

FED

## EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

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

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

#### OVERTIME PAY

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

#### CHILD LABOR

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

#### TIP CREDIT

Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an 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 her 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 participate in any proceeding under the FLSA.

#### ADDITIONAL INFORMATION

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

DEPARTMENT OF LABOR  
UNITED STATES OF AMERICA

**WHD**

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

**1-866-487-9243**  
[www.dol.gov/agencies/whd](http://www.dol.gov/agencies/whd)



WH1088

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## 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 provides 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 12-month period for:

- The birth, adoption or foster placement of a child with you.
- Your serious mental or physical health condition that makes you unable to work.
- 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 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 for the servicemember.

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 an reduced schedule** by working less hours each day or week. Read Fact Sheet #28X(MC) for more information. 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 FMLA leave.

#### Am I eligible to take FMLA leave?

You are an **eligible employee** if **all** of the following apply:

- You work for a covered employer.
- 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 work location.

Airline flight crew employees have different "hours of service" requirements. You work for a **covered employer** if **one** of the following applies:

- You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year.
- You work for an elementary or public or private secondary school, or
- You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title I of the FMLA, administered by the Office of Personnel Management.

#### How do I request FMLA leave?

Generally, to **request FMLA leave you must:**

- Follow your employer's normal policies for requesting leave.
- 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.

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 same reason when requesting additional leave.

Your **employer may request certification** from a health care provider to verify medical leave and may request certification of a qualifying exigency.

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.

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 Personnel Management or Congress.

#### What does my employer need to do?

If you are eligible for FMLA leave, your **employer must:**

- Allow you to take job-protected time off work for a qualifying reason.
- Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and
- Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your leave.

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 writing:**

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

#### Where can I find more information?

Call **1-866-487-9243** or visit [dol.gov/fmla](http://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 complaint process.**

DEPARTMENT OF LABOR  
UNITED STATES OF AMERICA

**WHD**

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



WH1420

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## Department of Labor and Industrial Relations, Division of Labor Standards

### \$13.75 MISSOURI MINIMUM WAGE IN EFFECT FOR PRIVATE EMPLOYERS FOR 2025

Beginning January 1, 2025, the minimum wage for all private and non-employment agencies will be based on the provisions set forth in Proposition 13(2024), approved by voters on November 5, 2024. Missouri Minimum Wage law does not apply to public employees, nor does it allow the state's minimum wage rate to be lower than the federal minimum wage rate.

at least  
**\$6.875**  
per hour

**TIPPED EMPLOYEES**  
Employees 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.

at least  
**1.5 X**  
rate

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



**EXCEPTIONS**  
All businesses are required to pay, at minimum, the \$13.75 per hour rate, except small and service businesses whose annual gross sales are less than \$500,000. The law does not apply to certain exempt employees defined in Section 290.500(3), RSMo, and employees employed in agriculture in Section 290.500, RSMo, nor does it supersede more favorable laws or interfere with collective bargaining agreements.



**EMPLOYEE RIGHTS**  
An employee not being paid the correct wage 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 wage 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

573-751-3403  
Fax: 573-751-3721  
[laborstandards.labor.mo.gov](http://laborstandards.labor.mo.gov)

If you have served on active duty in the Armed Forces of the United States and would like information about veterans' services and benefits, please complete the survey here: [mva.dps.mo.gov/MVAVeteransInformationSurvey/0016](http://mva.dps.mo.gov/MVAVeteransInformationSurvey/0016)

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

NOTICE: This notice states the state 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 employer is entitled to the higher minimum wage rate.

