

2012

ANNUAL REPORT

MISSOURI
DEPARTMENT OF LABOR
& INDUSTRIAL RELATIONS

Moving the workforce and industry forward since 1879.

LETTER FROM THE DIRECTOR



LAWRENCE G. REBMAN
DIRECTOR



The Missouri Department of Labor and Industrial Relations is responsible for the administration and enforcement of the federal and state laws related to employment. Under the direction of Governor Nixon, the Labor Department has worked diligently to respond to the needs of Missouri employers and employees by working with other state agencies to create innovative solutions to combat issues faced by the state workforce and industry.

This fiscal year followed the catastrophic tornado that hit Joplin in May of 2011. Torrential thunderstorms in the summer of 2011 affected farmers and agricultural workers as well as other businesses in various regions of the state. Nature continued to hit Missouri hard in 2012. In February 2012, a tornado touched down hitting Branson, Missouri's vital entertainment sector. The Governor acted quickly and directed agencies to establish information centers for the residents affected. My staff and I held informational sessions at a large venue to assist hundreds of workers with unemployment benefits as well as provide information to employers who lost important tax documentation or their businesses as a result of the storm.

At the beginning of 2012, Missouri's improved unemployment rate and steady economic recovery caused our state to become ineligible for both state Extended Benefits and Tier 4 of the Emergency Unemployment Compensation 2008 Programs. These programs contributed more than \$127 million in FY2012 to the state's economy and more than \$472.3 million since Missouri began paying benefits under these programs in 2009. As for the remaining federally funded unemployment programs expected to end in December 2012, states were required to add additional stipulations in order for claimants to continue their eligibility. The Department created an intensive reemployment program called "It's All About YOU," designed to reengage claimants with career center services so that they can gain full-time employment before they exhaust benefits. Through a federal grant, the Division of Workforce Development hired additional staff at all the career centers and implemented the program. By the end of 2012, more than 17,500 Missourians are projected to have benefited from the program.

The Department monitors and collects industry data relating to workplace injuries and fatalities and focuses its educational and enforcement abilities to address areas of concern. Traditionally, the occupations that make up the majority of workplace incidents are construction workers, truck drivers, and law enforcement officers. However, from 2008 through 2010, farmers, ranchers, and agricultural workers accounted for 86 fatalities—more than any other occupation during this same time period. The Department pitched the idea to the Missouri Department of Agriculture to develop a voluntary educational program for farmers and farm workers that share applicable safety practices utilized by industries like manufacturing and construction. Through "Show-Me Farm Safety," our agencies are making a difference by saving lives and protecting Missouri's farming tradition.

In addition, the Department launched an educational campaign surrounding worker misclassification and the economic consequences that result from such fraudulent activity. Included was an online assessment tool allowing workers and employers to more easily identify when a worker has been improperly classified and then either report it to be investigated or refrain from further misclassification. In 2008, the Department identified 191 misclassified workers. Since the year the campaign launched, 10,117 misclassified workers have been identified resulting in an additional \$1.8 million in owed unemployment taxes.

The Department sought to improve its bottom line by improving communication methods and began to send electronic copies of the transcripts of trial proceedings in workers' compensation cases that were previously printed and mailed. During FY2012, the Department sent 97 eTranscripts resulting in the reduction in the printing and mailing of nearly 350,000 pages and a savings of approximately \$20,000.

The Labor Department will continue to seek opportunities to work with other agencies to enhance the programs we currently administer as well as develop new ones to protect workers and grow industry. Through these strong partnerships, innovative initiatives, and improved technology, we can help maximize the economic prospects for our state.

Sincerely,

A handwritten signature in black ink that reads "Lawrence G. Rebman". The signature is fluid and cursive.

