

## FED EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

**FEDERAL MINIMUM WAGE**  
**\$7.25 PER HOUR**  
**BEGINNING JULY 24, 2009**

The law requires employers to display this poster where employees can readily see it.

### OVERTIME PAY

At least 1½ times the regular rate of pay for all hours worked over 40 in a workweek.

### CHILD LABOR

An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment.

### TIP CREDIT

Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employer's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference.

### NURSING MOTHERS

The FLSA requires employers to provide reasonable break time for a nursing mother employee who is subject to the FLSA overtime requirements in order for the employee to express breast milk for her nursing child for one year after the child's birth each time such employee has a need to express breast milk. Employers

are also required to provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.

### ENFORCEMENT

The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the FLSA.

### ADDITIONAL INFORMATION

- Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions.
- Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico.
- Some state laws provide greater employee protections; employers must comply with both.
- Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and correctly classified independent contractors are not.
- Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.

DEPARTMENT OF LABOR UNITED STATES OF AMERICA **WHD** WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR 1-866-487-9243 TTY: 1-877-889-5627 [www.dol.gov/whd](http://www.dol.gov/whd) WH1088

## MO MISSOURI MINIMUM WAGE IN EFFECT FOR PRIVATE EMPLOYERS FOR 2022

The minimum wage rate will increase 85 cents each year through 2023 for all private, non-exempt businesses. Missouri Minimum Wage law does not apply to public employers, nor does it allow the state's minimum wage rate to be lower than the federal minimum wage rate.

at least  
**\$5.575**  
per hour

### TIPPED EMPLOYEES

Employers are required to pay tipped employees at least 50 percent of the minimum wage, \$5.575 per hour, plus any amount necessary to bring the employee's total compensation to a minimum of \$11.15 per hour.

at least  
**1.5X**  
rate

### OVERTIME COMPENSATION

Overtime compensation must also be paid at a rate of at least one and one-half times a covered employee's regular rate for all hours worked over 40 in a workweek.



### EXCEPTIONS

All businesses are required to pay, at minimum, the \$11.15 per hour rate, except retail and service businesses whose annual gross sales are less than \$500,000. The law does not apply to certain exempt employees/employees defined in Section 290.033, RSMo, and employees/employees pertaining to agriculture in Section 290.507, RSMo, nor does it supersede more favorable laws or interfere with collective bargaining agreement rights.



### EMPLOYEE RIGHTS

An employee not being paid the correct wages can file a minimum wage complaint at [labor.mo.gov/DLS/MinimumWage](http://labor.mo.gov/DLS/MinimumWage) and is entitled to pursue a private legal right of action to collect any wages due. An employer who unlawfully pays sub-minimum wages will be liable for the full amount of wages due (plus twice the amount left unpaid as liquidated damages) less any amount actually paid. The employer is also liable for costs and reasonable attorney fees as may be allowed by the court or jury.

LEARN MORE AT [LABOR.MO.GOV/DLS/MINIMUMWAGE](http://LABOR.MO.GOV/DLS/MINIMUMWAGE)

DIVISION OF LABOR STANDARDS 3315 WEST TRUMAN BOULEVARD P.O. Box 449 JEFFERSON CITY, MO 65102-0449 573-751-3403 Fax: 573-751-3721 [laborstandards@labor.mo.gov](http://laborstandards@labor.mo.gov)

Missouri Department of Labor and Industrial Relations is an equal opportunity employer/program. TDD/TTY: 800-735-2966 Relay Missouri: 711 LS-52 AI REV. 11/2021

## MO Department of Labor and Industrial Relations, Division of Labor Standards Required Poster: Employers Employing Workers Under the Age of 16

Youth Employment List		
NAME OF WORKER	SCHOOL TERM SHIFT (7 A.M. – 7 P.M.)	Non-SCHOOL SHIFT (7 A.M. – 9 P.M.)
1)		
2)		
3)		
4)		
5)		
6)		
7)		
8)		
9)		
10)		

