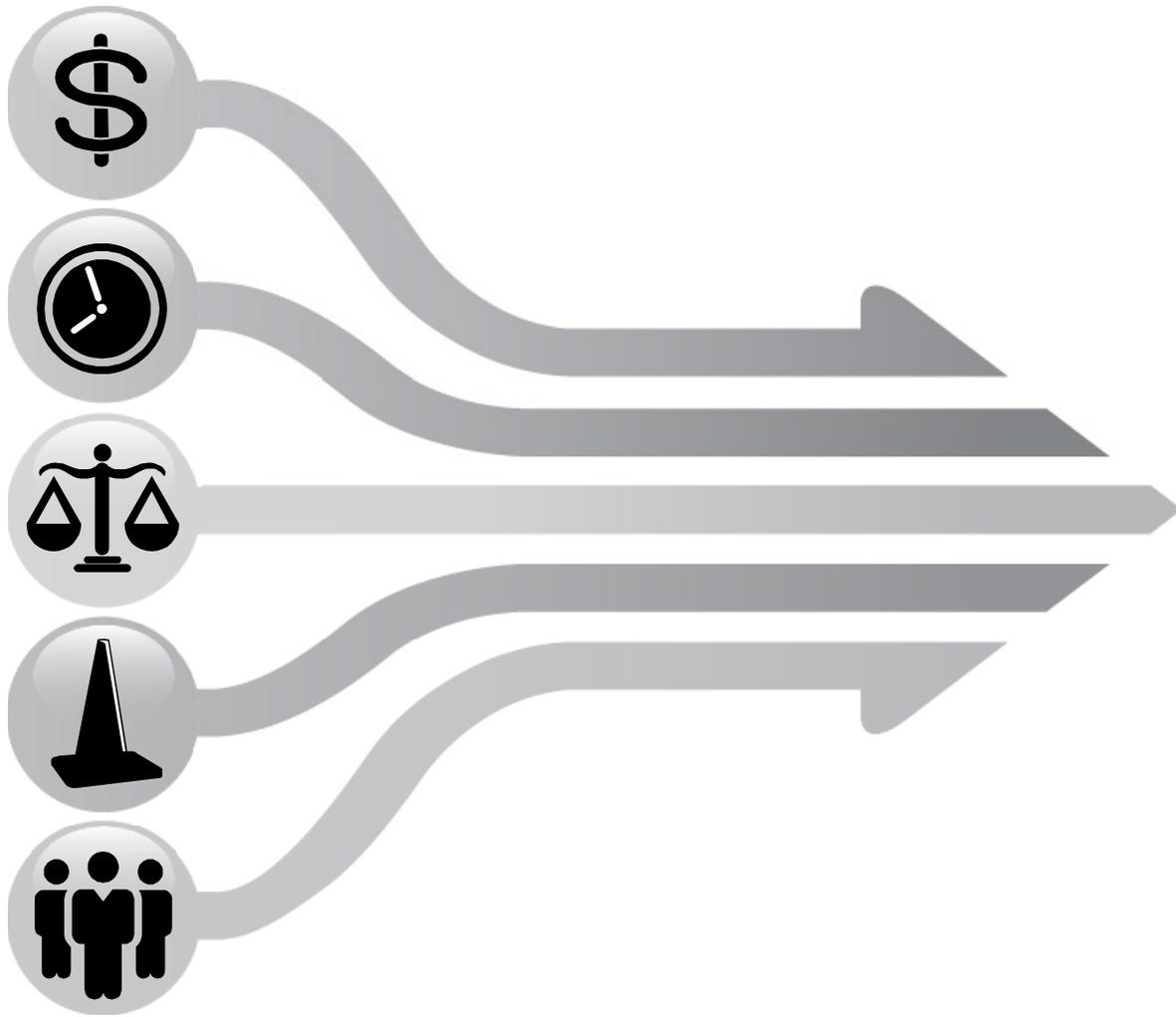


# Resource Guide for Employers



**Informing you on the laws surrounding unemployment insurance, safe workplaces, wage and hour standards, youth employment, workers' compensation, workplace discrimination, and public employee bargaining units.**



[www.labor.mo.gov](http://www.labor.mo.gov)  
421 East Dunklin Street  
P.O. Box 504  
Jefferson City, MO 65102-0504  
Phone: 573-751-4091  
Fax: 573-751-6552

As a new or established employer, you may have questions concerning rules and regulations that fall under the authority of the Missouri Department of Labor and Industrial Relations.

The Missouri Department of Labor and Industrial Relations promotes economic security and safe and healthy workplaces and also protects wage earners and others by improving working conditions, enforcing labor and anti-discrimination laws, and helping the unemployed or injured on the job.

In pursuit of this mission, we work to provide employers like you with detailed, comprehensive, and understandable information regarding your rights and responsibilities under unemployment insurance, workers' compensation, wage and hour, and youth employment laws. In addition, we provide information on issues concerning discrimination in the workplace and workplace safety and health.

The information provided in this booklet is based on statutes and regulations in effect at the time of the booklet's publication. Statutes and regulations are subject to change at all times. While every attempt has been made to assure accuracy and reliability, the Department of Labor and Industrial Relations makes no warranties, either expressed or implied, regarding the continuing accuracy of this booklet. For more information, visit [www.labor.mo.gov/employers](http://www.labor.mo.gov/employers).

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# Chapter 1: Unemployment Insurance: Taxes

## **Liability for Unemployment Insurance Tax**

An entity (person, partnership, corporation, etc.) that employs a worker may be liable for Missouri state unemployment insurance (UI) tax. Liability depends on several factors, including the type of entity and the type of work being performed. Employers must complete the “Unemployment Tax Registration” form and submit it to the Division of Employment Security (DES), which will use the responses to determine whether the employers are liable for state UI tax. Entities that are not liable must also complete and return this form. Employers can complete an online registration or get a copy of the form by visiting [www.labor.mo.gov/DES/Forms/2699-5-AI.pdf](http://www.labor.mo.gov/DES/Forms/2699-5-AI.pdf) or by calling 573-751-3340.

### ***Getting Started: Paying State UI Tax***

Register with the DES by completing an Unemployment Tax Registration form. If employers are liable for state UI tax, the DES will send them an official written determination to that effect and they will receive a Missouri Quarterly Contribution and Wage Report on which to report their employees’ wages. Employers also may use the DES Unemployment State Tax Automated Reporting (USTAR) system online. Instructions are provided with the Missouri Quarterly Contribution and Wage Report. The system calculates the taxes due for an employer and allows for a payment through electronic funds transfer (e.g. Automated Clearing House Debit or Credit), credit card, or voucher submitted with a check. Account changes may be submitted and other account services are available.

### ***New Employer Tax Rate***

A new employer receives an assigned beginning tax rate based on its industrial classification. New employer tax rates can be found online at [www.labor.mo.gov/DES/Employers/tax\\_rates](http://www.labor.mo.gov/DES/Employers/tax_rates), or by calling 573-751-3340.

### ***Returning Employer Tax Rate***

An employer’s account may be placed in an inactive status when the employer notifies the DES that it is no longer employing workers or is out of business. An employer in inactive status is exempt from filing the Missouri Quarterly Contribution and Wage Report. This action does not terminate liability as an employer if the employer resumes employing workers. The employer continues to be liable for reporting wages until liability is terminated. It is the employer’s responsibility to notify the DES if it resumes paying wages. Once the DES is notified that an employer has resumed paying wages, the account is reinstated unless there have been four consecutive calendar years where no wages have been paid. In this case, a new account is established and the employer is assigned a beginning tax rate based upon its industrial classification. An employer with an inactivate account or terminated account still is responsible for payment of any tax delinquencies.