Lawrence G. Rebman
Director



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STATE BOARD OF MEDIATION

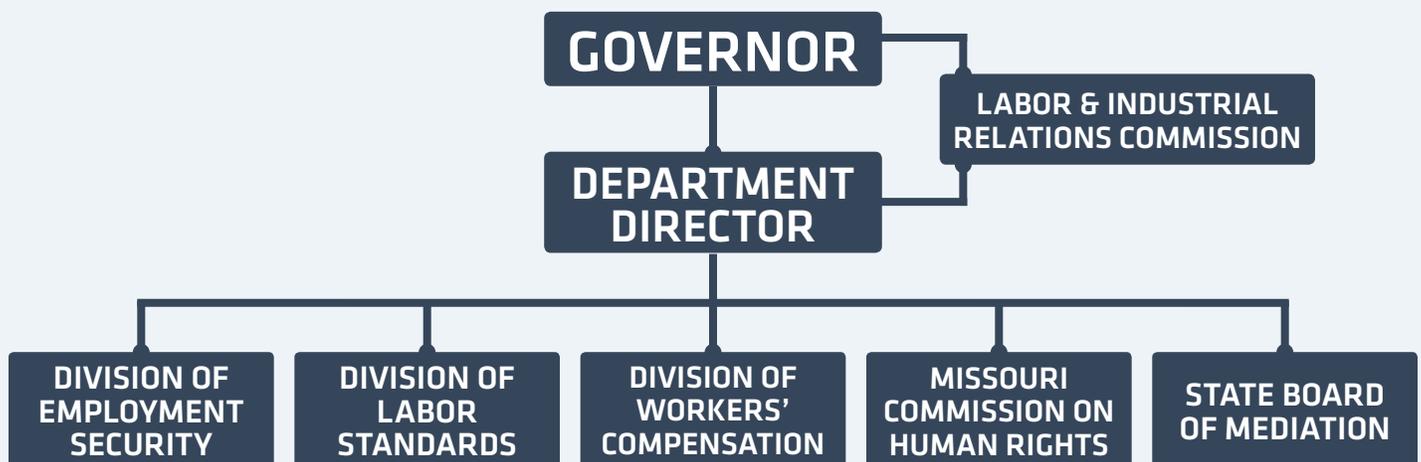
FINANCIAL SUMMARY

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STATE FISCAL YEAR 2012

DEPARTMENT OVERVIEW

The Missouri Department of Labor and Industrial Relations (Labor Department) was created by Article IV Section 49 of the Missouri Constitution. The Labor Department is comprised of the Labor and Industrial Relations Commission (LIRC) and five Divisions: (1) The Division of Employment Security (DES) adjudicates claims for and provides payment of unemployment insurance (UI) benefits for employees who become unemployed through no fault of their own. To finance the payment of UI benefits to qualified claimants, the DES collects taxes from Missouri employers. (2) The Division of Labor Standards (DLS) enforces Missouri's wage and hour laws and promotes safe working environments. (3) The Division of Workers' Compensation (DWC) ensures that workers injured on the job receive the benefits they deserve and investigates allegations of workers' compensation fraud and noncompliance. (4) The Missouri Commission on Human Rights (MCHR) investigates alleged violations of and enforces compliance with Missouri law prohibiting discrimination in housing, employment, and public accommodations. (5) The State Board of Mediation (SBM) determines appropriate bargaining units for public employees, conducts elections to determine bargaining representatives for those bargaining units, and, when called upon, assists in the resolution of labor disputes in the public utility industry.



Refer to pages 14-61 for a complete listing of all agencies and services offered by the Missouri Labor Department.

CONTACT INFORMATION

Department of Labor and Industrial Relations

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Fax: 573-751-4135

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Labor and Industrial Relations Commission

James Avery Jr., Commissioner

Curtis E. Chick Jr., Commissioner

3315 West Truman Blvd. Room 214, P.O. Box 599, Jefferson City, MO 65102-0599

Telephone: 573-751-2461

Fax: 573-751-7806

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Division of Employment Security

Gracia Backer, Director

421 East Dunklin St., P.O. Box 59, Jefferson City, MO 65104-0059

Telephone: 573-751-3215

Fax: 573-751-4945

Home page: www.labor.mo.gov/DES

Claimants E-mail: esuiclaims@labor.mo.gov

Employers E-mail: esemptax@labor.mo.gov

Appeals E-mail: appealstribunal@labor.mo.gov

Important Telephone Numbers

Unemployment Insurance

(To file for benefits or to get claims information)

Toll Free: 800-320-2519

Or locally at:

Jefferson City:....573-751-9040

Kansas City:.....816-889-3101

Springfield:417-895-6851

St. Louis:314-340-4950

Unemployment State Tax Automated Reporting (USTAR): 573-751-1995

Unemployment Insurance Programs: 573-751-9832

Tax/Appeal Information: 573-751-3215

Quality Control: 573-751-3366

Employer Contributions: 573-751-3329

Shared Work: 573-751-WORK (9675)

Report Worker Misclassification: 573-751-1099

CONTACT INFORMATION

Division of Labor Standards

Carla Buschjost, Director

3315 West Truman Blvd. Room 205, P.O. Box 449, Jefferson City, MO 65102-0449

Telephone: 573-751-3403

Fax: 573-751-3721

Home page: www.labor.mo.gov/DLS

E-mail: laborstandards@labor.mo.gov

Important Telephone Numbers

On-Site Safety and Health Consultation:

573-522-SAFE

Wage and Hour: 573-751-3403

Mine and Cave Safety and Health:

