# Your Employee Rights Under the **Family and Medical Leave Act**

#### What is FMLA leave?

The Family and Medical Leave Act (FMLA) is a federal law that rovides eligible employees with job-protected leave for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees.

Eligible employees can take **up to 12 workweeks** of FMLA leave in a

The birth, adoption or foster placement of a child with you,

Your serious mental or physical health condition that makes you

To care for your spouse, child or parent with a serious mental or physical health condition, and Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember. An eligible employee who is the spouse, child, parent or next of kin of

You have the right to use FMLA leave in one block of time. When it is medically necessary or otherwise permitted, you may take FMLA leave intermittently in separate blocks of time, or on a reduced schedule by working less hours each day or week. Read Fact Sheet

a covered servicemember with a serious injury or illness may take up

to 26 workweeks of FMLA leave in a single 12-month period to care

FMLA leave is **not paid leave**, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need

### Am I eligible to take FMLA leave?

You are an eligible employee if all of the following apply: You work for a covered employer

Ref.: 29 CFR §825.300

You have worked for your employer at least 12 months, You have at least 1,250 hours of service for your employer during the 12 months before your leave, and Your employer has at least 50 employees within 75 miles of your

### You work for a **covered employer** if **one** of the following applies

How do I request FMLA leave?

Follow your employer's normal policies for requesting leave,

You do not have to share a medical diagnosis but must provide

enough information to your employer so they can determine whether

the leave qualifies for FMLA protection. You must also inform your

employer if FMLA leave was previously taken or approved for the

Your employer may request certification from a health care provider

to verify medical leave and may request certification of a qualifying

bargaining agreement that provides greater family or medical leave

State employees may be subject to certain limitations in pursuit of

direct lawsuits regarding leave for their own serious health conditions

Most federal and certain congressional employees are also covered

by the law but are subject to the jurisdiction of the U.S. Office of

The FMLA does not affect any federal or state law prohibiting

discrimination or supersede any state or local law or collective

Give notice at least 30 days before your need for FMLA leave, or

If advance notice is not possible, give notice as soon as possible

Generally, to request FMLA leave you must:

same reason when requesting additional leave.

Personnel Management or Congress.

- If you are eligible for FMLA leave, your employer must Allow you to take job-protected time off work for a qualifying You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar
- Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and You work for an elementary or public or private secondary school. Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including You work for a public agency, such as a local, state or federal shift and location, at the end of your leave Title II of the FMLA, administered by the Office of Personnel Your employer cannot interfere with your FMLA rights or threaten

or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation

After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your employer must confirm whether you are eligible or not eligible for FMLA leave. If your employer determines that you are eligible, your employer must notify you in

About your FMLA rights and responsibilities, and · How much of your requested leave, if any, will be FMLA-protected

### Where can I find more information?

Call 1-866-487-9243 or visit dol.gov/fmla to learn more. If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. Scan the QR code to learn about our WHD



WH1420 REV 04/23

#### \$13.75 MISSOURI MINIMUM WAGE IN EFFECT FOR PRIVATE EMPLOYERS FOR 2025 Beginning January 1, 2025, the minimum wage rate for all private and on-exempt businesses will be based on the provisions set forth by Proposition A (2024) approved by oters on November 5, 2024. Missouri Minimum Wage law does not apply to public employers, nor does it low the state's minimum wage rate to be lower than the federal minimum wage rate.

TIPPED EMPLOYEES Employers are required to pay tipped employees at least 50 percent of the minimum wage, \$6.875 per hour, plus any amount necessary to bring the employee's total compensation to a minimum of \$13.75 per hour.



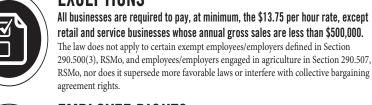
OVERTIME COMPENSATION

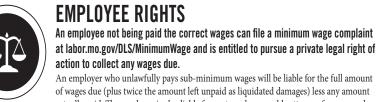


Overtime compensation must also be paid at a rate of at least one and one-half times a covered employee's regular rate for all hours worked over 40 in a workweek.



**EXCEPTIONS** 





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 DIVISION OF LABOR STANDARDS Fax: 573-751-3721 P.O. Box 449

Department of Labor and Industrial Relations is an equal opportunity employer/program. TDD/TTY: 800-735-2966 Relay Missouri: 7

Jefferson City, MO 65102-0449 If you have served on active duty in the Armed Forces of the United States and would like information about veteran's services and benefits, please complete the survey here: <a href="mvc.dps.mo.gov/MoVeteransInformation/Survey/DOLIR">mvc.dps.mo.gov/MoVeteransInformation/Survey/DOLIR</a>.

#### **EMPLOYEE RIGHTS** UNDER THE FAIR LABOR STANDARDS ACT

FEDERAL MINIMUM WAGE

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. 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.

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 TIP CREDIT 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 wage, the employer must make up the difference.