### ***Reducing UI Tax Rate***

A beginning rate is fixed for all new employers of the same industrial classification and cannot be affected by an employer. However, Missouri Employment Security law includes a merit or experience rating provision as an incentive for employers to maintain stable employment, review claims, and reduce unemployment. An employer retains its new employer tax rate for the first two calendar years it is in business. After two full years of liability under the law, the employer’s tax rate is based upon its own experience. For more information about how laying off workers and unemployment claims can affect future benefit charges to your account, read the section titled Unemployment Insurance: Claims.

## **Credit-Reduction State Information**

Employers in certain states do not receive the full 5.4 percent credit on their federal unemployment tax for paying state UI tax. These are called credit-reduction states. For more information, please call 573-751-1995.

## **Federal Employer Identification Number (FEIN)**

The Internal Revenue Service (IRS) issues FEINs. The IRS provides information online at [www.irs.gov](http://www.irs.gov) about which employers must have a FEIN and how to get one. The site also has an index of some other helpful teletax employer tax topics. Employers can request a federal Application for Employer Identification Number (Form SS-4) and instructions by calling the IRS at 800-TAX-FORM or 800-829-3676.

## Requirements for Federal Unemployment Tax

The reporting requirements of the Federal Unemployment Tax Act (FUTA) are similar to those of Missouri unemployment insurance tax, but are **not** identical. The IRS administers the FUTA and employers should contact that agency for information on their liabilities for federal unemployment tax at 800-829-1040.

## Unemployment Insurance: Claims

### Layoffs

The Electronic Mass Claims Filing system is available to employers during a temporary mass layoff of eight weeks or less. Employee information provided by the employer allows the DES to quickly and efficiently file initial and renewed unemployment claims on behalf of employees. The employee is still responsible for filing the weekly requests for payment. This filing method is available when at least 20 workers become totally unemployed. For additional information, contact the Unemployment Insurance Program at 573-751-3648.

Under the Worker Adjustment and Retraining Notification (WARN) Act, employers may be required to provide a 60-day advance notice of covered plant closings and covered mass layoffs. This notice must be provided to the State Dislocated Worker Unit of the Division of Workforce Development. Call 573-526-8242 for information. For additional information on layoffs, visit [www.labor.mo.gov/DES/employers/quickguide\\_layingoff](http://www.labor.mo.gov/DES/employers/quickguide_layingoff).

### Shared Work

Before employers lay off any employees, they should consider our Shared Work program, which allows employers to reduce hours without losing any of their valued, experienced workers. Visit [www.SharedWork.mo.gov](http://www.SharedWork.mo.gov) or call 573-751-WORK for more information.



### Termination of Employment: Filing a UI Claim

When a worker becomes partially or totally unemployed, a new or renewed claim may be filed using the online claim filing system or by calling a Regional Claims Center (RCC). The website is [www.mocclaim.mo.gov](http://www.mocclaim.mo.gov), available 24 hours a day. Phone numbers for the RCC's are: Jefferson City 573-751-9040; Kansas City 816-889-3101; Springfield 417-895-6851; and St. Louis 314-340-4950. Workers calling from outside the local calling area may use the toll-free number 800-320-2519. Normal business hours are 8 a.m. to 5 p.m., Central Time, Monday through Friday.

### Maximum Benefit Amount for Claimants

Although unemployment insurance (UI) benefits are subject to change by the Missouri Legislature, the weekly benefit amounts (WBA) payable in Missouri currently range from \$35 to \$320. A worker may be qualified for up to 13 weeks of benefits during the benefit year. The amount an eligible worker may receive is figured on wages paid to the worker during the 12-month period consisting of the first four of the last five completed calendar quarters before the beginning date of the claim. Weekly benefits for eligible workers are four percent of the average of the two highest quarters of the base period, not to exceed \$320 per week.

### Benefits Paid Out of Unemployment Trust Fund

Generally, the costs for regular UI benefits are paid by employers liable for UI taxes under the Missouri Employment Security Law. Each employer's account is charged in ratio to the amount of the worker's wages paid by the employer during the worker's base period. An employer's account may be relieved of benefit charges if it is found the worker committed a disqualifying act, such as being fired for misconduct connected to the work or quitting for reasons not attributable to the work or the employer. Nothing is withheld from the worker's wages to pay for UI benefits.

### Notification of Unemployment Claim

When a claim is filed, the last employer and any base period employers receive a notice from the DES.

## **Protesting an Unemployment Claim**

Employers must file a protest by mail, online, or by fax within the time limits specified on the claim notice. It is important that the protest be filed in a timely manner. Employers must return the notice to the address or fax number shown on the notice unless using the online system.

### ***Time Limits***

If a timely protest is not filed, the employer loses the right to have the Appeals Tribunal review the case if unemployment benefits are allowed. An employer can file an appeal to have the protest period extended for good cause.

### ***Reasons***

An employer may protest any time there is a belief that the worker should be held ineligible or disqualified from receiving unemployment benefits. In general, the employer should protest the claim if the worker quit for reasons not attributable to the work or the employer, or if the worker was fired for misconduct connected to the work. The employer also should protest if the worker has refused work or if the employer knows the worker is not able to work or not available for full-time work. Other reasons for protesting a claim include, but are not limited to: a) receipt of holiday, vacation, severance, or Worker Adjustment and Retraining Notification (WARN) pay; b) receipt of a company-funded pension; c) involvement in a labor dispute such as a strike or lockout at the employer's business premises; d) receipt of workers' compensation; and e) suspension from the job for reasons constituting misconduct connected to the work.

### ***Documentation***

An employer should include the details of the incidents that caused the separation from the job or any other details that will support the contention that the worker should not be paid unemployment benefits. Other documents such as copies of pertinent personnel policies, documentation of disciplinary warnings or actions, copies of medical or laboratory reports, and any other items that might support the protest can be included. Include the name and phone number of a contact person within the business in case the DES needs additional information.

### ***Outcome***

If a timely protest to the notice of claim has been filed, the DES will notify the employer in writing when a determination has been made regarding the issues raised in the protest. If the employer disagrees with the determination, the appeal rights and the time frame for filing a timely appeal are contained in the notification.

## **Notification of Benefit Charges**

Within 30 days of the end of each calendar quarter, the DES will mail a Statement of Benefit Charges to each employer notifying it of the charges and/or credits to its account based on wages paid to current and former employees.

### ***Protesting Benefit Charges***

There is an instruction page mailed with each Statement of Benefit Charges. At the bottom of that page are instructions for filing a protest to the charges. Any protest must be filed in writing within 30 days of the date of mailing shown on the statement. The protest should include the specific reason for protesting as well as the claimant's name and Social Security Number, and the employer's account number.

## **Benefit Charges as Related to a Current Part-Time Worker**

All wages, whether for part-time or full-time employment, paid during an employee's base period will be used to establish his or her unemployment claim. If an employer continues to employ a worker part-time to the same extent each week and that worker files an unemployment claim, the employer must provide a written protest for possible relief of benefit charges. This request must be made within 30 days of the mail date of the quarterly Statement of Benefit Charges each quarter that the employer continues to employ the part-time worker that is claiming unemployment benefits.

