



Missouri Department of Labor and Industrial Relations DIVISION OF LABOR STANDARDS

www.labor.mo.gov/ls/minimumwage

Missouri Minimum Wage **\$7.25** **Effective July 24, 2009**

Missouri's current minimum wage rate is \$7.25 per hour. All businesses are required to pay at minimum, the \$7.25 per hour rate, except retail and service businesses whose annual gross sales are less than \$500,000. There also are certain classes of employees under the definition of "employee" in Section 290.500(3), RSMo, and pertaining to agriculture in Section 290.507, RSMo, to which Missouri's law does not apply. In addition, overtime compensation must be paid at a rate not less than one and one-half times a covered employee's regular rate for all hours worked over 40 in a workweek.

The minimum wage rate may increase on January 1, 2010, based on any increase in the cost of living as measured by the Consumer Price Index (CPI) (see Section 290.502, RSMo). It will not decrease on January 1, 2010, because it cannot be lower than the federal minimum wage. The Missouri Minimum Wage Law does not apply to exempt employees/employers, and does not supersede more favorable laws or interfere with collective bargaining agreement rights.

Tipped Employees

Compensation for tipped employees must total at least \$7.25 per hour. Employers of tipped employees are required to pay tipped employees at least 50 percent of the minimum wage, or \$3.625 per hour. Employers of tipped employees must pay more than half of the minimum wage to tipped employees if it is necessary to bring the employee's total compensation up to \$7.25 per hour.

Records to be kept and retention period

Employers must keep a record of the name, address, and job description of each employee, the rate of pay, the amount paid each period, and the number of hours worked each day and each workweek (see Section 290.520, RSMo). These records must be kept for a period of not less than three years. The records shall be open for inspection by the Missouri Division of Labor Standards.

Penalties

Any employer who hinders the Division of Labor Standards' performance of duties in the enforcement of the law by any of the acts listed in Section 290.525, RSMo, is guilty of a class C misdemeanor.

An employee may bring any legal action necessary to collect wages owed. An employer who pays an employee wages less than what is due under the law shall be liable for the full amount of the wage rate and an additional equal amount as liquidated damages, less any amount actually paid, and for costs and such reasonable attorney fees as may be allowed by the court or jury (see Section 290.527, RSMo).

Complaints

A Minimum Wage complaint form can be printed from the Web site www.labor.mo.gov/ls/minimumwage. The form may be sent to the Division using the contact information below. The Division of Labor Standards only will act on complaints filed by an affected employee. Anonymous or third-party complaints will not be accepted. Once the investigation is complete, the employer and employee will be informed of the findings.

Please visit www.labor.mo.gov/ls/minimumwage to answer many of your questions, find additional resources, or print a complaint form. As always, feel free to contact the Division directly for assistance at:

Missouri Division of Labor Standards
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