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Bi-partisanship is not a theme that has prevailed during this legislative session so far. In fact, this General Assembly has shown that it is more interested in engaging in divisive issues to gain political points rather than address the serious problems that our State faces. However, the State Legislature can move in the right direction by finally addressing the issue of wage theft in Arkansas. It is an issue that affects all Arkansans, and has a bipartisan solution.

Wage theft is hard to define, but it is generally when an employer intentionally underpays or does not pay an employee owed wages. According to the Northwest Arkansas Workers' Justice Center, wage theft is a "silent epidemic" that plagues low wage workers and cheats the Arkansas taxpayers out of revenue each year. More importantly, it puts honest job creators in our communities at a disadvantage. A common occurrence is when a worker's employment is terminated, for one reason or another, and never paid the final paycheck owed. A victim of such a hypothetical has limited options in Arkansas.

While a worker can file a complaint with the Arkansas Department of Labor (DOL), the worker is not eligible for DOL assistance if owed more than \$2,000 or makes more than \$25,000 per year. Even if the worker can file with the DOL, it could take years before seeing any type of relief. If the amount owed is less than \$5,000, the worker could also seek relief in small claims court. However, this also comes with court and administrative fees that mitigate the amount that the worker can recover. Unfortunately, private attorneys are unlikely to take such a case because of the relatively small return amount in controversy. Further, prosecutors seem unwilling to

pursue charges under the “Theft of Services” statute in Arkansas (See ARK. CODE ANN. § 5-36-104). At best, the worker will recover with DOL assistance after a long period of time, leaving the low wage worker hurting for money and not holding the offender accountable.

Recently, Representative Greg Leding (D-Fayetteville) introduced H.B. 2004, in shell bill form, which would “require full payment of wages after termination of employment.” It will directly address the issue of wage theft in Arkansas. Mr. Leding attempted to pass a wage theft law last legislative session, but it died on the House floor. Mr. Leding, in a recent interview, attributed the prior bill’s failure to concern that it would place too much of a burden on small businesses. What “burdens” are unclear, as the business owes these wages. Mr. Leding has stated in a recent interview that H.B. 2004 will address these concerns, and Senator Jon Woods (R-Springdale) has stated he will support the new proposal. This bill will give low wage workers the ability to recover much earlier than under the current options.

I urge readers to contact their legislators and educate themselves on the issue of wage theft. This is not a partisan issue, it is an Arkansas issue. Please support your local job creators and support H.B. 2004.