## **Benefit Charges as Related to Reducing Hours for a Worker**

A base period employer that reduces a worker's hours will be liable for benefit charges if the worker files an unemployment claim and is determined eligible to receive unemployment benefits.

# Unemployment Insurance: Appeals

## Appealing an Unemployment Determination

Employers should send their letters of appeal to the address or fax number listed on the determination. In their appeal letters, employers should indicate why they disagree with the determination and include the issue number (if any) from the determination and the claimant's Social Security Number. Employers have 30 days from the date of the determination to file an appeal. In most cases, the last day to file an appeal is listed on the determination.

## Who Can File an Unemployment Appeal

Any officer or managerial employee of the employer, an attorney authorized to practice law in Missouri, or the claimant may file an appeal of the deputy's determination. The appeal should be signed.

## Process for Appeal

The Appeals Tribunal will acknowledge the receipt of the appeal and provide each party with a copy of the pamphlet Information for Appeals Tribunal Hearings. The Appeals Tribunal will notify the employer when a hearing is scheduled. Most hearings are done by phone, but a party can request an in-person hearing. The Appeals Tribunal also will provide each party with a copy of the DES file for the issue under appeal.

## Appeal Participation

If the employer is the appealing party and does not participate in the hearing, the appeal will be dismissed and the deputy's determination will stay the same. If the claimant appealed and the employer does not take part in the hearing, the referee's decision may be based solely on the claimant's testimony. Therefore, it is important that employers participate in the hearing. If the employer is unavailable on the date set for a hearing, it may request a postponement.

### *Unable to Participate*

Employers should immediately notify the referee assigned to the case when they know they cannot participate in the scheduled hearing and request a postponement. The referee's contact information is located on the Notice of Hearing. Postponements are rarely granted and only for exceptional reasons. Employers should make sure they notify the referee as soon as possible before the hearing if they are unable to participate for any reason.

## Preparing for the Hearing

Start immediately to gather any papers relating to the issues, such as correspondence from the claimant, union contracts, warning notices, or medical statements. Also, be certain that any witnesses or others with direct knowledge of the events in question are available to participate in the hearing.

It is the employer's responsibility to present evidence and testimony to prove the case. The referee will not investigate or contact witnesses for the employer. The referee will decide the case based upon the evidence that is presented in the hearing.

If the employer intends to present exhibits in a phone hearing, it must mail, fax, or deliver one copy of each exhibit to the claimant and the referee prior to the hearing. An employer should provide copies of the exhibits to the claimant and the referee each time the case is rescheduled.

Since the hearing with the referee is the one chance the employers will have to tell their story, they should be prepared to tell the referee everything they think is important and to present all witnesses and evidence at the hearing. Employers will not be allowed another hearing by the Labor and Industrial Relations Commission (LIRC) to present additional evidence they failed to offer the first time unless they show that it is newly discovered evidence.

## Notice of Appeal Decision

A written decision will be mailed to the employer, the employer's attorney, the claimant, and the claimant's attorney, if any, as soon as possible. The decision will explain the employer's right of appeal if the employer is dissatisfied with the decision.

## Appealing the Decision

If the employer disagrees with the referee's decision, the employer can appeal to the LIRC. Employers are not required to state the reasons why they disagree with the decision but they may set out a brief statement of why they think the decision is incorrect. If the employer did not take part in the referee's hearing, the case will not be reopened unless the employer establishes that it had a good reason for not participating. If the case is reopened, another hearing will be held and a new decision will be issued that also can be appealed.

## Applying for Appeal

Use the Application for Review form or file the appeal by letter. If the employer would like a copy of the form, please call the LIRC at 573-751-2461 or visit [www.labor.mo.gov/LIRC/Forms/MOIC-L-6-AI.pdf](http://www.labor.mo.gov/LIRC/Forms/MOIC-L-6-AI.pdf). Appeals must be taken within 30 days of the appeals referee's decision.

## Appealing a Commission Decision

An appeal from a decision of the LIRC to the Missouri Court of Appeals must be filed within 30 days of the LIRC decision. File an "Unemployment Compensation Notice of Appeal" (Form 8-B) with the LIRC. If you would like a copy of this form, please call the LIRC at 573-751-2461 or visit [www.labor.mo.gov/LIRC/Forms/8-B-AI.pdf](http://www.labor.mo.gov/LIRC/Forms/8-B-AI.pdf).

## Representation

Employers may file an Application for Review to the LIRC. All employers, with the exception of sole proprietors, will need an attorney to file any additional motions or briefs with the LIRC and to proceed with an appeal to the Missouri Court of Appeals.

## For More Information

The DES has numerous booklets and pamphlets that employers can request free of charge. This material explains other aspects of unemployment claims, benefit charges, and employers' rights and responsibilities. Employers also may visit the DES website at [www.labor.mo.gov/DES](http://www.labor.mo.gov/DES).

*For clarification on taxes or claims, or for additional related information, please contact:*

Division of Employment Security  
421 East Dunklin Street  
P.O. Box 59  
Jefferson City, MO 65104-0059  
Phone: 573-751-3215  
Fax: 573-751-4945  
Tax E-mail: [esemptax@labor.mo.gov](mailto:esemptax@labor.mo.gov)  
Claims E-mail: [esuiclaims@labor.mo.gov](mailto:esuiclaims@labor.mo.gov)  
Website: [www.labor.mo.gov/DES](http://www.labor.mo.gov/DES)

*For clarification on appeals, or for additional related information, please contact:*

Division of Employment Security  
Appeals Section  
421 East Dunklin Street  
P.O. Box 59  
Jefferson City, MO 65104-0059  
Phone: 573-751-3913  
Fax: 573-751-5620  
Appeals E-mail: [appealstribunal@labor.mo.gov](mailto:appealstribunal@labor.mo.gov)  
Website: [www.labor.mo.gov/DES/Appeals](http://www.labor.mo.gov/DES/Appeals)

Labor and Industrial Relations Commission  
3315 West Truman Boulevard Room 214  
P.O. Box 599  
Jefferson City, MO 65102-0599  
Phone: 573-751-2461  
Fax: 573-751-7806  
E-mail: [lirc@labor.mo.gov](mailto:lirc@labor.mo.gov)  
Website: [www.labor.mo.gov/LIRC](http://www.labor.mo.gov/LIRC)

## Chapter 2: Workplace Discrimination

### **Discrimination in the Workplace**

The Missouri Human Rights Act (the Act) makes it illegal to discriminate in any aspect of employment because of an individual's race, color, religion, national origin, ancestry, sex, disability, or age (40 through 69). That includes: hiring, firing, compensation, layoff, recall, retirement plans, or any other term, condition, or privilege of employment. The Act's protections apply to both employees and job applicants. The Act also makes it unlawful to retaliate against an individual for filing a complaint of discrimination, participating in an investigation or hearing, or opposing discriminatory practices. Employers are required to post notices to all employees advising them of their rights under the Act and their right to be free from retaliation. These posters are available for printing online at: [www.labor.mo.gov/posters](http://www.labor.mo.gov/posters). The Act applies to employers with six or more employees in the state.

### **Workplace Sexual Harassment**

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to such conduct is a term or condition of an individual's employment or is the basis of employment decisions affecting that person. Sexual harassment also occurs when unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature create a hostile, offensive, or intimidating working environment.