573-52-MINE1

Workers' Safety Program: 573-751-3403

Division of Workers' Compensation

John Hickey, Director

3315 West Truman Blvd. Room 131, P.O. Box 58, Jefferson City, MO 65102-0058

Telephone: 573-751-4231

Fax: 573-751-2012

Home page: www.labor.mo.gov/DWC

E-mail: workerscomp@labor.mo.gov

Important Telephone Numbers

Employee Information Line: 800-775-2667

Employer Information Line: 888-837-6069

Fraud and Noncompliance Unit: 800-592-6003

Medical Fee Disputes Unit: 573-526-5610

Religious Exception: 573-522-2546

C.A.R.E. Unit: 573-526-4948

Insurance Unit: 573-526-3692

Second Injury Fund – Benefits: 573-526-3543

Second Injury Fund – Collections: 573-526-5756

Dispute Management Unit: 573-526-4951

Physical Rehabilitation: 573-526-3876

Missouri Commission on Human Rights

Dr. Alisa Warren, Executive Director

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CONTACT INFORMATION

State Board of Mediation

Michael Pritchett, Acting Chairman

3315 West Truman Blvd. Suite 211, P.O. Box 2071, Jefferson City, MO 65102-2071

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Home page: www.labor.mo.gov/SBM

E-mail: sbm@labor.mo.gov

Relay Missouri Service

If calling by home or cell phone, dial 711. All other callers should dial 800-735-2966.

Sending E-mail

You may contact employees of the Missouri Department of Labor and Industrial Relations using the following guide for e-mail addresses.

Firstname.Lastname@labor.mo.gov

Press Inquiries

Amy Susan, Director of Communications

Telephone: 573-751-1518

E-mail: Amy.Susan@labor.mo.gov

YEAR IN REVIEW

Disaster Response Teams Assist Branson Workers and Businesses

On February 29, 2012, Branson was hit by a tornado that affected hundreds of workers and several businesses. After the tornado, the Department's Division of Employment Security created the Disaster Unemployment Assistance Response Team (DUART) to quickly set up information sessions relating to unemployment and job services for those impacted by natural disasters. The Department deployed DUART and collaborated with others from the Department of Economic Development, Taney County Business Partnership Development, Branson Lakes Area Chamber of Commerce, and Ozark Workforce Investment Board to assist workers and employers.

Workers who lost their jobs because of the storms were able to file unemployment claims on-site at the response sessions. Missouri Housing Development Commission representatives also were on hand to assist those who lost their homes. Officials with the Division of Workforce Development and Missouri Career Center business representatives provided information on career assistance services.

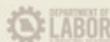
On-site, employers received information about unemployment taxes, loss of records, layoffs, and requesting recall dates. Affected businesses with some available work could sign up with the state's Shared Work Program until they were fully operational to avoid higher unemployment tax rates. This tornado, like those that struck Missouri in 2011 and 2012, directly impact nontraditional first responder agencies (e.g., the Department of Labor), which caused all agencies to reevaluate and modify programs to better serve communities hit by natural disasters.

Stable Economic Recovery Ends Some Federal Benefit Assistance

In 2012, Missouri's unemployment rate continued to fall, dropping to 6.9 percent in September, its lowest point in four years. The state's economic stability resulted in its ineligibility to draw down certain federal unemployment benefits, including Tier 4 of the Emergency Unemployment Compensation 2008 (EUC08) and state Extended Benefits (EB) Programs.

Federal Unemployment Benefits Phase-Out

visit
www.labor.mo.gov/DES/Claims
for the most up-to-date information
about the federal phase-out.



Under federal legislation, EUC08 Tier 4 benefits are available to eligible individuals in states where the three-month average, seasonally adjusted total unemployment rate is at least 8.5 percent. Missouri's three-month average fell below 8.5 percent and, therefore, Tier 4 benefits could not be established after February 19, 2012. However, claimants with an EUC08 Tier 4 balance as of the week beginning February 19, 2012, can claim the remainder of their EUC08 balance through the week ending December 29, 2012.

YEAR IN REVIEW

Based on data released by the United States Department of Labor, Missouri no longer met one of the criteria to remain in the state EB Program (e.g., the state's current three month average total unemployment rate must be at least 110 percent of the unemployment rate from a comparable period in one of the three prior years). The state EB Program was the last level of extended unemployment benefits for those who have exhausted regular Missouri unemployment insurance (UI) benefits and all EUC08 tiers.

State EB claimants stopped receiving further payments under the state EB Program after the week of April 1, 2012, regardless of their claim balance.

The two programs have contributed more than \$472 million to Missouri's economy over the past three years, allowing the jobless to take care of themselves or their families until they find full-time work. Although the ending of this program impacted some receiving unemployment benefits, it was a clear sign that Missouri was able to stand on its own without additional help from the federal government.

Independence Grocery Store Violates Child Labor Law

After receiving a complaint, the Department's Division of Labor Standards (DLS) conducted an investigation and found Hy-Vee, Inc., of Independence, in violation of the Missouri Child Labor Law.



The store was found in violation for employing two children under the age of 14, not having work certificates on file, not having a posted list of child employees, and not maintaining personnel files. The penalty assessed for those violations was \$3,200. Hy-Vee, Inc. paid the civil penalty and signed a settlement agreement to remain in compliance with Missouri's Child Labor Law in the future.