Work certificates are required for youth 14 to 15 years of age before they start employment at any job (other than in the entertainment industry) during the school year. No child under the age of 14 may be employed in any capacity (other than in the entertainment industry or in newspaper delivery, babysitting, occasional yard or farm work with parental consent, or some youth sporting events). Work certificates are issued by school officials or their designees (or a parent of a home-schooled child) only upon application requested in person by the child with the written consent of his/her parent, legal custodian or guardian or, if deemed necessary by the issuing officer, the child shall be kept out of the workplace or custodian. The school official has the right to deny a certificate if deemed not in the best interest of the youth. School officials should keep copies of certificates issued, and cancellation notices.

### Unacceptable Types of Work and Workplaces for All Youth Under 16

- Door-to-door sales (excluding churches, schools, etc.)
- Operating hazardous equipment: ladders, scaffolding, freight elevators, cranes, hoisting machines, man lifts, etc.
- Handling/maintaining power-driven machinery (with the exception of lawn/garden machinery in a domestic setting) (RSMo 294.011(1)(c), and RSMo 294.040.)
- Mining, quarrying or stone cutting/polishing (except in jewelry stores)
- Transporting or handling Type A and B explosives or ammunition
- Operation of any motor vehicle
- Metal-producing industries including stamping, punching, cold rolling, shearing, or heating
- Saw mills or coagage stock (barr) mills or where woodworking machinery is used
- Jobs involving ionizing or non-ionizing radiation or radioactive substances
- Jobs in hotels, motels, or resorts unless the work performed is physically separated from the sleeping accommodations
- Jobs in any establishment in which alcoholic beverages are sold, manufactured, bottled or stored unless 50 percent of the workplace sales are generated from other goods
- Any job dangerous to the life, limb, health, or morals of youth
- No more than eight hours a day on non-school days
- No more than six days or 40 hours in a week

### Acceptable Work Hours for 14 and 15 year olds

- Between 7 a.m. and 7 p.m. during the school term
- Between 7 a.m. and 9 p.m. during non-school term
- No more than three hours a day on school days

Please contact the Missouri Division of Labor Standards at 573-751-3403, or email us at [YouthEmployment@labor.mo.gov](mailto:YouthEmployment@labor.mo.gov) or go to [www.labor.mo.gov/DLS](http://www.labor.mo.gov/DLS) if you have questions or need additional copies of this list.

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

LS-41 (05-16) AI

REV. 05/2016

## MISSOURI COMMISSION ON HUMAN RIGHTS DISCRIMINATION IN EMPLOYMENT IS PROHIBITED

### TAKE ACTION FILE A COMPLAINT

If you believe you have been discriminated against in regard to employment, you may contact us about filing a complaint of discrimination using the information below.

**CONTACT US**

MISSOURI COMMISSION ON HUMAN RIGHTS  
Email: [mchr@labor.mo.gov](mailto:mchr@labor.mo.gov)  
421 East Dunklin Street  
P.O. Box 1129  
Jefferson City, MO 65102-1129  
573-751-3325  
Toll-free Discrimination Complaint Hotline: 877-781-4236  
TDD/TTY: 800-735-2966  
Relay Missouri: 711

The statutory purpose of the Missouri Commission on Human Rights is to prevent and eliminate discrimination based on protected categories under the Missouri Human Rights Act (MHR) in employment, housing, and places of public accommodations through education and the enforcement of the Act.

The Missouri Commission on Human Rights is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.

MISSOURI DEPARTMENT OF LABOR State regulation 8 CSR 60-3.0-10 requires this notice be posted in all places of business or establishments that are subject to the Missouri Human Rights Act.

The Missouri Human Rights 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).

An employment agency includes any person or agency, public or private, regularly undertaking with or without compensation to procure employment for an employer or to procure for employees opportunities to work for an employer.