### **Pre-Employment Questions that Cross the Line**

Any questions about race, ethnic origin, or sex generally are not appropriate in job interviews. While not a per se violation of the Act, such questions may be evidence of discriminatory motive. The Missouri Commission on Human Rights website describes the types of questions that are and are not appropriate. Visit [www.labor.mo.gov/mohumanrights/discrimination/pre\\_employ\\_inquiries](http://www.labor.mo.gov/mohumanrights/discrimination/pre_employ_inquiries). The Equal Employment Opportunity Commission also has information regarding disability-related pre-employment inquiries at [www.eeoc.gov/policy/docs/preemp.html](http://www.eeoc.gov/policy/docs/preemp.html). Contact information can be found at the end of this section.

### **Pregnancy, Childbirth, and Related Medical Conditions**

It is against the law to discriminate against women due to pregnancy, childbirth, or related medical conditions. Employers should treat pregnancy, childbirth, or related medical conditions the same as they treat any other temporary disability.

### **Age and Laying Off Workers**

The Act protects employees ages 40 to 69 from age discrimination. With few exceptions, it is an unlawful discriminatory practice to use an employee's age as the basis for decisions about his or her employment.

### **Discrimination Against People with Disabilities**

The Act requires employers to reasonably accommodate the disabilities of their employees or applicants. Reasonable accommodations can include making existing facilities used by employees readily accessible, restructuring the job, modifying work schedules, reassigning to a vacant position, acquiring or modifying equipment or devices, and adjusting

or modifying examinations, training materials, or policies. What is a reasonable accommodation for a particular employer is determined on a case-by-case basis.

[www.labor.mo.gov/content/ada-compliance-test-business](http://www.labor.mo.gov/content/ada-compliance-test-business)

*For clarification on workplace discrimination or for additional related information, please contact:*

Missouri Commission on Human Rights  
3315 West Truman Boulevard Room 212  
P.O. Box 1129  
Jefferson City, MO 65102-1129  
Phone: 573-751-3325  
Fax: 573-751-2905  
E-mail: [mchr@labor.mo.gov](mailto:mchr@labor.mo.gov)  
Website: [www.labor.mo.gov/mohumanrights](http://www.labor.mo.gov/mohumanrights)



## Chapter 3: Workplace Wage and Hour Standards

### **Breaks and Lunches**

There are no state laws requiring breaks or lunch periods, except when employing children in the entertainment industry (see Youth Employment). These issues might be addressed by company policy, or could be covered by union contract.

### **Vacation, Sick Leave, and Health Insurance**

Missouri has no law requiring paid vacations for private sector employment. This is an issue that must be addressed by the employee with his or her employer. The state of Missouri does not have a law that requires employers to offer any type of fringe benefit, such as insurance, sick leave, or health insurance.

### **Final Wages: Termination**

Wages are due at the time of employment termination. If not paid at that time, the employee may provide a written request to the employer for the wages that are due. The employer has seven days to respond to the written request. If the employer does not pay the wages due within seven days, the employee is entitled to up to an additional 60 days of pay. If the employer does not pay the wages voluntarily, they will have to be collected by private legal action because the state of Missouri does not have authority to collect wages for any individual. Employees may file private legal actions in small claims court if the amount claimed is less than \$5,000 or in circuit court for a greater amount.

### **Final Wages: Quit**

There are no requirements under Missouri law that address when wages are due when an employee quits a job. If wages are not paid by the next regular pay period, then the wages may have to be collected by legal action. If the amount claimed is less than \$5,000, the employee can file for the amount due in small claims court or the employee can file in circuit court, if the amount claimed is more than \$5,000.

### **Minimum Wage Law**

Most employers must pay their employees at least the state minimum wage rate. (Employers engaged in retail or service businesses whose annual gross income is less than \$500,000, however, are not subject to Missouri's Minimum Wage Law.)

### **Overtime**

Overtime is based on a 40-hour workweek, not an eight-hour day. The Missouri Minimum Wage Law requires covered employers to pay one-and-one-half times the regular rate of wages for hours over 40 in a given workweek.

## **Requiring Employees to Work Overtime**

There are limitations of working hours in certain industries without the consent of the employee. (See Section 290.020 of the Missouri Revised Statutes). Missouri has no laws restricting the number of hours an employer can require an employee to work in other industries. If the employee refuses to work the requested hours, an employer can terminate the employee without violating any laws. If employees are covered under the Missouri Minimum Wage Law, they must be paid time-and-one-half for any hours worked over 40 hours in a given workweek.

## **Missouri Law and Federal Law**

There is also a federal law, known as the Fair Labor Standards Act, that governs wages and overtime. This federal law is not identical to Missouri law. When both Missouri law and the federal law apply but do not agree on a particular point, the stricter law applies: both sets of laws, however, must be complied with.

## **Reducing Wages**

An employer generally can reduce an employee's wages without violating any law. However, an employer subject to the Missouri Minimum Wage Law may not reduce an employee's wages below the Missouri minimum wage. Missouri law also requires employers to give a 30-day written notice of reduction of wages. Any company or corporation violating this requirement shall pay each affected person \$50, which can be recovered through court action.

## **Notice**

Missouri follows the Employment-at-Will doctrine. Among other things, this means that an employee generally does not have to give any advance notice before leaving a job. The state laws provide no requirement for notice from or for employers.

*For clarification on workplace wage and hour standards or for additional related information, please contact:*

Division of Labor Standards  
3315 West Truman Boulevard Room 205  
P.O. Box 449  
Jefferson City, MO 65102-0449  
Phone: 573-751-3403  
E-mail: [laborstandards@labor.mo.gov](mailto:laborstandards@labor.mo.gov)  
Website: [www.labor.mo.gov/DLS/General](http://www.labor.mo.gov/DLS/General)

## **Chapter 4: Family Medical Leave Act**

### **The Family Medical Leave Act (FMLA) applies to all:**

- Public agencies, including state, local, and federal employers, local education agencies (schools), and
- Private-sector employers that employed 50 or more employees in 20 or more workweeks in the current or preceding calendar year and that are engaged in commerce or in any industry or activity affecting commerce – including joint employers and successors of covered employers

### **FMLA Leave Time**

Eligible employees are entitled to 12 weeks of leave for certain family and medical reasons during a 12-month period.

### **Employees Eligible to take FMLA Leave Time**

Employees are eligible to take FMLA leave if they have worked for their employer for at least 12 months, and have worked for at least 1,250 hours over the previous 12 months, and work at a location where at least 50 employees are employed by the employer within 75 miles.

## Calculation of the FMLA 12-month Period

Employers may select one of four options for determining the 12-month period:

- The calendar year
- Any fixed 12-month “leave year” such as a fiscal year, a year required by state law, or a year starting on the employee’s “anniversary” date
- The 12-month period measured forward from the date any employee’s first FMLA leave begins
- A “rolling” 12-month period measured backward from the date an employee uses FMLA leave

**Important Note:** The 12 months do not have to be continuous or consecutive; all time worked for the employer is counted. The 1,250 hours include only those hours actually worked for the employer. Paid leave and unpaid leave, including FMLA leave, are not included.

## FMLA and Paid Time Off

The FMLA only requires unpaid leave. However, the law permits an employee to elect, or the employer to require, the employee to use accrued paid leave, such as vacation or sick leave, for some or all of the FMLA leave period. When paid leave is substituted for unpaid FMLA leave, it may be counted against the 12-week FMLA leave entitlement if the employee is properly notified of the designation when the leave begins.

## Maternity Leave and Pregnancy

Pregnancy disability leave or maternity leave for the birth of a child can be considered qualifying FMLA leave for a serious health condition and may be counted in the 12 weeks of leave so long as the employer properly notifies the employee in writing of the designation.