Violations of Missouri's Child Labor Law are class C misdemeanors, which are punishable by up to 15 days in jail, a \$300 fine, or both. If it is found that the employer made money from the commission of the crime, the fine may equal to twice the value of the gain up to \$20,000. The case was referred to the Jackson County Prosecuting Attorney for consideration for criminal prosecution. For Fiscal Year 2012, the Labor Department received 29 complaints resulting in 431 violations and \$23,194.40 in fines collected from child labor investigations.

Elite Safety Program Welcomes Two Missouri Employers

The Missouri Safety and Health Achievement Recognition Program () is an elite safety program that accepts only those businesses that have proven that the safety and health of their workers is their number one priority. The program is available for small employers with 250 employees or less, that also participate in the Missouri On-Site Safety and Health Consultation Program (offered by the DLS free of charge).

YEAR IN REVIEW

This year, two companies, Altenburg Hardwood Lumber Company and Nutra Blend LLC earned the distinction of being named the newest members of the SHARP Program for their excellent safety records. The addition of these two companies created a new total of 36 SHARP businesses in the state. Since this administration came into office, SHARP membership has increased by 59 percent and requests for safety consultations have increased by 77 percent.



Altenburg Hardwood Lumber Company was honored during a ceremony on May 11, 2012. The company is a modern-day sawmill, employing 54 people to process logs into rough-cut lumber. Altenburg Hardwood established an internal safety and health management program in anticipation of working with the DLS to pursue SHARP certification.

Company employees work around sharp objects, moving parts, and other hazards on a daily basis and continue to keep injuries to a bare minimum. The company invested a great deal in machinery, process, and training to protect employees on the job and the company's safety committee implemented a Safety Incentive Program, which contributed to the achievement.

Nutra Blend LLC was honored during a ceremony on August 21, 2012. The company employs 233 people in the city of Neosho and manufactures vitamin, trace mineral, and antibiotic premixes for the feed industry. Nutra Blend LLC sells its premix to the majority of major pet food companies as well as to feed manufacturers and integrators throughout the country to produce food for hogs, cows, chickens, and even household pets.

The Neosho company has expanded and includes not only premixing, but the distribution of micro-ingredients and other ingredients needed to manufacture feed in today's highly technical industry. The company president said the SHARP Program has caused employees to pay far greater attention to their work environment, resulting in fewer injuries and an increase in efficiency.



Missouri Holds 30th Annual Mine Rescue Contest

Miners from across the country traveled to Rolla in October to compete in the nation's longest-running underground mining competition to prove their expertise and put their skills to the test to demonstrate their preparedness in the event of an actual mine incident. Mining is an \$8 billion industry and employs 30,000 men and women in Missouri.

YEAR IN REVIEW

The three-day contest included an underground simulated mine rescue of a live victim, a written exam, and a first aid competition. The overall competition winner of the 30th Annual Mine Rescue Contest was the team Doe Run (Maroon team) from Viburnum, Missouri.

The Missouri Mine Rescue Association and the Missouri University of Science and Technology sponsored the event. The Department's Mine and Cave Safety Program along with the United States Department of Labor's Mine Safety and Health Administration (MSHA) constructed the safety course, created the written exam, and judged the competition.

Fourteen teams competed in the event this year, six of which were from Missouri. For the second year in a row, Missouri team Doe Run (Grey team) took home the gold in the First-Aid Competition in the Rolla contest.

It's All About YOU – Intensive Reemployment Program to Assist the Long-Term Unemployed



The Department and the Division of Workforce Development worked together to create "It's All About YOU" to focus efforts on providing the long-term unemployed with new skills to fit a changing workforce. The "It's All About YOU" Program implements federal legislation while further assisting federal Emergency Unemployment Compensation 2008 (EUC08) claimants with finding employment before benefits end on December 29, 2012.

Missouri Career Centers reengaged clients by conducting a required reemployment interview. After the interview, Career Center staff referred claimants to services that provided them with the needed skills to regain employment. Missouri Career Centers offered a wide-range of reemployment services, including career explorations, career networking courses, workshops, and mock interviews.

The "It's All About YOU" Program aimed to protect the integrity of the federal EUC08 Program by evaluating claimant eligibility to benefits. Claimants not meeting the requirements may have their unemployment benefits delayed or denied.

The "It's All About YOU" Program assisted more than 11,000 people in its first quarter and is projected in total to assist 17,500 people by the end of the year.

Products Produced to Assist Claimants in Finding Employment



YEAR IN REVIEW

Military Spouses Unemployment Insurance – A Year Later

It has been more than one year since House Bill 136 passed allowing the spouse of an active member of the military to be eligible for unemployment benefits when accompanying the spouse in the event of a military transfer. To date, the Division of Employment Security has paid more than \$620,000 in unemployment benefits to approximately 140 eligible family members.



