

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

A Bill

HOUSE BILL 1540

5 By: Representative Lundstrum
6 By: Senator Hester
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For An Act To Be Entitled

9 AN ACT TO AMEND THE DEFINITION OF EMPLOYMENT FOR THE
10 DEPARTMENT OF WORKFORCE SERVICES LAW; AND FOR OTHER
11 PURPOSES.
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Subtitle

14 TO AMEND THE DEFINITION OF EMPLOYMENT FOR
15 THE DEPARTMENT OF WORKFORCE SERVICES LAW.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 11-10-210(e), concerning the definition of
22 "employment" for the Department of Workforce Services Law, is amended to read
23 as follows:

24 (e) Service performed by an individual for wages shall be deemed to be
25 employment subject to this chapter irrespective of whether the common law
26 relationship of master and servant exists, unless and until it is shown to
27 the satisfaction of the director that:

28 (1) ~~Such~~ The individual has been and will continue to be free
29 from control and direction in connection with the performance of the service,
30 both under his or her contract for the performance of service and in fact;

31 (2) The service is performed either outside the usual course of
32 the business for which the service is performed or is performed outside all
33 the places of business of the enterprise for which the service is performed;
34 ~~and~~ or

35 (3) The individual is customarily engaged in an independently
36 established trade, occupation, profession, or business of the same nature as



1 that involved in the service performed.

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