

EMPLOYMENT LAW SUMMARY

Missouri: Work Hours and Wage Payments Requirements



Because You're Different

Several federal laws regulate work hour and wage payment requirements. These include the Fair Labor Standards Act (FLSA), the Davis-Bacon Act and the Service Contract Act.

Missouri law also imposes work hour laws and wage payment requirements and, in some instances, provides additional requirements that employers in the state must follow. Under the FLSA, when both federal and state laws apply, employers must comply with the law that provides the highest benefit or protection for their employees.

The Missouri [Department of Labor and Industrial Relations](#) (DOLIR) enforces these requirements throughout the state.

Work Hour Requirements

Missouri recognizes a 40-hour workweek during a fixed period of seven calendar days as the regular work period and the basis to calculate overtime pay. In addition, Missouri has adopted the eight-hour day as a legal day's work.

The hours an employee works during one workweek may not offset the hours worked in previous or future workweeks. The workweek can begin on any day of the week and at any hour of the day, without coinciding with a calendar week.

Exceptions

Employers and employees can agree to employment for workdays longer than the eight-hour standard, subject to overtime wage payment regulations.

However, employers in the mining, mechanical, chemical manufacturing or smelting industries may not require their employees to work for more than eight hours during a 24-hour day without the employee's consent. This restriction applies for employees engaged in:

- Crushing rocks and mine products containing mineral or ores;
- Separating minerals or ores from rock; or
- Reducing, roasting, refining or smelting minerals or ores (from and after the time minerals or ores are taken out of the mines).

Employers that violate this restriction may be fined between \$25 and \$500.

Compensable Travel Time

Generally, time spent commuting from home to the workplace is not compensable (work) time. However, time spent traveling during normal work hours as part of the job is considered work time and employees are entitled to be paid for this travel time. Such travel time will be taken into account as work time in determining whether employees have been paid the minimum wage.

Wage Payment Requirements

In general, employers must pay employee wages at least **twice per month** on established paydays, designated in advance by the employer. Employers can establish regular paydays once per month for executive, administrative and professional employees, sales personnel and other employees paid on commission (in whole or in part).

Regular paydays must generally take place within 16 calendar days after the end of each regular pay period. If a payday falls on a weekend, holiday or other non-working day, employers must pay wages on the working day immediately prior to the non-working day.

Manufacturing employees, including plate glass manufacturing employees, must receive their full wages every 15 days, within 5 days of the end of the pay period.

Last Payment of Wages

Employees separated from their employers, whether by discharge, voluntary resignation or any other reason, are entitled to receive their unpaid wages on the day of employment separation. An employee's last payment of wages must be without abatement or deduction. Employees may request to have their last payment sent to the location where they usually report for work. In these cases, an employee's last payment of wages must arrive to the requested location within seven days of the request.

This requirement does not apply to employees who are primarily paid on commission where:

- The employee's duties include the collection of accounts, care of a stock or merchandise or similar activities; and
- An audit is necessary or customary in order to determine the net amount due.

Statements

Employers must provide each employee with at least a monthly statement that shows all deductions taken from the employee's wages for the period.

Employers that fail to provide monthly statements commit a misdemeanor, punishable by a fine of between \$50 and \$500 for each offense.

More Information

Contact Heffernan Insurance Brokers for more information on wage payment and work hour laws in Missouri.

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