Scene from military video

Education Grant Increases Fair Housing Awareness in Areas Affected by Natural Disasters

For the third year in a row, the Missouri Commission on Human Rights (MCHR) launched the Show-Me Fair Housing Awareness Project (SMFHAP), a public awareness campaign designed to educate the public about the fair housing laws in place to protect them. To date, the SMFHAP has reached an estimated audience of more than 100,000 Missourians in the state's southeastern region and focused its efforts on providing education to those in areas adversely affected by natural disasters including the Bootheel.



2012 Essay Winners left to right:
Tyra Bonner, Natalee Fennell, Zhane Robinson,
and Chanelle Quinn.

The broadened efforts were made possible through a \$124,675 Education and Outreach Initiative grant awarded to the MCHR by the United States Department of Housing and Urban Development. The SMFHAP is designed to assist communities that are rebuilding and recovering after being affected by a natural disaster.

Project-related activities implemented by the grant included an advertising campaign and widespread distribution of fair housing literature. In the Bootheel, constituents participated in a youth poster and journalism contest in partnership with Lincoln University, free workshops, and one-on-one housing counseling in collaboration with United Migrant Opportunity Services (an organization primarily serving migrant and seasonal farm workers and food processing employees).

YEAR IN REVIEW

In Joplin, free public presentations provided fair housing information to the community as a whole with special emphasis on reaching underserved populations including veterans, persons with disabilities, the elderly, low-income families, and minority populations. MCHR developed and disseminated a practical guide addressing ways to affirmatively further fair housing to be shared with government officials representing hundreds of communities statewide. The information was a resource to assist local jurisdictions in meeting their responsibility to further fair housing.

Noteworthy Legislative Changes in 2012

There were 66 bills that were considered throughout the 2012 legislative session that would have impacted the Department, but only a few became law.

House Bill (HB) 1131 Withholding Form Information for New Hire Database

The Labor Department, in conjunction with the Department of Social Services, proposed language that became law in HB 1131 to fulfill a federal mandate requiring employers to report the date an employee first works for remuneration or wages. This new information will be collected on a form already required by the Department of Revenue and retained in the State Directory of New Hire database. The legislation is significant as it will provide the Division of Employment Security with more accurate information that can be used to ensure the integrity of the Unemployment Trust Fund (UTF) by pinpointing when claimants begin working for wages for a given employer, preventing the overpayment of benefits.

HB 1540 Workers' Compensation Co-employee Liability and Electronic Communication

Following the sweeping changes to the Missouri Workers' Compensation Laws in 2005, numerous unintended consequences have come to light in the past seven years. Among them, strict construction of the statutes prevented the application of years of case law prohibiting injured workers from seeking remedies outside of the workers' compensation system by suing co-employees. The primary purpose of HB 1540 was to address this issue by releasing any employee of the employer for liability for any injury of another employee that arises out of and in the course of employment except in instances in which the employee engaged in an affirmative negligent act.

During the legislative process, HB 1540 was amended to include language the Labor Department proposed to allow the Division of Workers' Compensation to utilize electronic communication with claimants, employers, and attorneys in lieu of costly and inefficient paper notices previously required by statute. The Labor Department successfully implemented these changes on August 28, 2012, and began utilizing e-mail notices whenever possible as allowed under HB 1540.

YEAR IN REVIEW

HB 1318 Unemployment Non-charging Provisions for Mental Health Disqualification Registry

Employers that are required to discharge an employee because he or she is placed on a disqualification registry maintained by the Department of Mental Health after the date of hire will no longer have their unemployment account charged under provisions of HB 1318. This legislation will result in a larger amount of UTF pool charges, paid for by all regular contributory employers. It is not possible to estimate the exact amount of additional pool charges or the direct impact to the UTF, but the changes could contribute to secondary tax rate adjustments and the overall insolvency of the trust fund.

HB 1807 “I Have a Dream” License Plate

The “I Have a Dream” specialty license plate was authorized in HB 1807, along with other transportation related issues. The plate allows persons who contribute \$25 to the Martin Luther King Jr. State Celebration Commission Fund to get the specialty plate. The contributions to the fund will be used to support the Commission’s celebration activities.

HB 1402 and Senate Bill (SB) 470 Household Goods Movers Workers’ Compensation

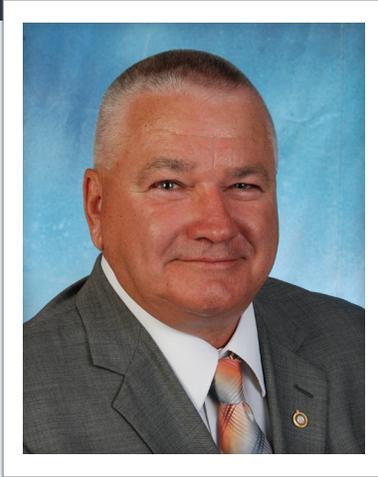
Both HB 1402 and SB 470 contained provisions restating that household goods movers must have workers’ compensation coverage but did not change the requirements already covered in Chapter 287 of the Missouri Revised Statutes.