### THE MISSOURI HUMAN RIGHTS ACT APPLIES TO:

- Private employers with six or more employees.
- All employment agencies.
- All apprenticeship or training programs.
- All state and local government agencies.
- All labor organizations.

### DISCRIMINATORY PRACTICES PROHIBITED BY THE MISSOURI HUMAN RIGHTS ACT INCLUDE:

- Hiring and firing; compensation, assignment, or classification of employees; transfer, promotion, layoff, or recall; job advertisements; recruitment, testing, use of company facilities, training, and apprenticeship programs; fringe benefits, pay, retirement plans, or disability leave, or other terms and conditions of employment.
- Harassment on the basis of race, color, religion, national origin, ancestry, sex, disability, or age.
- Retaliating against an individual for filing a complaint of discrimination, participating in a discrimination investigation or hearing, or opposing discriminatory practices.
- Discriminating in any aspect of employment against an individual because of the individual's association with a person in one of the protected categories.

MISSOURI DEPARTMENT OF LABOR State regulation 8 CSR 60-3.0-10 requires this notice be posted in all places of business or establishments that are subject to the Missouri Human Rights Act.

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## FED EMPLOYEE RIGHTS EMPLOYEE POLYGRAPH PROTECTION ACT

The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the course of employment.

### PROHIBITIONS

Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

### EXEMPTIONS

Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities.

The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armed cash, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers.

The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident ( theft, embezzlement, etc.) that resulted in economic loss to the employer.

The law does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests.

### EXAMINE RIGHTS

When polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons.

### ENFORCEMENT

The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employers or job applicants may also bring their own court actions.

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.

## FED YOUR RIGHTS UNDER USERRA THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

### REEMPLOYMENT RIGHTS

You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:

- you ensure that your employer receives advance written or verbal notice of your service;
- you have five years or less of cumulative service in the uniformed services while with that particular employer;
- you return to work or apply for reemployment in a timely manner after conclusion of service; and
- you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

### RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

- are a past or present member of the uniformed services;
- are obligated to serve in the uniformed service;
- have applied for membership in the uniformed services; or
- then an employer may not deny you:
  - initial employment;
  - promotion;
  - reemployment;
  - retention in employment;

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the Internet at this address: <http://www.dol.gov/vets/programs/userra/poster.htm>. Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.

U.S. Department of Labor 1-866-487-2365 U.S. Department of Justice Office of Special Counsel Employer Support of the Guard and Reserve 1-800-320-4590

REV. 04/2017

## MO UNEMPLOYMENT INSURANCE BENEFITS

### NOTICE TO WORKERS

Your employer is subject to the Missouri Employment Security Law and pays tax contributions to cover unemployment insurance (UI) benefits in case you become unemployed through no fault of your own.

Nothing is deducted from your pay to cover its cost.

### WHEN TO APPLY FOR UI BENEFITS

- If you are unemployed, laid off or working less than full time; or
- If you lose your job through no fault of your own or quit for a valid reason related to the work or the employer; and
- If you are able to work, available for work and actively seeking employment.

### HOW TO APPLY FOR UI BENEFITS

- To apply, visit [unemploy.labor.mo.gov](http://unemploy.labor.mo.gov) to create a new user account and file your initial claim; or
- If you do not have Internet access, call a Regional Claims Center during normal business hours, Monday through Friday from 8 a.m. to 5 p.m.

Jefferson City 573-751-9040 Springfield 417-895-6851  
Kansas City 816-889-3101 St. Louis 314-340-4950  
Outside Local Calling Area 800-320-2519

If you believe someone is fraudulently collecting unemployment benefits, email [ReportUIFraud@labor.mo.gov](mailto:ReportUIFraud@labor.mo.gov) or call 573-751-4058, option 5.

### PROPER WORKER CLASSIFICATION

Missouri law defines who is considered an employee or an independent contractor. Businesses that improperly treat workers as independent contractors have an unfair competitive advantage. Improperly classified workers miss out on unemployment benefits, workers' compensation coverage and employer tax contributions.

