## LABOR LAWS

## **FEDERAL**

## MISSOURI

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.

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

restrictions. Different rules apply in agricultural employment.

wage, the employer must make up the difference.

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

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 employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly

#### **NURSING MOTHERS** The FLSA requires employers to provide reasonable break time for a nursing

mother employee who is subject to the FLSA's 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

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**WAGE AND HOUR DIVISION** UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243 TTY: 1-877-889-5627 www.dol.gov/whd

correctly classified independent contractors are not.

certificates issued by the Department of Labor.

are also required to provide a place, other than a bathroom, that is shielded from

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.

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

repeated. The law also prohibits retaliating against or discharging workers who file

Certain occupations and establishments are exempt from the minimum

Commonwealth of the Northern Mariana Islands, and the Commonwealth

Some state laws provide greater employee protections; employers must

Some employers incorrectly classify workers as "independent contractors"

the difference between the two because employees (unless exempt) are

entitled to the FLSA's minimum wage and overtime pay protections and

Certain full-time students, student learners, apprentices, and workers

with disabilities may be paid less than the minimum wage under special

when they are actually employees under the FLSA. It is important to know

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

Special provisions apply to workers in American Samoa, the

a complaint or participate in any proceeding under the FLSA.

wage, and/or overtime pay provisions.

Employers may be assessed civil money penalties for each willful or repeated

the employee to express breast milk.

ADDITIONAL INFORMATION

comply with both

**ENFORCEMENT** 

view and free from intrusion from coworkers and the public, which may be used by



**REV. 07/2016** 

#### 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.

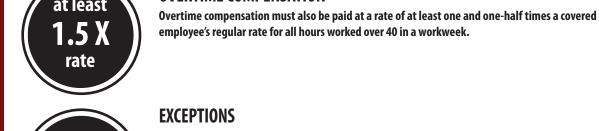
## TIPPED EMPLOYEES

**OVERTIME COMPENSATION** 

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.

MISSOURI MINIMUM WAGE

IN EFFECT FOR PRIVATE EMPLOYERS FOR 2022



**EXCEPTIONS** All businesses are required to pay, at minimum, the \$11.15 per hour rate, except retail and service

employee's regular rate for all hours worked over 40 in a workweek.

businesses whose annual gross sales are less than \$500,000. The law does not apply to certain exempt employees/employers defined in Section 290.500(3), RSMo, and employees/employers 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 and is entitled to pursue a private legal right of action to collect 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

**D**IVISION OF **LABOR** 

**S**TANDARDS

P.O. Box 449 JEFFERSON CITY, MO 65102-0449

573-751-3403 3315 West Truman Boulevard Fax: 573-751-3721

laborstandards@labor.mo.gov

Metal-producing industries including stamping, punching, cold rolling, shearing,

Saw mills or cooperage stock (barrel) mills or where woodworking machinery is

Jobs in any establishment in which alcoholic beverages are sold, manufactured,

bottled or stored unless 50 percent of the workplace sales are generated from

Any job dangerous to the life, limb, health, or morals of youth

No more than eight hours a day on non-school days

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 accommodation

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

NOTICE: This state has its own minimum wage law. Employers are also required to display the federal Employee Rights Under the Fair Labor Standards Act posting, which indicates the federal minimum wage. Where federal and state rates both apply to an employee, the U.S. Department of Labor dictates that the employee is entitled to the higher minimum wage rate. THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

## MO

Department of Labor and Industrial Relations, Division of Labor Standards **Required Poster:** 

#### **Employers Employing Workers Under the Age of 16** Youth Employment List

Employers are required to post this list of employed youth under the age of 16 in the workplace

Name of Worker	School Term Shift (7 A.M. — 7 P.M.)	Non-School Shift (7 A.M. — 9 P.M.)

the age of 14 may be employed in any capacity (other than in the entertainment industry or in newspaper delivery, babysitting, occasional vard 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 accompanied by his parent, guardian 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

## <u>Door-to-door sales</u> (excluding churches, schools, scouts)

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(7)(c), and

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

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 Youth Employment@labor.mo.gov or go to www.labor.mo.gov/DLS if you have questions or need

No more than six days or 40 hours in a week

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

LS-43 (05-16) AI

**REV. 05/2016** 

## COMMISSION ON HUMAN RIGHTS DISCRIMINATION



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**

Note: complaints must be filed within 180 days

of the alleged discrimination.

MISSOURI COMMISSION ON HUMAN RIGHTS Email: 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

rotected categories under the Missouri Human Rights Act (Act) 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.

The statutory purpose of the Missouri Commission on Human

#### **DEPARTMENT OF LABOR** & INDUSTRIAL RELATIONS

State regulation 8 CSR 60-3.010 requires this notice be posted in all places of business



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 employees for an employer or to procure for employees opportunities to work for an employer.

discriminate in any aspect of employment because of an

The Missouri Human Rights Act makes it illegal to

## 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.

• 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

origin, ancestry, sex, disability, or age. • Retaliating against an individual for filing a complaint

investigation or hearing, or opposing discriminatory

person in one of the protected categories



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#### **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.