LABOR & INDUSTRIAL RELATIONS COMMISSION



James Avery Jr.

COMMISSIONER
Employer Member



Curtis E. Chick Jr.

COMMISSIONER
Employee Member



*

CHAIR
Public Member

The Labor and Industrial Relations Commission (LIRC) is established by Section 49, Article IV, of the Missouri Constitution. The LIRC's primary constitutional duty is to oversee the Department of Labor and Industrial Relations (Labor Department). The LIRC is composed of three members appointed by the governor, with the advice and consent of the Senate. One member is classified as a representative of employers, one member is classified as a representative of employees, and one member is classified as a representative of the public. The public representative must be licensed to practice law in Missouri.

The LIRC nominates and the governor appoints, with the advice and consent of the Senate, a director who serves as the chief administrative officer of the Labor Department. In 1974, the LIRC issued an order delegating many of its powers to the director of the Labor Department, and that order still is in effect today.

The LIRC has the authority to adopt rules for the management of the Labor Department and to approve the administrative rules promulgated by the Labor Department and its Divisions. In addition to its oversight duties, the LIRC serves as a higher authority appeal board, reviewing appeals from workers' compensation cases, unemployment insurance cases, crime victims' compensation cases, and tort victims' compensation cases. The LIRC also hears and determines objections to prevailing wage determinations and challenges to determinations by public bodies to enter into project labor agreements.

LABOR & INDUSTRIAL RELATIONS COMMISSION

State Fiscal Year 2012 Appeals

Employment Security

5,445	Employee Benefit Appeals
39	Employer Contribution Appeals
1,346	Benefit Decisions Issued
4,099	Benefit Orders Issued
40	Contributions Decisions Issued
34	Contributions Orders Issued
0	Oral Arguments Heard
665	Appeals to the Missouri Court of Appeals
272	Benefit Cases Pending June 30

Workers' Compensation/Crime Victim/Tort Victim

454	Applications for Review of Award of Administrative Law Judge
52	Motions for Modification of Award
92	Applications for Approval of Settlements
259	Awards Issued
351	Orders Issued
87	Oral Arguments Heard
149	Appeals to the Missouri Court of Appeals
208	Cases Pending June 30

Prevailing Wage

365	Objections Filed
3	Hearings Held
16	Decisions Issued
1	Appeals to Court

**The position of the chair and representative of the public is vacant.*





Gracia Yancey Backer

DIRECTOR

DIVISION OF EMPLOYMENT SECURITY

The Missouri Division of Employment Security (DES) collects taxes from employers and pays unemployment insurance (UI) benefits to individuals who are determined eligible under the law. State unemployment taxes paid by Missouri employers into the Missouri Unemployment Trust Fund (UTF) are set aside for the sole purpose of providing for the payment of weekly UI benefits to qualified claimants.

The UI benefits paid to insured workers help maintain the economy of the state during periods of economic downturn by helping preserve the level of consumer purchasing power. Payments of benefits under the regular UI program are made from a trust fund financed by the employer tax contributions noted above. No part of the contribution is deducted from worker wages.

House Bill (HB) 136, modified Missouri’s UI program and allows individuals who quit work to relocate due to their spouses’ military change of station to be eligible for unemployment benefits. Since its enactment in 2011, the DES authorized payments to approximately 140 individuals totaling more than \$620,000 in military spouse UI benefits.

Trust fund insolvency was a challenge again faced by the DES in 2012. The UTF paid approximately \$559 million to Missouri’s unemployed, forcing the state to borrow an additional amount of approximately \$136.7 million from the federal government. However, to put Missouri in the best possible situation, the DES made a voluntary repayment of \$221.5 million in May 2012 that resulted in a loan balance of \$562,804,977.63 as of June 30, 2012 and lowered Missouri’s interest payment by \$2.45 million.

State Fiscal Year 2012

137,892	Employers Liable for Contributions
16,065	New Employer Accounts Established
\$641,305,193	Employer Contributions Collected
2,727	Employer Compliance Audits Completed
426,833	Initial Claims Filed
\$558,763,467	Unemployment Insurance Benefits Paid
\$21,426,903	Unemployment Insurance Overpayments Collected
34,196	Appeals Filed

The Federal Unemployment Tax Act (FUTA) tax rate is six percent of the first \$7,000 paid to covered workers. Generally, employers can take a credit against their FUTA tax for amounts paid into state unemployment funds. The credit may be as much as 5.4 percent of FUTA taxable wages. If an employer is entitled to the maximum 5.4 percent credit, the FUTA tax rate after credit is 0.6 percent. An employer is entitled to the maximum credit if the United States Department of Labor certifies the state’s unemployment compensation program as conforming and the employer pays the state unemployment tax in a timely manner.