If you think you may be improperly classified or suspect a business of improperly classifying workers, visit [labor.mo.gov/offthetools](http://labor.mo.gov/offthetools) or call 573-751-1099.

LEARN MORE AT [LABOR.MO.GOV/UNEMPLOYED-WORKERS](http://LABOR.MO.GOV/UNEMPLOYED-WORKERS)

DIVISION OF EMPLOYMENT SECURITY P.O. Box 59 Jefferson City, MO 65104-0059 Fax: 573-751-9730 [labor.mo.gov/claimant-form](mailto:labor.mo.gov/claimant-form)

IMPORTANT: If needed, call 573-751-9040 for assistance in the translation and understanding of the information in this document. **IMPORTANT:** Si es necesario, llame al 573-751-9040 para asistencia en la traducción y entendimiento de la información en este documento.

Missouri Division of Employment Security is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. TDD/TTY: 800-735-2966 Relay Missouri: 711.

MODES-B-2 AI Benefits

REV. 11/2020

## MO Division of Workers' Compensation

### EMPLOYEE INFORMATION

Missouri Division of Workers' Compensation (DWC) administers programs for workers who have been injured on the job or exposed to an occupational disease arising out of and in the course of employment. The Division's Administrative Law Judges have the authority to approve settlements or issue awards after a hearing relating to an injured employee's entitlement to benefits.

### Steps to Take When Injured on the Job

- Notify your employer immediately. Written notice must be provided within 30 days of the accident or 30 days after the diagnosis of any occupational disease or repetitive trauma by contacting:

EMPLOYER REPRESENTATIVE PHONE NUMBER

**"Failure to do so may jeopardize your ability to receive benefits."**

As your employer to provide medical treatment your employer/insurer is responsible for providing medical treatment and paying the medical fees and charges unless you choose to treat with another doctor at your own expense without your employer/insurer's approval.

Get more information about the benefits available under the Worker's Compensation Program or about the steps you may take to get the benefits you need.

Visit [www.labor.mo.gov/DWC](http://www.labor.mo.gov/DWC) or call 800-775-COMP.

### Benefits for Injured Employees

**Medical Care:** The employer or insurer is required to provide medical treatment and care that is reasonably required to cure and relieve the effects of the injury. This includes all costs for authorized medical treatment, prescriptions, and medical devices. This includes all costs for authorized medical treatment, prescriptions, and medical devices. There is no deductible, and all costs are paid by the employer or its workers' compensation insurance company. If you receive a bill, contact your employer or the insurance company immediately. The employer/insurer has the right to choose the healthcare provider or treating physician. You may select a different healthcare provider or treating physician, but if you do so, it may be at your own expense.

**Payment for Lost Wages:** If a doctor says you are unable to work due to your injuries or recovery from a surgery, you may be entitled to temporary total disability (TTD) benefits. If a doctor says that you can perform light or modified duty work and your employer offers you such work, you may not be eligible for TTD benefits. TTD benefits should be continued until the doctor says you can return to work, or when your treatment is concluded because your condition has reached "maximum medical improvement," whichever occurs first.

If you return to light or modified duty at less than full pay, you may be entitled to temporary partial disability benefits.

**Permanent Disability Benefits:** If the injury or illness results in a permanent disability, you may be entitled to receive either permanent partial or permanent total disability benefits.

**Survivor Benefits:** If a work-related injury causes an employee's death, the surviving dependents may receive weekly death benefits paid at 66 2/3% of the deceased employee's average weekly wage along with funeral expenses up to \$5,000 from the employer/insurer. For additional information relating to survivor's benefits, including eligible surviving dependents, please visit [www.labor.mo.gov/DWC](http://www.labor.mo.gov/DWC).