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

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## Department of Labor and Industrial Relations, Division of Labor Standards

### Required Poster: Employers Employing Workers Under the Age of 16

Employees 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) during the school year. No child under the age of 14 may be employed in any capacity (other than in the entertainment industry) or in newspaper delivery, babysitting, occupational paid or farm work with parental consent, or some youth sporting events. Work certificates are issued only to children or their designees for a parent of a home-schooled child only upon application required in person by the child with the written consent of his/her parent, legal guardian or if deemed necessary, the U.S. Department of Labor. The child shall be provided a certificate of completion of the training. The school official has the right to deny a certificate if deemed not in the best interests 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 (including churches, schools, social)
  - Operating hazardous equipment: ladders, scaffolding, height elevators, cranes, hoisting machines, meat lifts, etc.
  - Handling/maintaining power-driven machinery (with the exception of lawn/mower/gardeners in domestic setting) (HSOs 294.011 (7)(3), and 294.011 (2)(4))
  - Jobs in any establishment in which alcoholic beverages are sold, manufactured, bottled or stored unless 50 percent of the workplace sales are generated from other goods
  - Operation of any motor vehicle
  - Metal-producing industries including stamping, punching, rolling, shearing, or heating
  - Saw mills or coopers (stock barrel) mills or works where woodworking machinery is used
  - Jobs involving ionizing or non-ionizing radiation or radioactive substances
  - Jobs in hotels, motels, or resorts unless the work performed is physically separated from the sleeping accommodations
  - Jobs in any establishment in which alcoholic beverages are sold, manufactured, bottled or stored unless 50 percent of the workplace sales are generated from other goods
  - Any job dangerous to the life, limb, health, or morals of youth
- 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
  - 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 at [YouthEmployment@labor.mo.gov](mailto: YouthEmployment@labor.mo.gov) or go to [www.labor.mo.gov/DLS](http://www.labor.mo.gov/DLS) if you have questions or need additional copies of this.

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

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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 otherwise punishing an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

#### EXEMPTIONS

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

The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of a number of specific entities, including the FBI, and guards, and of pharmaceutical manufacturers, universities and hospitals.

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

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

#### EXAMINE RIGHTS

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.

#### 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.

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

DEPARTMENT OF LABOR  
UNITED STATES OF AMERICA

**WHD**

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

**1-866-487-9243**  
[www.dol.gov/agencies/whd](http://www.dol.gov/agencies/whd)



WH1462

REV. 02/2022

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## YOUR RIGHTS UNDER USERRA

### THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

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

#### REEMPLOYMENT RIGHTS

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

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

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

#### RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

If you:

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

because of this status.

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement.

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

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### Division of Employment Security UNEMPLOYMENT INSURANCE BENEFITS NOTICE TO WORKERS

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

Nothing is deducted from your pay to cover tax costs.

#### WHEN TO APPLY FOR UI BENEFITS

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

#### HOW TO APPLY FOR UI BENEFITS

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

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

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

#### PROPER WORKER CLASSIFICATION

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

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

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

DIVISION OF  
EMPLOYMENT  
SECURITY

P.O. Box 59  
JEFFERSON CITY, MO 65104-0059

Fax: 573-751-9730  
[LABOR.MO.GOV/CLAIMANT-FORM](http://LABOR.MO.GOV/CLAIMANT-FORM)

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

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

MOES-8-2 AI  
Benefits

REV. 11/2020

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## U.S. Equal Employment Opportunity Commission Know Your Rights: Workplace Discrimination is Illegal

The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that 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 able to help.

#### Who is Protected?

- Employees (current and former), including managers and temporary employees
- Job applicants
- Union members and applicants for membership in a union

#### What Types of Employment Discrimination are Illegal?

Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the bases of:

- Race
- Color
- Religion
- National origin
- Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, or gender identity)
- Age (40 and older)
- Disability
- Genetic information (including employee 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 lawsuit, investigation, or proceeding
- Interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy accommodation

#### What Organizations are Covered?

- Most private employers
- State and local governments (as employers)
- Educational institutions (as employers)
- Unions
- Staffing agencies

#### What Employment Practices can be Challenged as Discriminatory?

All aspects of employment, including:

- Discharge, firing, or lay-off
- Harassment (including unwelcome verbal or physical conduct)
- Hiring or promotion
- Assignment
- 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
- Benefits
- Job training
- Classification
- Referral
- Obtaining or disclosing genetic information of employees
- Requesting or disclosing medical information of employees
- Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or participating in an investigation or proceeding