DIVISION OF EMPLOYMENT SECURITY

When a state is in a long-term borrowing situation, federal law prescribes a reduction to the federal unemployment tax credit of 5.4 percent in order to pay for the loan. As of January 2012, Missouri has had an outstanding loan balance for three consecutive years. Because of this outstanding loan balance, Missouri is a credit reduction state. The reduction to the credit is progressive. The first credit reduction of 0.3 percentage points occurs when a state carries a loan balance through January 1st for two consecutive years. The credit reduction for the third consecutive year is 0.6 percentage points and an additional 0.3 percentage points each year thereafter until the loan is repaid.

UI Programs Section

One of the main objectives of the DES is the prompt payment of UI benefits to eligible claimants. A person must have worked in employment covered under the Missouri Employment Security Law and earned enough qualifying wages in order to establish a claim for UI benefits.

In an effort to detect and reduce UI overpayments and protect the integrity of the system, the DES began conducting crossmatches to compare the state and federal new hire databases to claimants receiving UI benefits. From June 1 to September 30, 2012, there have been 4,888 new hire crossmatch overpayments created, resulting in \$2,233,472 in overpayments. On a weekly basis, approximately 37 percent of the crossmatch issues that are investigated result in overpayments. Additionally, approximately 14 percent of the crossmatch issues discovered result in an investigation.

In 2012, the DES began using the State Information Data Exchange System (SIDES). SIDES is an electronic system that allows the DES to electronically send claim notices and receive protests from employers. Those who use SIDES are large employers and third party administrators that have volunteered to participate by creating an interface with SIDES.

The SIDES E-Response employers are a second group of participants that can use the website to respond electronically if they do not want to respond by mail or fax. All employers, regardless of size, can use the E-Response.

From September 21 to October 30, 2012, the DES sent 5,716 requests for information to SIDES participants. The DES received responses from 100 percent of the SIDES employers when prompted. There were 345 additional employers that responded electronically after they were notified about a claim and the ability to respond electronically rather than by mail.



DIVISION OF EMPLOYMENT SECURITY

SIDES Employers Summary

Exchange Name	Requests	Timely Responses	Late Responses	No Responses	Total Responses	Average No. of Days	Total No. of Days
Separation Information	5,716	5,716 100%	0 0%	0 0%	5,716	6.28	35,897

In June and July 2011, after the Joplin tornado, flooding occurred in northwestern Missouri resulting in a disaster declaration in August 2011. Approximately 26 people in six counties were approved to receive Disaster Unemployment Assistance (DUA) benefits. Approximately \$47,119 was paid in DUA benefits.

During Fiscal Year (FY) 2012, the DES scored an average of 83.6 percent on the federal Benefits, Timeliness, and Quality (BTQ) review for separation determinations. This score surpassed the Core Measure goal of 75 percent and gave Missouri the seventh highest average score in the nation. During this same period, the state received an average score of 95.7 percent for non-separation determinations (which was the second highest score nationally).

In order to help ensure the integrity of the unemployment program, the UI Programs Section worked closely with Information Technology Services Division to capture Internet Protocol (IP) addresses from claimants filing through the Internet.

These IP addresses are processed through a database that identifies claimants filing outside the United States, Puerto Rico, Virgin Islands, and Canada. Under state regulation, these claimants are not eligible for unemployment benefits when filing out of the United States. This program went into production June 6, 2012. There are approximately 25 out-of-country claimants identified each week.

In addition, a reporting tool has been developed that sorts claims filed on the Internet to identify potential fraud. This tool connects to a database where all IP addresses for any claim filed via the Internet are stored.

Employer Contributions Section

The DES Employer Contributions Section ensures that all employers are properly reporting their workers' wages and paying the correct tax on those wages.

The administrative staff investigates matters pertaining to employer liability and makes determinations relating to employer payrolls and taxes. These determinations are appealable through the DES appeal process and the state judicial system.

An account is maintained for each employer to which tax payments are credited and to which unemployment benefits paid to the employer's former workers are charged. The employer's tax rate is based on the



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relationship of the experience account balance to the employer's average annual taxable payroll. In calendar year 2012, the average tax rate for all employers was 2.248 percent. The average rate for employers that had a positive experience account balance was 1.725 and the average rate for employers with a deficit account balance (more benefits have been paid out to former employees than taxes paid in) was 7.162 percent.

During FY 2012, there were 137,892 employers subject to coverage provisions of the law. There were 16,065 employers not previously covered that became subject to the law. These employers reported 2,887,900 wage items (employees). Employee wages are required to be reported each calendar quarter as they are used to determine claimant benefit entitlement.

The DES collected \$641,304,193 in taxes, which is credited to the UTF for payment of unemployment benefits.