**Additional Benefits for Occupational Diseases Due to Toxic Exposure - Permanent Total Disability and/or Death:** For information relating to additional benefits available, please refer to the Division's website at [www.labor.mo.gov/DWC/Injured\\_Workers/benefits](http://www.labor.mo.gov/DWC/Injured_Workers/benefits).

"Make sure your data is turned on and scan the QR Code with your smartphone's camera to go to the Division of Workers' Compensation's Website for more information. If you are not redirected, you may need to update your smartphone's operating system or download a QR code reader app."

### Workers' Compensation Law Roles and Responsibilities for Employers and Employees

### EMPLOYER INFORMATION

With some exceptions, all employers with five or more employees, and construction industry employers with one or more employees, are required to insure their workers' compensation liability, either by purchasing a policy or obtaining self-insurance authority. Workers' compensation insurance provides benefits to workers injured on the job. Employers also are required to post this notice in the workplace for employees to view. This poster is required by section 287.127, RSMo, and is available to employers and insurers free of charge by contacting the Division at 800-775-COMP.

### Steps to Take When an Injury Occurs

- Be sure first aid is administered and the employee is taken to a physician or hospital for further medical care, if necessary.
- Report the injury to the insurance company or Third Party Administrator (TPA) 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. The insurance, TPA, or Division approved self-insurer is responsible for filing a First Report of Injury with the Division of Workers' Compensation within 30 days of knowledge of the injury.
- Pay medical bills related to the work injury for treatment reasonably required to cure and relieve the employee of the effects of the injury. This includes all costs for authorized medical treatment, prescriptions, and medical devices. The employer has the right to choose the healthcare provider or treating physician. The employee may select a different healthcare provider or treating physician, but if the employee does so, it may be at his/her own expense.
- For more liability and insurance information relating to the Workers' Compensation Program, visit [www.labor.mo.gov/DWC](http://www.labor.mo.gov/DWC) or call 800-775-COMP.

### Workers' Safety

Developing and implementing a comprehensive safety and health program can reduce occupational injuries and help lower workers' compensation costs. Insurance carriers in the state of Missouri must provide safety assistance at the request of the insured employer. The Missouri Department of Labor evaluates these services and provides additional assistance through its Missouri Workers' Safety Program. Visit [www.labor.mo.gov/MWS](http://www.labor.mo.gov/MWS) for more information about these programs or for a listing of independent consultants who are certified in the state of Missouri to provide safety assistance.

### Fraud/Noncompliance

**Employee Fraud** — knowingly making a claim for workers' compensation benefits to which an employee knows he is not entitled or knowingly presenting multiple claims for the same occurrence with intent to defraud is a class E felony, punishable by a fine up to \$10,000, or double the value of the fraud, whichever is greater. A subsequent violation is a class D felony.

**Employer Fraud** — knowingly misrepresenting an employee's job classification or any other fact to obtain insurance at less than the proper rate is a class A misdemeanor. A subsequent violation is a class E felony. An employer who knowingly makes a false or fraudulent statement regarding an employee's representation to deny benefits to a worker is guilty of a class A misdemeanor punishable by a fine up to \$10,000. A subsequent violation is a class D felony.

**Insurer Fraud** — knowingly and intentionally refusing to comply with workers' compensation obligations to which an insurance company or self-insurer knows an employee is entitled is a class E felony, punishable by a fine up to \$10,000 or double the value of the fraud, whichever is greater. A subsequent violation is a class D felony.

**Employer Noncompliance** — knowingly failing to insure workers' compensation liability under the law is a class A misdemeanor punishable by a fine up to \$10,000. An employer who willfully fails to post the notice of workers' compensation at the workplace is guilty of a class A misdemeanor punishable by a fine of \$50 to \$1,000 or by imprisonment or both fine and imprisonment.

Missouri Division of Workers' Compensation is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. TDD/TTY: 800-735-2966 Relay Missouri: 711

WC-106 AI

REV. 07/2019

## FED EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

### LEAVE ENTITLEMENTS

Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within 1 year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own