PUMP AT WORK The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for their nursing child for one year after the child's birth each time the employee needs to express breast milk. Employers must 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

ADDITIONAL · Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions. Certain narrow exemptions also apply to the pump at **INFORMATION** 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

Know Your Rights: Workplace Discrimination is Illegal

following bases:

National Origin

Discussing Pay

Race, Color, Religion, Sex,

Asking About, Disclosing, or

Sexual Orientation, Gender Identity,

Executive Order 11246, as amended, prohibits

otected under Federal law from discrimination on the

employment discrimination by Federal contractors based

on race, color, religion, sex, sexual orientation, gender

action to ensure equality of opportunity in all aspects of

Executive Order 11246, as amended, protects applicants

and employees of Federal contractors from discrimination

based on inquiring about, disclosing, or discussing their

Federal contractors take affirmative action to employ

and advance in employment qualified individuals with

disabilities at all levels of employment, including the

identity, or national origin, and requires affirmative

· Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by



# MISSOURI COMMISSION ON

# DISCRIMINATION IN EMPLOYMENT IS PROHIBITED



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.

Note: complaints must be filed within 180 days of the alleged discrimination.

### **CONTACT US**

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

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 (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 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 employees 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
- Discriminating in any aspect or employment against an individual because of the individual's association with a person in one of the protected categories.



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

State regulation 8 CSR 60-3.010 requires this notice be posted in all places of business or establishments that are subject to the Missouri Human Rights Act.

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

### All workers have the right to:

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a workrelated injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative) participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.
- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

This poster is available free from OSHA.

Contact OSHA. We can help.

### **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 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 inpatient hospitalization, amputation, or loss of an eye.
- Provide required training to all workers in a 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.

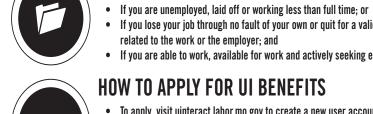
On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.



1-800-321-OSHA (6742) • TTY 1-877-889-5627 • www.osha.gov

# Your employer is subject to the Missouri Employment Security Law and pays tax contributions to cover

nemployment insurance (UI) benefits in case you become unemployed through no fault of your own. Nothing is deducted from your pay to cover its cost.



**UINTERACT** 

#### 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

WHEN TO APPLY FOR UI BENEFITS

• If you are able to work, available for work and actively seeking employment.

Kansas City...... 816-889-3101 ...314-340-4950 Outside Local Calling Area



#### Aissouri law defines who is considered an employee or an independent contractor. Businesses that improperly treat workers as independent contractors have an unfair

ompetitive 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

DIVISION OF EMPLOYMENT SECURITY

¡IMPORTANTÉ!: Si es necesario, llame el 573-751-9040 para asistencia en la traducción y entendimiento de la información en este documento. vailable upon request to individuals with disabilities. TDD/TTY: 800-735-2966 Relay Missouri: 711 Ref.: Missouri Revised Statutes, Section 288.130

# **UNEMPLOYMENT INSURANCE BENEFITS**

### HOW TO APPLY FOR UI BENEFITS

 To apply, visit uinteract.labor.mo.gov to create a new user account and file your 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.

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

LEARN MORE AT LABOR.MO.GOV/UNEMPLOYED-WORKERS

labor.mo.gov/claimant-form

MODES-B-2 (11-20) A

Jefferson City. MO 65104-0059

laborstandards@labor.mo.gov

protect you from discrimination in employment. If you believe you've been discriminated against at work or in applying for a job, the EEOC may be

Commission (EEOC) enforces Federal laws that

The U.S. Equal Employment Opportunity

Who is Protected?

Employees (current and former), including managers and temporary employees

Union members and applicants for membership

What Organizations are Covered? State and local governments (as employers) Educational institutions (as employers)

 Staffing agencies What Types of Employment Discrimination are Illegal? Under the EEOC's laws, an employer may not discriminate Do not delay, because there are strict time limits for filling

against you, regardless of your immigration status, on the Color National origin Sex (including pregnancy, childbirth, and related medica

conditions, sexual orientation, or gender identity)

Age (40 and older)

Genetic information (including employer requests for or purchase, use, or disclosure of genetic tests, genetic services, or family medical history) Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsui nvestigation, or proceeding Interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy

What Employment Practices can be Challenged as Discriminatory?

Discharge, firing, or lay-off Harassment (including unwelcome verbal or physical conduct)

Pay (unequal wages or compensation) · Failure to provide reasonable accommodation for a disability; pregnancy, childbirth, or related medical condition; or a sincerely-held religious belief, observance or practice Job training

 Obtaining or disclosing genetic information Requesting or disclosing medical information · Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or participating in an investigation or proceeding Conduct that coerces, intimidates, threatens, or interfer

participate in any proceeding under the FLSA.

the Department of Labor

assisting or encouraging someone else to exercise rights, regarding disability discrimination (including accommodation) or pregnancy accommodation What can You Do if You Believe Contact the EEOC promptly if you suspect discrimination

a charge of discrimination (180 or 300 days, depending or

with someone exercising their rights, or someone

where you live/work). You can reach the EEOC in any of Submit an inquiry through the EEOC's public portal: https://publicportal.eeoc.gov/Portal/Login.