## Immediate Family Members

An employee’s spouse, children (son or daughter), and parents are immediate family members for FMLA purposes. The term parent does not include a parent in-law. The terms son or daughter do not include individuals age 18 or over unless they are incapable of self-care because of mental or physical disability that limits one or more of the major life activities as those terms are defined in regulations issued by the Equal Employment Opportunity Commission (EEOC) under the Americans With Disabilities Act (ADA).

## Military Family Leave

Additional leave provisions apply when the leave is taken (1) to care for a family member seriously injured or ill as the result of active military duty or (2) due to certain exigencies arising from a family member’s active duty service as a member of the National Guard or Reserves.

*For clarification on FMLA or for additional related information, please contact:*

U.S. Department of Labor

Wage and Hour Division Phone: 866-487-9243

## Chapter 5: Youth Employment

### Age Youth Can Work

Young people under the age of 14 are allowed to work only in limited areas, such as the entertainment industry. Young people 14 or 15 years of age are permitted to work in a number of different types of businesses, with the majority working in some form of retail or food service. The employment of young people over the age of 16 does not fall under Missouri law, but some restrictions do exist under federal law.

## Unacceptable Jobs for Youth

Prohibited occupations generally involve dangerous equipment (e.g., cookers, slicers), or dangerous materials (e.g., toxic chemicals), or dangerous duties (e.g., driving, roofing). In addition, there are specific restrictions regarding employment in hotels and in businesses that sell alcoholic beverages. For specific descriptions of allowable working hours and prohibited occupations, call the Division of Labor Standards (DLS) at 573-751-3403, e-mail [childlabor@labor.mo.gov](mailto:childlabor@labor.mo.gov), or see Section 294.040 of the Missouri Revised Statutes.

## Working for a Parent

The law still applies unless the business is owned by the child's parent or legal guardian and the child remains under the direct control of the parent or legal guardian. If the parent is simply a supervisor, the law still applies.

## Agreement to Employment Terms

Even if all parties involved (parent, employer, and youth) agree to terms of employment contrary to the law, the law still applies.

## Work Certificates

Work certificates are required for children 14 and 15 years old before they start employment at any job (other than in the entertainment industry as discussed below) during the school year. Work certificates are required regardless of where a child attends school (public school, private school, charter school, home school). Work certificates must be issued by either (1) the public school superintendent of the school district in which the child resides, (2) the chief executive officer of the charter school that the child attends, (3) the public or private school principal of the school that the child attends, (4) the designee of any of these school officials, or (5) if the child is home-schooled, a parent of the child. The public school superintendent of the school district in which the child resides may revoke a work certificate issued by a public or private school principal, if that is deemed to be in the best interest of the child.

## Acceptable Work Hours

While school is in session	While school is NOT in session
7 a.m. to 7 p.m.	7 a.m. to 9 p.m.*
No more than 8 hours on non-school days.	No more than 8 hours on any day.
No more than 3 hours on school days.	
No more than 6 days or 40 hours in any week.	No more than 6 days or 40 hours in any week.

\*In certain circumstances, 14 and 15 year olds may work until 10:30 p.m., if employed at a regional fair while school is not in session.

## Work Certificate Denied

A work certificate shall be issued after the issuing officer is assured the youth has parental consent and is satisfied that the employment will serve the best interest of the youth. Consideration for denial may include, among other things, whether there is a possibility of the child engaging in a prohibited occupation, whether working times or hours will not be in compliance with legal restrictions, or whether the job will interfere with the child's educational needs.

## Work Permit – Entertainment Industry

A work permit, more commonly called an entertainment permit, is a form issued by the DLS permitting an individual younger than the age of 16 to work in the entertainment industry. Youth working in entertainment must have breaks. A youth cannot work more than five and one-half hours without a meal break. Additionally, a 15-minute rest period (which counts as work time) is required after each two hours of continuous work for youth in the entertainment industry. For a

complete list of work requirements applicable to young people working in the entertainment industry, see Section 294.022 of the Revised Statutes of Missouri.

*For clarification on youth employment or for additional related information, please contact:*

Division of Labor Standards  
3315 West Truman Boulevard Room 205  
P.O. Box 449  
Jefferson City, MO 65102-0449  
Phone: 573-751-3403  
Fax: 573-751-3721  
E-mail: [childlabor@labor.mo.gov](mailto:childlabor@labor.mo.gov)  
Website: [www.labor.mo.gov/DLS/YouthEmployment](http://www.labor.mo.gov/DLS/YouthEmployment)

## Chapter 6: Workplace Safety

### **Free On-Site Consultation Service**

The Division of Labor Standards' (DLS) On-Site Safety and Health Consultation Service can assist you in making your workplace safer and help avoid costly penalties imposed by the Occupational Safety and Health Administration (OSHA). The FREE program is designed for small employers (less than 250 employees on-site, no more than 500 employees nationwide) in high hazard industries. Our safety and health consultants provide an OSHA-type mock inspection at the workplace without assessing any fines or penalties. The employer always sets the scope of the visit, so the consultation can include the entire workplace or it can be limited to a specific area or phase of the workplace. The employer's only obligation is to correct the hazards identified by the consultant. This program can help lower workers' compensation rates and reduce out-of-pocket expenses.

### **Employer Safety Recognition Program - SHARP**

The Safety and Health Achievement Recognition Program (SHARP) is a selective program available for small employers with 250 employees or less who participate in the Missouri On-Site Safety and Health Consultation Program and achieve a certain high level of safety. It is designed to honor small businesses that operate effective safety and health management programs. SHARP employers can receive a one to two-year exemption from OSHA programmed inspections.

## Workplace Safety: Mine and Cave Safety

### **Mine and Cave Safety and Health Program**

To help make Missouri's mines and caves safer, the DLS offers free programs to train Missouri miners on implementing safe and healthy working habits at the workplace. Services include: safety and health, first aid, cardiopulmonary resuscitation (CPR), and mine rescue.

The Missouri Mine Safety and Health Training Program is designed to help miners and the mining community reduce accidents through education, training, hazard elimination, and provision of assistance to miners in accordance with Missouri state laws and regulations and the Federal Mine Safety and Health Act of 1997.

### **Mine Safety Training**

If any of the following criteria are met, you must have Mine Safety and Health Training:

- You are engaged in the mining process
- You are exposed to mining hazards at a mine site
- You are at a mine site on a frequent basis performing work

## **Cost of Mine Safety and Health Training**

When training is provided by the state, there is no cost to the miner or mine operator. Training is funded by a grant from the Mine Safety and Health Administration (MSHA).

## **Training: Surface or Underground Mine Contractor**

All employees who work at surface mines in shell dredging, or who are employees at sand, gravel, surface stone, surface clay, colloidal phosphate, or surface limestone mines must attend Part 46 Training and Retraining for Miners. All employees who work in surface mines must receive Part 48 Training and Retraining for Miners.

If the operation is a surface mine, new employees must receive 24 hours of training – Part 46 New Miner Training. If the mining operation is underground, new employees must receive 40 hours of training under Part 48 New Miner Training. For more information, visit [www.msha.gov](http://www.msha.gov).

## **Inspections**

The following mining operations are inspected by the State Mine and Cave Safety and Health Unit: coal, clay, shale, iron, lead, zinc, copper, silica sand, and granite mining operations.

