

## **Summary of Arkansas Minimum Wage Act Proposed Rule Revision Stemming from the 2025 Regular Session of the General Assembly**

The proposed rules will amend the existing rules consistent with Acts 397, 737, and 743 of 2025 to:

- (1) Replace the existing 20-factor test for determining the status of a person as an employee or independent contractor with the federal standard (11 CAR § 11-602(b)(4));
- (2) Incorporate the wage investigation reforms adopted by Act 397 of 2025 by clarifying the applicable assessment period, procedures, and remedies for violations of the Arkansas Minimum Wage Act (11 CAR § 11-1101(c)-(e));
- (3) Clarify the authority of the Secretary of the Department of Labor and Licensing over state minimum wage and overtime claims and investigations; and
- (4) Make technical, grammatical, and stylistic changes to conform to the BLR Drafting Manual.