

MISSOURI



Workers' Compensation Law

Roles and Responsibilities for Employers and Employees



DIVISION OF WORKERS' COMPENSATION

Missouri Division of Workers' Compensation
P.O. Box 58
Jefferson City, MO 65102
873-751-4231

Insurance Company, Third Party Administrator, Service Company, or Designated Individual if Self-Insured

Name
Address
Phone

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 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

- 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:

employer representative _____ phone number _____

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

- 2. 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 expense without your employer/insurer's approval).
- 3. 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.

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. There is no deduction, 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 injury or recovery from a surgery, 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 lump-sum payments up to \$5,000 from the employer/insurer. For additional information relating to survivor 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 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.

EMPLOYER INFORMATION

With some exceptions, all employers with one 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

- 1. Be sure first aid is administered and the employee is taken to a physician or hospital for further medical care, if necessary.
- 2. Report the injury to the insurance company or Third Party Administrator (TPA) within the date of the date of injury or within 180 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.
- 3. 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 higher own expense.)
- 4. For more liability and insurance information relating to the Workers' Compensation Program, visit 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/MNSP or call 873-751-4231 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.

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 A 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 statement of 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 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 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 actual premium 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 \$500 to \$1,000 or by imprisonment or both fine and imprisonment.



*Make sure this date 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.

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: 800-775-2066 Relay Missouri: 711

(07-19)

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 to file a complaint of discrimination using the information below.

CONTACT US

MISSOURI COMMISSION ON HUMAN RIGHTS
1815
Email: mcpr@missouri.gov
421 East Franklin Street
7th Floor
Jefferson City, MO 65101-1128
873-771-3025

Toll-free Discrimination Complaint Hotline
800-728-4238 (TDD/TTY)
800-728-2966

Relay Missouri: 711

The creation of public accommodations is the Missouri Commission on Human Rights' (MCHR) primary mission. The MCHR is a state agency created to promote and enforce the Missouri Commission on Human Rights Act (MCHRA) in employment, housing, and places of public accommodations. The MCHR also provides technical assistance and training to employers and the public. The MCHR is a state agency created to promote and enforce the Missouri Commission on Human Rights Act (MCHRA) in employment, housing, and places of public accommodations. The MCHR also provides technical assistance and training to employers and the public.

MISSOURI DEPARTMENT OF LABOR & INDUSTRIAL RELATIONS
State regulatory or CRR 60-1.011 requires the notice be posted in all places of business or establishments that are subject to the Missouri Human Rights Act.

MISSOURI COMMISSION ON HUMAN RIGHTS
1815
Email: mcpr@missouri.gov
421 East Franklin Street
7th Floor
Jefferson City, MO 65101-1128
873-771-3025



UNEMPLOYMENT INSURANCE BENEFITS NOTICE TO WORKERS

Your employer is subject to the Missouri Unemployment 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 for 14 consecutive days or more.
- If you have your job reduced or your pay cut for 14 consecutive days or more.
- If you are laid off or your pay cut for 14 consecutive days or more.
- If you are laid off or your pay cut for 14 consecutive days or more.

HOW TO APPLY FOR UI BENEFITS

- To apply, visit www.missouri.gov/unemployment or call 800-775-2066.
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- To apply, visit www.missouri.gov/unemployment or call 800-775-2066.

Jefferson City, MO 65101-1128
873-771-3025

Springfield, MO 65801-1128
417-866-4851

St. Louis, MO 63101-1128
314-540-4851

St. Louis, MO 63101-1128
314-540-4851

Outside Local Calling Area
800-775-2066

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VICTIMS OF DOMESTIC OR SEXUAL VIOLENCE LEAVE TIME ALLOWED

See Sections 208.040, 208.042, and 208.044 for details regarding leave time.

EMPLOYERS who are victims of domestic or sexual violence, or have a family or household member who is a victim of domestic or sexual violence, may take unpaid leave from work to address such violence.

• Seeking medical attention or counseling from physical or psychological trauma caused by such violence.

• Obtaining services from a victim services organization.

• Obtaining psychological or other counseling.

• Participating in safety planning, law enforcement or community-based efforts to enhance the safety of the employee or employee's family or household.

• Seeking legal assistance or remedies to ensure health and safety.

In the event of multiple or serious incidents as defined by statute, an individual who works for a business with 50 or more employees is entitled to up to 10 business days of unpaid leave within any 12-month period to address the violence or sexual violence. An individual who works for a business with 50 or more employees is entitled to up to 10 business days of unpaid leave within any 12-month period to address the violence or sexual violence.

Leave may be taken individually or as an individual work schedule. The employer must provide the employee all leave under this section.

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\$12.00 MISSOURI MINIMUM WAGE IN EFFECT FOR PRIVATE EMPLOYERS FOR 2023

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

Employers are required to pay tipped employees at least 50 percent of the minimum wage, \$6.50 per hour, plus any amount necessary to bring the employee's total compensation to a minimum of \$12.00 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

All businesses are required to pay at minimum, the \$12.00 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 290.000(3), RSMo, and employees/employees pertaining to agriculture in Section 290.007, 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 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



DIVISION OF LABOR STANDARDS

421 East Dunklin Street
P.O. Box 449
Jefferson City, MO 65102-0449
Fax: 573-751-3721
laborstandards@labor.mo.gov
Missouri Department of Labor and Industrial Relations is an equal opportunity employer/program.
TDD/TTY: 800-775-2066 Relay Missouri: 711

Notice to Employers / Employees

Your state has its own minimum wage law which requires posting a notice regarding the aspects of that law. Employers are still required to post the Federal Minimum Wage notice from the U.S. Dept. of Labor. Federal Labor Standards Act in addition to this state posting. According to the Dept. of Labor, where Federal and state law have different minimum wage rates, the higher standard applies.

[This Posting is for Informational Purposes Only]

REQUIRED POSTER:



DIVISION OF LABOR STANDARDS

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.)
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 or in newspaper delivery, babysitting, occasional part 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 their parent, legal custodian or guardian, or if deemed necessary by the issuing official, 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

- Door-to-door sales (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) (BSMa 298.011(7)(g), and BSMa 298.040(1))
- Mining, quarrying, or stone cutting/paving (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 school term.
- Between 7 a.m. and 9 p.m. during non-school term.
- No more than three hours a day on school days.
- No more than eight hours a day on non-school days.
- No more than six days or 40 hours in a week.

Please contact the Missouri Division of Labor Standards at 573-751-3403, or email us at YoutEmployment@labor.mo.gov or go to www.labor.mo.gov/DLS. If you have questions or need additional copies of this list.

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TDD/TTY: 800-775-2066 Relay Missouri: 711

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