## **Scheduling a Safety Consultation**

Call the DLS Mine and Cave Safety and Health Program at 573-52-MINE1 (526-4631) or e-mail [minesafety@labor.mo.gov](mailto:minesafety@labor.mo.gov) to schedule an appointment and get the assistance needed to start a proper safety and health program.

## **Eight-Hour Work Day Limits**

It is unlawful for any operator engaged in mining or prospecting for minerals to work any employee longer than eight hours in a day of 24 hours without his or her consent.

*For clarification on mine and cave safety or for additional related information, please contact:*

Division of Labor Standards  
Mine and Cave Safety and Health Program  
3315 West Truman Boulevard Room 205  
P.O. Box 449  
Jefferson City, MO 65102-0449  
Phone: 573-52-MINE1 (526-4631)  
Fax: 573-751-3721  
E-mail: [minesafety@labor.mo.gov](mailto:minesafety@labor.mo.gov)  
Website: [www.labor.mo.gov/DLS/WorkplaceSafety/minecave](http://www.labor.mo.gov/DLS/WorkplaceSafety/minecave)

*For clarification on workplace safety or for additional related information, please contact:*

Division of Labor Standards  
3315 West Truman Boulevard Room 205  
P.O. Box 449  
Jefferson City, MO 65102-0449  
Phone: 573-522-SAFE (7233)  
E-mail: [laborstandards@labor.mo.gov](mailto:laborstandards@labor.mo.gov)  
Website: [www.labor.mo.gov/SAFE](http://www.labor.mo.gov/SAFE)

## **Obtaining Mine Safety Training Materials and Forms**

### ***Mine Safety and Health Administration (MSHA)***

#### *Field Office*

1404 Independence Road  
Rolla, MO 65401  
Phone: 573-364-8282

#### *District Office*

1100 Commerce St., Room 462  
Dallas, TX 75242-0499  
Phone: 214-767-8401

National Mine Health and Safety Academy  
Department of Instructional Materials  
1301 Airport Road  
Beaver, WV 25813-9426  
Phone: 304-256-3257  
Fax: 304-256-3368

## **Chapter 7: Workers' Compensation**

### **Employers Required to Carry Workers' Compensation Insurance**

According to Missouri law, workers' compensation coverage is required of all employers that have five or more employees. Construction-industry employers that erect, demolish, alter, or repair improvements must carry workers' compensation insurance if they have one or more employees. Partners and sole proprietors may elect to obtain workers' compensation coverage on themselves. Any employer that is not required by law to carry workers' compensation coverage may elect coverage by purchasing and accepting a valid workers' compensation insurance policy. Employers that are subject to these requirements but fail to insure their employees may be found in noncompliance with the law, which is a Class A misdemeanor and may be subject to civil and criminal penalties.

### **Workers' Compensation Exemptions and Exceptions**

A corporation may be exempt from workers' compensation requirements only if there are no more than two owners of the corporation and those two owners are the only employees of the corporation. Such a corporation may be exempt only after filing with the Division of Workers' Compensation (DWC) a Notice of Election to Withdraw (Form 65). This notice may be requested by calling 573-751-4231.

In accordance with Missouri law, an employer or employees of an employer may request an exception from the provisions of the workers' compensation law for employees who are members of a recognized religious sect or division, as defined in 26 U.S.C. § 1402 (g), by reason of which they are conscientiously opposed to accepting public or private insurance benefits, including benefits of any insurance system established under the federal Social Security Act. Such employers and employees must file the appropriate forms with the DWC's Religious Exception Program. If the exception is granted by the DWC, the employee waives his or her rights to any benefits under the workers' compensation law. For more information on the Religious Exception Program, contact the DWC at 573-526-4941.

### **Limited Liability Company Coverage Requirements**

A Limited Liability Company (LLC) needs to obtain coverage so long as the LLC is an employer subject to the requirements of the workers' compensation law. The LLC is required to carry coverage even if all employees are members. While members of the LLC are to be covered, such members may individually elect to reject coverage by providing

written notice of such a rejection on a form developed by the Missouri Department of Insurance, Financial Institutions and Professional Registration (DIFP) to the LLC and its insurer. A member who elects to reject coverage shall not be entitled to workers' compensation benefits under the policy, even if serving in the capacity of an employee of the LLC.

## **Insurance Companies and Rates**

Visit the DIFP's website at [www.insurance.mo.gov](http://www.insurance.mo.gov) to find out what rates insurance companies may offer for certain classes of business. You need to know the four-digit class code in order to determine the applicable rates. Class codes can be obtained from the National Council on Compensation Insurance by calling 800-622-4123.

## **The Self-Insurance Program**

The Self-Insurance Program offers an alternative to traditional workers' compensation insurance policies. For an employer to self-insure its workers' compensation liabilities, the employer must satisfy the requirements of the DWC. The DWC's requirements include financial soundness, acceptable safety and health program, appropriate case management, and administrative ability to manage the self-insurance program. Larger employers may apply to self-insure individually. Small to midsize employers may form a Group Trust or may choose to join an existing Group Trust as a means to self-insure their workers' compensation liabilities. For further information, call 573-526-3692 or e-mail [workerscomp@labor.mo.gov](mailto:workerscomp@labor.mo.gov).

## **General and Subcontractor Relationship Coverage**

Under the Missouri Workers' Compensation Law, sole proprietors and partnerships must individually elect to purchase a valid workers' compensation insurance policy for themselves. Suppose a general contractor hires a subcontractor, and the subcontractor states he or she is a sole proprietor and therefore not legally required to carry workers' compensation insurance coverage on him or herself. Because the subcontractor chose not to purchase an insurance policy, the subcontractor is therefore uninsured. Since the subcontractor is uninsured, the general contractor may become liable for injuries the subcontractor may sustain while working on that job. If the subcontractor is uninsured, the insurance company for the general contractor may be required to pay claims, and, as a result, will charge for covering the uninsured subcontractor. The general contractor's workers' compensation insurance policy will dictate how the premium is calculated, what records are needed to compute the premium, and the audit of the records relating to the policy. The general contractor needs to provide proof to its insurance carrier that the subcontractor has secured its own workers' compensation obligations to avoid paying an additional premium. The general contractor, therefore, can require the subcontractor to provide proof of workers' compensation insurance coverage.

## **Employees Covered Under Workers' Compensation Law**

An employee is defined to include every person in the service of any employer pursuant to any contract of hire or pursuant to any appointment or election, including executive officers of a corporation. An employee is covered whether full or part time and an employee is covered from the first day on the job. The Law does provide that certain close family members of employers may be withdrawn from coverage, although they remain countable employees, meaning they still count toward the five or more or one or more criteria in the Law. However, this is only available if the business is a sole proprietorship or a partnership. Corporations or LLC's do not have family members. (§§287.030.1(3) and 287.035.6, RSMo).

## **Reporting Workplace Injuries**

An employer or its insurer must report all injuries, other than those that require only immediate first aid and result in no further medical treatment or lost time from work, to the DWC within 30 days after knowledge of the injury. Employers have to report all injuries to their workers' compensation insurance carrier or Third Party Administrator within five days of the date of injury or within five days of the date on which the injury was reported to the employer by the employee, whichever is later. Any employer or insurer that knowingly fails to report an injury shall be deemed guilty of a Class A misdemeanor and may be subject to a fine, imprisonment, or both.