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 (armored car, 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

Where 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.

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

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

1-866-487-9243 OF LABOR

**WAGE AND HOUR DIVISION** UNITED STATES UNITED STATES DEPARTMENT OF LABOR OF AMERICA

www.dol.gov/whd

TTY: 1-877-889-5627

REV. 07/2016

#### 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.

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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 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

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

manner after conclusion of service: and

RIGHT TO BE FREE FROM DISCRIMINATION AND **RETALIATION**  are a past or present are obligated to serve in member of the uniformed

uniformed service; or then an employer may not deny you: initial employment; reemployment;

have applied for

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membership in the

the uniformed service:

 promotion; or · any benefit of employment

enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no **HEALTH INSURANCE PROTECTION** If you leave your job to perform military service, you have the

In addition, an employer may not retaliate against anyone assisting in the

right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's

exclusions) except for service-connected illnesses or injuries. **ENFORCEMENT** The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints

health plan when you are reemployed, generally without any

waiting periods or exclusions (e.g., pre-existing condition

of USERRA violations For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-866-4-USA-DOL or visit its website at http://www.dol.gov/vets. An interactive online USERRA Advisor can be viewed at http://www.dol.gov/elaws/userra.htm.

of Justice or the Office of Special Counsel, as applicable, for You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA. 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

If you file a complaint with VETS and VETS is unable to resolve it,

you may request that your case be referred to the Department

retention in employment; 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 • 1-800-336-4590 REV. 04/2017

**NOTICE TO WORKERS** Your employer is subject to the Missouri Employment Security Law and pays tax contributions to cover unemployment insurance (UI)

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

**UNEMPLOYMENT INSURANCE BENEFITS** 

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 are able to work, available for work and actively seeking employment. To apply, visit uinteract.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

Jefferson City. . 573-751-9040 .. 417-895-6851 . 816-889-3101 .. 314-340-4950 Kansas City....

If you believe someone is fraudulently collecting unemployment benefits, email ReportUlFraud@labor.mo.gov or call 573-751-4058, option 5.

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/offthebooks or call 573-751-1099. LEARN MORE AT LABOR.MO.GOV/UNEMPLOYED-WORKERS

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**EMPLOYEE INFORMATION** 

Outside Local Calling Area ....

PROPER WORKER CLASSIFICATION

**EMPLOYMENT SECURITY IMPORTANT:** If needed, call 573-751-9040 for assistance in the translation and understanding of the information in this document.

P.O. Box 59 Fax: 573-751-9730 labor.mo.gov/claimant-form JEFFERSON CITY, MO 65104-0059

¡IMPORTANTE! : Si es necesario, llame el 573-751-9040 para asistencia en la traducción y entendimiento de la información en este 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

MISSOURI DIVISION OF WORKERS' COMPENSATION The 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 ments or issue awards after a hearing relating to an injured employee's ea

Division of Workers' Compensation

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** 

\*Failure to do so may jeopardize your ability to receive benefits Ask your employer to provide medical treatment (your employer/insurer is responsible for providing medical treatment and paving 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 Workers' Compensation Program or about the steps you may take to get the benefits you need. Visit www.labor.mo.gov/DWC or call 800-775-COMP.

Permanent Disability Benefits:

**EMPLOYER INFORMATION** 

to \$1,000 or by imprisonment or both fine and imprisonment.

**Benefits for Injured Employees** 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

select a different healthcare provider or treating physician, but if you do so, it may be at your own expense. 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.

If the injury or illness results in a permanent disability, you may be entitled to receive either permanent partial or permanent total disability 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 college scholarship opportunities for surviving children, please visit www.labor.mo.gov/DWC

\*\*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

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.

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 For more liability and insurance information relating to the Workers' Compensation Program, visit <a href="www.labor.mo.gov/DWC">www.labor.mo.gov/DWC</a> or call 800-775-COMP.

filing a First Report of Injury with the Division of Workers' Compensation within 30 days of knowledge of the injury.

information about these programs or for a registry 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/she 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 of 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 entitlement

to benefits to discourage the worker from making a legitimate claim or who knowingly makes a false or fraudulent material statement or material representation

Missouri Division of Workers' Compensation is an equal opportunity employer/program. Auxiliary aids and services are available upon request to WC-106 AI

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#### 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 qualifying serious health condition that makes the employee unable to perform the employee's job; For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

## **BENEFITS & PROTECTIONS**

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave. Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

### **ELIGIBILITY REQUIREMENTS**

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

Have worked for the employer for at least 12 months; Have at least 1,250 hours of service in the 12 months before taking leave;\* and

### Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

\*Special "hours of service" requirements apply to airline flight crew employees.

**REQUESTING LEAVE** Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing

an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary.

Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified. Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave. Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer. The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

> For additional information or to file a complaint: 1-866-4-USWAGE (1-866-487-9243) TTY: 1-877-889-5627

> > www.dol.gov/whd

U.S. Department of Labor • Wage and Hour Division • WH1420

REV. 04/2016

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DEPARTMENT OF LABOR

UNITED STATES OF AMERICA

### **Equal Employment Opportunity is THE LAW**

#### Private Employers, State and Local Governments, Educational Institutions, **Employment Agencies and Labor Organizations**

Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under Federal law from discrimination on the following

Title VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring

promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on

the basis of race, color, religion, sex (including pregnancy), or national origin. Religious discrimination includes failing to reasonably accommodate an employee's religious practices where the accommodation does not impose undue

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

who is an applicant or employee, barring undue hardship.

classification, referral, and other aspects of employment.

**DISABILITY** Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability

In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963 as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same

The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of

age or older from discrimination based on age in hiring, promotion, discharge, pay, fringe benefits, job training,

discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about

family members.

All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of

genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family

members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their

 $Title\ II\ of\ the\ Genetic\ Information\ Nondiscrimination\ Act\ of\ 2008\ protects\ applicants\ and\ employees\ from$ 

There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit, should you ultimately need to, you should contact EEOC promptly when discrimination is suspected: The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC field office information is available at www.eeoc.gov or in most telephone directories in the U.S. Government or Federal Government section. Additional information about

## **Employers Holding Federal Contracts or Subcontracts**

Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from discrimination on the following bases:

origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

INDIVIDUALS WITH DISABILITIES

barring undue hardship. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive DISABLED, RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES **SERVICE MEDAL VETERANS** 

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits job

discrimination and requires affirmative action to employ and advance in employment disabled veterans, recently

which an Armed Forces service medal was awarded). **RETALIATION** 

Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the authorities above should contact immediately: The Office of Federal Contract Compliance Programs (OFCCP), U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at OFCCP-Public@dol.gov, or by calling an OFCCP regional or district office, listed in most telephone directories

Programs or Activities Receiving Federal Financial Assistance

In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective

of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful employment practice discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits

> Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job.

assistance, you should immediately contact the Federal agency providing such assistance.

EEOC 9/02 and OFCCP 8/08 Versions Useable With 11/09 Supplement

If you believe you have been discriminated against in a program of any institution which receives Federal financial



EEOC, including information about charge filing, is available at www.eeoc.gov.

## **Job Safety and Health** IT'S THE LAW!

All workers have the right to:

in your workplace.

OSHA on your behalf.

- A safe workplace. Raise a safety or health concern with your employer or OSHA, or report a work-
- Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have
- participate) in an OSHA inspection and speak in private to the inspector.

(by phone, online or by mail) if you have been

Reguest copies of your medical records, tests

that measure hazards in the workplace, and

the right to have a representative contact

retaliated against for using your rights. See any OSHA citations issued to your employer.

the workplace injury and illness log.

This poster is available free from OSHA.

**Employers must:** 

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or
- inpatient hospitalization, amputation, or loss

reporting a work-related injury or illness.

Comply with all applicable OSHA standards.

Notify OSHA within 8 hours of a workplace

fatality or within 24 hours of any work-related

language and vocabulary they can understand. Prominently display this poster in the workplace.

Post OSHA citations at or near the place of

the alleged violations.

Provide required training to all workers in a

On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.



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MISSOURI HUMAN RIGHTS ACT INCLUDE:

- of discrimination, participating in a discrimination

# Harassment on the basis of race, color, religion, national

- Discriminating in any aspect or employment against an

## WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED

## **REV. 11/2020**



# employer or the insurance company immediately. The employer/insurer has the right to choose the healthcare provider or treating physician. You may

## 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\_available.

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 insurer, TPA, or Division approved self-insurer is responsible for

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

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/MWSP or call 573-751-4231 for more

to deny benefits to a worker is guilty of a class A misdemeanor punishable by a fine of 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 of up to \$10,000 or double the value of the fraud, whichever is greater. A subsequent violation is a to three times the annual premium the employer would have paid had it been insured or up to \$50,000, whichever is greater. A subsequent violation is a class E

This poster is in compliance with federal and state posting requirements.

felony. 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

REV. 07/2019

**TWO** ways to verify poster compliance! QR CODE Scan with phone camera: Go to: JJKeller.com/LLPverify

Enter this code: 62840-012022

**ONLINE** 

# RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

Executive Order 11246, as amended, prohibits job discrimination on the basis of race, color, religion, sex or national

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee,

#### separated veterans (within three years of discharge or release from active duty), other protected veterans (veterans who served during a war or in a campaign or expedition for which a campaign badge has been authorized), and Armed Forces service medal veterans (veterans who, while on active duty, participated in a U.S. military operation for

proceeding, or otherwise opposes discrimination under these Federal laws.

### under U.S. Government, Department of Labor.

RACE, COLOR, NATIONAL ORIGIN, SEX

employment discrimination on the basis of sex in educational programs or activities which receive Federal financial INDIVIDUALS WITH DISABILITIES

### related injury or illness, without being retaliated against. Receive information and training on job hazards, including all hazardous substances

## Participate (or have your representative) • File a complaint with OSHA within 30 days

Contact OSHA. We can help.

To update your labor law posters contact