1-800-669-4000 (toll free) 1-800-669-6820 (TTY) 1–844–234–5122 (ASL video phone) an EEOC field office (information a www.eeoc.gov/field-office)

ional information about the EEOC, including information about filing a charge of discrimination, is available at **EMPLOYERS HOLDING FEDERAL** 

The Department of Labor's Office of Federal Contract

nondiscrimination and affirmative action commitments of

companies doing business with the Federal Government.

Compliance Programs (OFCCP) enforces the

Act of 1974, as amended, 38 U.S.C. 4212, prohibits

mployment discrimination against, and requires affirmative action to recruit, employ, and advance in veterans (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge **CONTRACTS OR SUBCONTRACTS** veterans, or Armed Forces service medal veterans.

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

company with a Federal contract or subcontract, you are Federal contractors under these Federal laws Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under OFCCP's authorities should contact immediately

The Office of Federal Contract Compliance Program (OFCCP) U.S. Department of Labor 200 Constitution Avenue, N.W. 1-800-397-6251 (toll-free)

If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunicate relay services. OFCCP may also be contacted by submitting a question online to OFCCP's Help Desk at https://ofccphelpdesk.dol.gov/s/, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labo and on OFCCP's "Contact Us" webpage at https://www.dol.gov/agencies/ofccp/contact.

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL **ASSISTANCE** 

Section 503 of the Rehabilitation Act of 1973, as Race, Color, National Origin, Sex amended, protects qualified individuals with disabiliti from discrimination in hiring, promotion, discharge, par fringe benefits, job training, classification, referral, and In addition to the protections of Title VII of the Civil Rights other aspects of employment by Federal contractors. Act of 1964, as amended, Title VI of the Civil Rights Act o Disability discrimination includes not making reasonal 1964, as amended, prohibits discrimination on the basis accommodation to the known physical or mental of race, color or national origin in programs or activities limitations of an otherwise qualified individual with a receiving Federal financial assistance. Employment disability who is an applicant or employee, barring undue mination is covered by Title VI if the primary object hardship to the employer. Section 503 also requires that of the financial assistance is provision of employment,

hibits employment discrimination on the basis of sex i educational programs or activities which receive Federal **Protected Veteran Status** The Vietnam Era Veterans' Readiustment Assistance

Individuals with Disabilities Section 504 of the Rehabilitation Act of 1973, as amended prohibits employment discrimination on the basis of disability in any program or activity which receive all aspects of employment against persons with disabilities perform the essential functions of the job.

If you believe you have been discriminated against in a

or where employment discrimination causes or may

cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972

program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.

# **EXEMPTIONS FEDERAL** LABOR LAW

### **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. Where polygraph tests are permitted, they are subject to numerous strict

**EMPLOYEE RIGHTS** 

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 quard), and of

pharmaceutical manufacturers, distributors and dispensers

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

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

standards concerning the conduct and length of the test. Examinees have

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



results disclosed to unauthorized persons.



Missouri Division of Workers' Compensation

P.O. Box 58, Jefferson City, MO 65102

573-751-4231

**Insurance Company, Third Party Administrator,** 

**Service Company, or** 

Designated Individual If Self-Insured

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

## **EMERGENCY NUMBERS CALL 911**

POLICE: **AMBULANCE:** 

HOSPITAL:

FIRE DEPARTMENT:

PAY DAY NOTICE

OSHA:

### **PAY DAY IS ON:**

■ WEDNESDAY

☐ THURSDAY

POISON CONTROL:

PHYSICIAN:

■ MONDAY ☐ FRIDAY **□** TUESDAY ☐ SATURDAY

**PAY SCHEDULE IS: □** WEEKLY **□** BIWEEKLY

□ SEMI MONTHLY ☐ MONTHLY

**□** SUNDAY

OF THE MONTH AND TIME:

**PAYCHECKS ARE ISSUED ON THE:** 

# WORKERS' COMPENSATION

so, it may be at your own expense.

**Employee Information** 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

expense without your employer/insurer's approval).

Judges have the authority to approve settlements or issue awards after a hearing relating to an injured employee's entitlement to

**Steps to Take When Injured on the Job** 

1. 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 \*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 paying the medical fees and charges unless you choose to treat with another doctor at your own

Get more information about the benefits available under the Workers' Compensation Program or about the steps you may

**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. 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

take to get the benefits you need. Visit www.labor.mo.gov/DWC or call 800-775-COMP.

**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 **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 college scholarship opportunities for surviving children,

please visit 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 available.

### \*\*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** 

Fraud/Noncompliance

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 selfinsurance 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 insurer, 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 <a href="https://www.labor.mo.gov/">www.labor.mo.gov/</a> DWC or call 800-775-COMP.

**Workers' Safety** 

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,

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 information about these programs or for a registry of independent consultants who are certified in the state of Missouri to provide safety assistance.

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 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

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 class D felony. Employer Noncompliance - knowingly failing to insure workers' compensation liability under the law is a class A misdemeanor punishable by a fine of up 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 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

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 Ref.: Missouri Revised Statutes, Section 287.127

\$50 to \$1,000 or by imprisonment or both fine and imprisonment.

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**WWW.COMPLIANCEPOSTER.COM** 

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