## **Medical Care**

The employer has the right to select the health care provider such as the doctor, hospital, or clinic. The employer is not required to, but may change treating physicians when asked to do so by the injured worker. An injured employee should be

referred to the employer's authorized doctor to receive the medical treatment necessary to cure and relieve the effects of the injury. However, the employee has the right to select a treating physician at the employee's expense.

## **Indemnity**

In addition to medical benefits, an employee may be entitled to temporary total disability benefits and permanent partial or permanent total disability benefits. Upon the death of a worker who has suffered a compensable work injury, certain surviving individuals may be entitled to weekly benefits from the employer/insurer. The employer/insurer is also responsible for paying for funeral expenses for up to \$5,000.

## **Occupational Diseases Due to Toxic Exposure**

Enhanced benefits may be available if it is shown that an employee is permanently and totally disabled or has died due to an occupational disease due to toxic exposure. Toxic exposure is defined as: mesothelioma, asbestosis, berylliosis, coal worker's pneumoconiosis, bronchiolitis, obliterans, silicosis, silicotuberculosis, manganism, acute myelogenous leukemia, and myelodysplastic syndrome.

For claims filed on or after Jan. 1, 2014, an employer may be held responsible for the benefit payments as follows:

- For occupational diseases due to toxic exposure, but not including mesothelioma, an amount equal to 200 percent of the state's average weekly wage as of the date of diagnosis for 100 weeks; and
- In cases where occupational disease due to toxic exposure is diagnosed to be mesothelioma, an amount equal to 300 percent of the state's average weekly wage for 212 weeks.

The permanent and total disability benefits and death benefits shall only be paid when the enhanced or additional benefits have been exhausted. An employee who obtained enhanced benefits due to asbestosis and later develops mesothelioma and obtains an award for that as well shall not receive total benefits that exceed those available for mesothelioma alone.

## **Maintaining Accurate Employee Dependent Information**

Every employer is required to keep an updated record of the correct names and addresses of the dependents of every employee. When an injury occurs that results in the death of an employee and reported to the DWC, the DWC sends information about Survivor Benefits to the deceased employee's dependents.

## **Missouri Workers' Safety Program**

The Missouri Workers' Safety Program was created to help employers improve workplace safety, reduce workers' compensation costs, and regulate safety services provided by insurance carriers. It assists employers in reducing the number and severity of injuries in the workplace.

The free program includes certifying and maintaining a registry of safety consultants and engineers; certifying safety programs of self-insured employers, self-insured trusts, third party administrators, and workers' compensation insurance carriers; investigating complaints of inadequate loss control services against insurance carriers; monitoring the impact of safety services being provided by insurance carriers; performing on-site safety audits and consultations; and conducting occupational safety education and training.



## **Appealing Award**

An Application for Review of the decision of the Administrative Law Judge (ALJ) may be made to the LIRC within 20 days of the award. An application for review may be filed by using the Application for Review form that can be found online at [www.labor.mo.gov/LIRC/Forms/MOIC-2567-AI.pdf](http://www.labor.mo.gov/LIRC/Forms/MOIC-2567-AI.pdf) or call 573-751-2461 for a copy. If the Application for Review is not postmarked or received within 20 days of the award, the award becomes final and no appeal may be made to the LIRC or to the courts.

## **Filing Appeal for Uninsured Employers**

If the DWC determines the employer to be subject to and operating under the Workers' Compensation Act and the ALJ determines the employer is uninsured, then, in order to appeal the ALJ award, the uninsured employer must file a surety bond with the Application for Review to the LIRC.

## **Appealing a Commission Decision**

An appeal of the award issued by the LIRC to the Missouri Court of Appeals must be filed within 30 days after the LIRC issues its award. The appeal must be filed using the Notice of Appeal (Form 8-C). For a copy of this form, visit [www.labor.mo.gov/LIRC/Forms/8-C-AI.pdf](http://www.labor.mo.gov/LIRC/Forms/8-C-AI.pdf) or call 573-751-2461. A check for the docket fee of \$70 should be made payable to the clerk of the appropriate appellate court and must accompany the Notice of Appeal. The Notice of Appeal and filing fee are to be filed with the LIRC. The LIRC forwards the Notice of Appeal and the docket fee to the Court of Appeals.

*For clarification on workers' compensation or for additional related information, please contact:*

Division of Workers' Compensation  
3315 West Truman Boulevard Room 131  
P.O. Box 58  
Jefferson City, MO 65102-0058  
Phone: 573-751-4231  
Fax: 573-751-2012  
E-mail: [workerscomp@labor.mo.gov](mailto:workerscomp@labor.mo.gov)  
Website: [www.labor.mo.gov/DWC](http://www.labor.mo.gov/DWC)

Labor and Industrial Relations Commission  
3315 West Truman Boulevard Room 214  
P.O. Box 599  
Jefferson City, MO 65102-0599  
Phone: 573-751-2461  
Fax: 573-751-7806  
E-mail: [lirc@labor.mo.gov](mailto:lirc@labor.mo.gov)  
Website: [www.labor.mo.gov/LIRC](http://www.labor.mo.gov/LIRC)

## **Chapter 8: Public Sector Labor Law**

### **State Board of Mediation**

The State Board of Mediation (SBM) is statutorily charged with determining the appropriateness of bargaining units of public employees who are interested in organizing and being represented by a labor organization for purposes of collective bargaining. The SBM also conducts secret-ballot elections to determine whether a majority of the employees in bargaining units found to be appropriate want to be represented by the petitioning labor organization.

### **Selection of the SBM**

The SBM is a quasi-judicial board appointed by the governor with advice and consent of the Senate for three-year terms. The SBM consists of five members: a full-time chairman; two members who must be employers of labor or be selected from an association representing employers; and two members who must hold membership in a bona fide trade or labor union. The chairman serves as the neutral party and is neither an employee nor an employer of labor.

### **Jurisdiction of the SBM**

All Missouri public employees have the right to organize and join labor unions and to bargain collectively through representatives of their own choosing. By statute, however, public employees have no right to strike.

The SBM's jurisdiction to determine appropriate bargaining units and exclusive bargaining representatives extends to almost all public employees, including most of those employed by:

- State Government
- Counties
- Municipalities
- School Districts
- Special Districts

The SBM's jurisdiction does not cover police officers, deputy sheriffs, the Missouri State Highway Patrol, the Missouri National Guard, or teachers in Missouri schools, colleges, and universities. These types of public employees still have the right to organize and to bargain collectively, but the SBM has no authority to play a role when they are doing so.

## **Meet and Confer Process**

Missouri's public sector labor law requires the public employer to meet and confer with the exclusive bargaining representative of its employees to discuss proposals relative to salaries and other conditions of employment. The results of the meet and confer process are reduced to writing in the form of a Memorandum of Understanding and submitted to the public employer's governing body for approval, modification, or rejection.

