards. The purpose of the organization is to share information and best practices, as well as provide educational opportunities in order to improve the services provided at the state level.

WAGE AND HOUR

Wage complaints and wage claims are investigated by field staff located throughout the state. Additionally, the division issues employment certificates for the employment of minors, student learner permits, and certificates of eligibility. Certificates of eligibility authorize employers to pay full time students 85% of the state minimum wage rate provided that the student works no more than 20 hours per week when school is in session and no more than 40 hours per week when school is not in session.

WAGE & HOUR July 2016 – June 2017

Wage & Hour/Child Labor

Investigations Completed	199
Number of Employees Reviewed	15232
Number of Interviews Conducted	412
Number of Violations	10485
Active Investigations	43
Referred to USDOL	99
Invalid	124
W&H Referred to Legal	1

Wage Determinations Collections/Disbursements

Minimum Wage Determined	\$42,932.82
Overtime Determined	\$944,451.16
Civil Penalties	\$250.00
Total Determined	\$987,633.98
Total Collections	\$914,019.53
Total Disbursements	\$280,306.26
Referred to Legal	\$28,664.00

Child Labor Permits Issued

1360

Registered Private Employment Agencies

185

PEA Violation/Investigation	5	\$1,900.00
	Number	Amount
Total Claims Filed	357	\$229,700.78
Total Claims Closed	267	\$177,734.15
Total Claims Collected	99	\$31,210.33
Total Claims Disbursed	97	\$30,350.05
Claims Referred to Legal	47	\$32,545.82
Claims Referred to Hearing	24	\$6,753.87
Claims Referred to USDOL	21	
	Number	Amount
Total Determinations Issued	480	\$563,001,922.99
Statement of Intent	609	
Extensions Issued	17	
Exemptions To Prevailing Wage	54	
Omitted Classifications	30	
Phone Calls	2000	
Inspections	12	\$22,302.20

Outreach

Consultations	51	
Public Outreach	21	
Phone Calls To Department	6402	March-June 2017
Email Response/Online Inquiries	780	

NOTE: Effective April 6, 2017, the Arkansas Prevailing Wage Law was repealed. 2017 Ark. Acts 1068

This division investigates claims for unpaid wages where the amount in controversy is no more than \$2000. This includes sick and vacation pay, holiday benefits, commissions, shortages, cash advances, damaged property charges, and other unauthorized deductions from employees' wages.

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

PRIVATE EMPLOYMENT AGENCY

The Labor Standards Division is also responsible for administering the Private Employment Agency Act, Arkansas Code §11-11-101 *et seq.* The law covers all private employment agencies that operate in Arkansas and charge a fee to the applicant. Agencies are licensed only after bonding and examination requirements have been met. The agency must also demonstrate business integrity and financial responsibility.

All agency owners, managers, and counselors are required by law to pass a qualifying examination. They are also required to maintain records regarding refunds due to applicants, agency newspaper advertisements, applicant referrals, job orders solicited from clients, and all agency business transactions. These records are then subject to review by the division.

The law also has a number of consumer protection features, including a provision for a prorated fee reimbursement if an applicant leaves a job for any reason within the first 90 days of employment. The law also prohibits agencies from charging applicants a fee for any service other than actually being placed on a job.

MEDIATION AND CONCILIATION

The Arkansas Mediation and Conciliation Service provides assistance to management and labor in the event of a labor dispute. The Federal Labor Management Relations Act of 1947 requires all parties wishing to amend or terminate a collective bargaining agreement to notify both state and federal mediation authorities of their intent. The State Mediator's responsibility is to then promote peace and harmony in employer/employee relations by encouraging voluntary mediation between parties, to avoid lockouts, boycotts, blacklists, discrimination, and legal proceedings.

State mediation services are free of charge. All information obtained during negotiations is strictly confidential by state law. During the 2016-2017 fiscal year, the state mediator received notices from 35 local unions and employers of contract negotiations, was involved in 22 contract negotiations and/or mediation sessions, and 20 employer/employee training or conference sessions. The mediator also served as a member of the Arkansas Labor/Management Conference planning committee.

Additionally, the state mediator served as a hearing officer for wage claims, and also served as the agency's Emergency Management Liaison Officer. He was also a speaker or presenter at a number of events throughout the year.



The Administrative Services Division includes Finance, Human Resources, Information Technology, and Legal. These sections provide a wide variety of support services for the entire agency.

FINANCE

Managing the agency’s annual budget of approximately \$7.3 million is a primary responsibility of the Finance Division in addition to insuring proper accounting for all Department of Labor activities. These activities include budget preparation and monitoring of disbursements and funding levels in ten separate funds. The Finance Division assists in the preparation of grant applications and prepares grant budgets for federal grants received by the Department of Labor from the Occupational Safety and Health Administration, the Mine Safety and Health Administration and the Bureau of Labor Statistics. All required federal grant reporting and funding draws are completed by this division. The state required reporting for vendor performance and the Comprehensive Annual Financial Report (CAFR) and analytics are prepared by the Finance Division. The division is also responsible for purchasing and inventory control.

HUMAN RESOURCES

The Human Resources Division provides services that include recruitment and hiring; new employee on-boarding; performance management; payroll; benefits enrollment and administration; employee training; policy development and retirement administration. The division manages personnel records, as well as time and attendance; FMLA and other leave programs. Additionally, Human Resources is responsible for employee relations and provides assistance to management and employees relating to compliance with federal and state employment laws, agency policy and grievance facilitation.

INFORMATION TECHNOLOGY

The Information Technology Division 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, cell phones, as well as software licensing. The IT Division is responsible for planning, designing, implementing, installing, and maintaining the agency’s computer network and all associated components. The IT Division also implements technology

solutions to further agency initiatives, provides internal support and assistance for all software currently being used by the agency, and for all databases used in various agency programs.

With computer technology being ever-changing and constantly improving, the IT Division must stay abreast of changes and determine how, if, and when the agency can benefit from the latest technology. As an example of this type research, the IT Division worked closely with the Labor Standards Division this past year in developing a digital solution for handling wage claims and wage and hour investigations. This solution was eventually chosen as the winner of a Laserfiche Run Smarter Award in the category of Best Public Service Initiative. The staff of the IT Division is continuing to develop and expand the use of digital forms and workflows to further the efficiency of business processes.

LEGAL

The Legal Division handles the agency's litigation, and provides other legal services to the agency and its regulatory boards. These services include analyzing and monitoring proposed legislation, drafting administrative rules, and providing legal advice to the agency's enforcement staff. Additionally, the legal staff serves as a source of information for the general public regarding Arkansas labor and employment laws.

Much of the litigation handled by the Legal Division relates to the enforcement of state wage laws, including the state's minimum wage and overtime law. Other work may involve administrative law issues such as licensing, permitting or other enforcement activities relating to such operations as boilers, amusement rides and elevators. Collections by the Legal Section for the 2016-2017 fiscal year totaled \$48,274.53.