

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative Jones**

A BILL ACT 565 OF 1991
HOUSE BILL 1442

For An Act To Be Entitled

8 "AN ACT TO AMEND TITLE 11, CHAPTER 6, SUBCHAPTER 1 OF THE
9 ARKANSAS CODE OF 1987 TO AUTHORIZE THE DIRECTOR OF LABOR
10 TO DETERMINE HAZARDOUS OCCUPATIONS FOR CHILDREN UNDER
11 SIXTEEN (16) YEARS; TO ISSUE EMPLOYMENT CERTIFICATES FOR
12 CHILDREN UNDER SIXTEEN (16) YEARS; AND FOR OTHER
13 PURPOSES."

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15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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17 SECTION 1. Subsection (b) of Arkansas Code §11-6-107 is hereby amended
18 to read as follows:

19 "(b) (1) The Director of the Arkansas Department of Labor may, from time
20 to time after a hearing duly had, determine what other occupations are
21 sufficiently dangerous to the life or limb or injurious to the health or
22 morals of children under sixteen (16) years to justify their exclusion
23 therefrom. No child under sixteen (16) years of age shall be employed or
24 permitted to work in any occupation thus determined to be dangerous or
25 injurious.

26 (2) There shall be right of appeal from any such determination
27 pursuant to the Administrative Procedures Act, Arkansas Code §25-15-201 et
28 seq."

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30 SECTION 2. Arkansas Code §11-6-109 is hereby amended to read as
31 follows:

32 "11-6-109. Children under age 16 years - Employment certificate
33 required.

34 (a) No person, firm, or corporation shall employ or permit any child
35 under sixteen (16) years to work in or in connection with any establishment or
36 occupation unless the person, firm, or corporation employing the child

1 procures and keeps on file, accessible to the Arkansas Department of Labor and
2 the Arkansas Department of Education, or local school officials, an employment
3 certificate as provided in this section.

4 (b)(1) The employment certificate shall be issued only by the Director
5 of the Arkansas Department of Labor.

6 (2) Application for an employment certificate shall be made on a
7 form approved by the Director of the Department of Labor and shall require
8 submission of the following:

- 9 (A) proof of age;
- 10 (B) a description of the work and work schedule; and
- 11 (C) written consent of the parent or guardian."

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13 SECTION 3. Arkansas Code §11-6-111 is hereby amended to read as
14 follows:

15 "11-6-111. Inspection of workplace - Prosecution of violators.

16 (a) The Director of the Arkansas Department of Labor or his designee
17 shall have the right to enter any building or premises for the purpose of
18 inspection to ascertain whether any child is employed or permitted to work in
19 violation of the provisions of this subchapter.

20 (b)(1) It shall be the duty of the Director of the Department of Labor
21 to enforce and administer the provisions of this subchapter.

22 (2) The Director of the Department of Labor is authorized to
23 adopt rules and regulations for the enforcement and administration of this
24 subchapter.

25 (3) The Director of the Department of Labor may revoke an
26 employment certificate for cause."

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28 SECTION 4. All provisions of this act of a general and permanent nature
29 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
30 Revision Commission shall incorporate the same in the Code.

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32 SECTION 5. If any provision of this act or the application thereof to
33 any person or circumstance is held invalid, such invalidity shall not affect
34 other provisions or applications of the act which can be given effect without
35 the invalid provision or application, and to this end the provisions of this

1 act are declared to be severable.

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3 SECTION 6. All laws and parts of laws in conflict with this act are
4 hereby repealed.

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APPROVED: 3-15-91

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