## **Certification Process**

The steps involved in filing a petition with the SBM are:

- A petition is filed with the SBM by a public employee or group of public employees or by an individual or employee organization claiming to represent a majority of the public employees in a defined group (the proposed bargaining unit)
- The petitioner must show that at least 30 percent of the public employees in that proposed bargaining unit want to be represented by the petitioner. If this 30 percent showing of interest is not established, the petition will be dismissed
- A preliminary conference is held to determine whether the parties can agree that the proposed bargaining unit is an appropriate bargaining unit of employees and, if so, to schedule an election
- If the parties cannot agree as to the makeup of an appropriate bargaining unit or on the manner of conducting the election, the SBM chairman will schedule a formal hearing at which the parties may present evidence and legal arguments regarding their positions on the disputed question or questions. After considering the evidence and the legal points made, the chairman and two or more board members will issue a written decision resolving the disputed issues
- Once an appropriate bargaining unit is determined and the manner of conducting an election is decided (either by agreement of the parties or by a decision of the SBM), the chairman conducts an election among the eligible employees in the bargaining unit to decide on union representation. The union must receive a majority of the votes cast to become the exclusive bargaining representative for the employees in the bargaining unit
- The parties are given 10 days to file objections to the election
- If no objections are filed, the SBM issues a certification of the results of the election
- If objections are filed, the chairman shall conduct an investigation and, if appropriate, shall issue a notice of hearing for the SBM to hear the matters alleged and to issue a written report and recommendations
- Decisions of the SBM may be appealed to the circuit court

*For clarification for public sector labor law or for additional related information, please contact:*

State Board of Mediation  
3315 West Truman Boulevard Room 211  
P.O. Box 2071  
Jefferson City, MO 65102-2071  
Phone: 573-751-3614  
Fax: 573-751-0083  
E-mail: [sbm@labor.mo.gov](mailto:sbm@labor.mo.gov)  
Website: [www.labor.mo.gov/SBM](http://www.labor.mo.gov/SBM)

# Chapter 9: Employer Required Federal and State Workplace Posters

Various state and federal laws require employers to display certain posters for the benefit of employees in order to inform them of key provisions in the law. The following information has been collected to act as a guide in obtaining required posters.

This pamphlet neither suggests that these are the only posters required nor does it relieve employers of the responsibility of posting required notices not included in this guide. The following only describes required posters commonly requested of the Missouri Department of Labor and Industrial Relations.

The posters described are those that are required to be displayed in the broad spectrum of business and industry in Missouri. Laws affecting a smaller number of employees may require posting additional posters.

Covered employers should display the required posters where they may be seen by prospective employees and close to the employee clocks or other appropriate places where present employees may view them.

## Posters Required by the State of Missouri

1. Poster **Notice to Workers Concerning Unemployment Benefits (MODES-B-2)**. Required by Section 288.130.3 of the Missouri Revised Statutes and Division of Employment Security regulation 8 CSR 10-3.070.
2. Poster **Workers' Compensation Law (WC-106)**. Required by Section 287.127 of the Missouri Revised Statutes.
3. Poster **Discrimination in Employment is Prohibited (MCHR-9)**. Required by Missouri Commission on Human Rights regulation 8 CSR 60-3.010(1).
4. Poster **Missouri Minimum Wage Law (LS-52)**. Required by Section 290.522 of the Missouri Revised Statutes.

These may be requested from the:

Missouri Department of Labor and Industrial Relations  
Administrative Services Section  
P.O. Box 59  
Jefferson City MO 65104-0059  
Phone: 573-751-3194  
or can be downloaded online at [www.labor.mo.gov/posters](http://www.labor.mo.gov/posters).

The Missouri Commission on Human Rights requires that all employers doing business in places open to the public post **Discrimination in Places of Public Accommodation is Prohibited (MCHR-7)** (pursuant to 8 CSR 60-3.010(3)) and **Discrimination in Housing is Prohibited (MCHR-6)** (pursuant to 8 CSR 60-3.010(2)) must be posted by employers in the business of sale or rental of housing.

## Posters Required by Federal Government

1. **Employee Rights – Employee Polygraph Protection Act.**
2. **Employee Rights Under the National Labor Relations Act.**
3. **Equal Employment Opportunity is the Law.** This is a multi-purpose poster that helps ensure compliance with federal civil rights statutes and regulations. Every employer, employment agency, and labor organization is required to display this poster in a conspicuous place.
4. **Employee Rights Under the Fair Labor Standards Act.**
5. **Employee Rights and Responsibilities Under the Family and Medical Leave Act.**
6. **Job Safety and Health Protection.** This is required by regulations issued by the U.S. Secretary of Labor.
7. **Your Rights Under USERRA – The Uniformed Services Employment and Reemployment Rights Act.** Required by the Veterans Benefits Improvement Act.

These posters can be downloaded online at [www.labor.mo.gov/posters](http://www.labor.mo.gov/posters). Additional posters may be required. For more information, contact the U.S. Department of Labor.

Employers that are performing government contract work may be required to display federal **Employee Rights on Government Contracts** (Wage and Hour Publication 1313) or **Employee Rights Under the Davis-Bacon Act** (Wage and Hour Publication 1321), depending on the contract. If the poster cannot be obtained from the contracting government

agency upon signing of such contracts or information is needed regarding which poster is required, contact the U.S. Department of Labor, Wage and Hour Division.

*For additional information regarding required state and federal posters, please contact:*

Missouri Department of Labor and Industrial Relations  
Administrative Services Section  
P.O. Box 59  
Jefferson City, MO 65104-0059  
Phone: 573-751-3194

## Contact Information

### **Division of Employment Security**

421 East Dunklin Street  
P.O. Box 59  
Jefferson City, MO 65104-0059  
Phone: 573-751-3215  
Fax: 573-751-4945  
Claimants E-mail: [esuiclaims@labor.mo.gov](mailto:esuiclaims@labor.mo.gov)  
Employers E-mail: [esemptax@labor.mo.gov](mailto:esemptax@labor.mo.gov)  
Appeals E-mail: [appealstribunal@labor.mo.gov](mailto:appealstribunal@labor.mo.gov)

### **Division of Labor Standards**

3315 West Truman Boulevard Room 205  
P.O. Box 449  
Jefferson City, MO 65102-0449  
Phone: 573-751-3403  
Fax: 573-751-3721  
E-mail: [laborstandards@labor.mo.gov](mailto:laborstandards@labor.mo.gov)  
[childlabor@labor.mo.gov](mailto:childlabor@labor.mo.gov)  
[safetyconsultation@labor.mo.gov](mailto:safetyconsultation@labor.mo.gov)  
[minesafety@labor.mo.gov](mailto:minesafety@labor.mo.gov)  
[cavesafety@labor.mo.gov](mailto:cavesafety@labor.mo.gov)

### **Division of Workers' Compensation**

3315 West Truman Boulevard Room 131  
P.O. Box 58  
Jefferson City, MO 65102-0058  
Phone: 573-751-4231  
Fax: 573-751-2012  
E-mail: [workerscomp@labor.mo.gov](mailto:workerscomp@labor.mo.gov)

### **Labor and Industrial Relations Commission**

3315 West Truman Boulevard Room 214  
P.O. Box 599  
Jefferson City, MO 65102-0599  
Phone: 573-751-2461  
Fax: 573-751-7806  
E-mail: [lirc@labor.mo.gov](mailto:lirc@labor.mo.gov)

### **Missouri Commission on Human Rights**

3315 West Truman Boulevard Room 212  
P.O. Box 1129  
Jefferson City, MO 65102-1129  
Phone: 573-751-3325  
Fax: 573-751-2905  
E-mail: [mchr@labor.mo.gov](mailto:mchr@labor.mo.gov)

### **State Board of Mediation**

3315 West Truman Boulevard Room 211  
P.O. Box 2071  
Jefferson City, MO 65102-2071  
Phone: 573-751-3614  
Fax: 573-751-0083  
E-mail: [sbm@labor.mo.gov](mailto:sbm@labor.mo.gov)

*Department of Labor and Industrial Relations  
is an equal opportunity employer/program.  
TDD/TTY: 800-735-2966 Relay Missouri: 711*