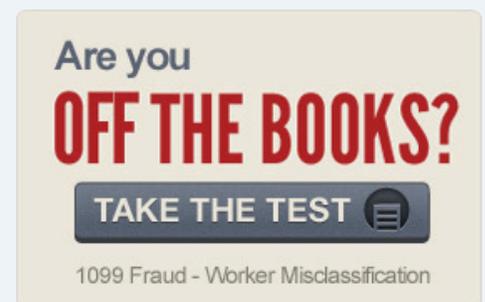
Contributions Field Section

Worker Misclassification

The DES also ensures that employers are properly classifying their workers, reporting their workers' wages, and paying the correct taxes on wages. Employers that misclassify workers fail to pay taxes to the UTF, which gives them an unfair advantage over competitors that are properly reporting and paying their taxes.

In FY 2012, the DES implemented the Misclassified Worker Detection System to assist in identifying employers that are potentially misclassifying workers. The Report Worker Misclassification tip system also was implemented for individuals or businesses to report misclassification concerns to the DES.

In FY 2012, 10,117 misclassified workers were identified through audits and investigations, resulting in \$1,872,908.59 of additional taxes owed. The number of misclassified workers identified has increased substantially each year since FY 2008, when only 191 misclassified workers were identified through the audit process.



Field Audits and Collections

In FY 2012, DES Field Audit and Collections staff greatly improved efforts to increase compliance and reduce the amount of unpaid taxes, interest, and penalties, and the number of outstanding quarterly reports due. DES auditors conducted 2,727 audits and identified 5,236 workers wrongfully classified as independent contractors. Audits and investigations completed by this unit resulted in a net addition to the tax amount due of over \$343,181.

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The DES Collections staff successfully implemented a program that increased focus on high-dollar delinquent accounts. This program alone resulted in collections of \$8,306,670.68 in FY 2012. Additionally, the DES began accepting credit card payment for delinquent tax, interest, and penalties due, yielding over \$297,174 in payments.

DES Field Audit and Collections staff resolved over \$16,968,521 in past due taxes, interest, and penalties, and collected 27,294 outstanding quarterly reports in FY 2012. These efforts positively impact both the UTF and the payment of unemployment benefits to eligible claimants.

Benefits Section

The DES increased efforts to prevent and detect fraud and abuse of the UI program. More than \$2.4 million was collected in penalties from individuals who fraudulently received UI benefits during FY 2012. Continued efforts to reduce fraud include online forms and website information for the public to use when reporting potential fraud or abuse of the UI system. In FY 2012, there were approximately 380 investigations triggered by reports through these online tools that showed improperly paid benefits.

In July 2011, the Missouri Integrity Task Force was created to review all claim processes to identify changes that would help prevent or reduce improperly paid benefits and find new ways for detection. This task force continues to meet on a regular basis to review progress on the new processes and examine additional ways to improve the integrity of the UI Program.

Another program implemented this year was utilizing information from the Liable Agent Data Transfer (LADT) records to identify Missouri claimants filing improper claims in another state. Since implementing this change in August 2012, DES has detected more than 40 improper claims. This process has reduced the number of weeks overpaid on incorrect claims through early intervention by using the weekly LADT information more efficiently. Prior to the use of this LADT information, these improper claims sometimes caused thousands of dollars in overpaid benefits per claim. The DES now discovers the incorrect claims within a week or two after the claim is filed.

The DES conducts a benefit payment control program to detect and prevent improper payments. During FY 2012, there were 49,708 cases of improper payments detected, resulting in the establishment of \$48,154,791 in overpayments for all benefit programs.

During the same period, UI benefits paid under all programs administered by the DES amounted to \$1,258,887,962. The percentage of benefits overpaid was 3.8 percent.

The benefit payment control program uses a number of crossmatches to detect potential cases of improper payment of benefits. The primary means of overpayment detection is a quarterly crossmatch of employer wage reports with benefit payments. The DES mails more than 30,000 requests for wage information to employers each quarter. An average of 12 to 15 percent of these requests results in cases of overpaid benefits.

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Improperly paid benefits in the amount of \$21,121,801 were detected by this quarterly crossmatch during FY 2012.

Collection of overpaid benefits is a high priority in the DES. During FY 2012, the DES recovered \$21,426,903 of improperly paid benefits. Methods used to collect the debt for overpaid benefits include intercepting state income tax refunds and state lottery winnings, offsetting future payment of unemployment benefits, voluntary credit card payments, cash payments, and garnishment of wages. During FY 2013, the DES will begin intercepting federal income tax refunds to collect fraud overpayments.

The more aggravated cases of overpayments caused by fraud are referred for prosecution. During FY 2012, the DES increased efforts to pursue legal action against these offenders by adding three investigators to assist with preparing cases for prosecution. The chart to the right compares cases from FY 2011 to FY 2012. The reduction in restitution from weeks of unemployment is due to a law change implemented in July 2011 that prevents benefits from being paid to a claimant who has an unpaid penalty. All fraud overpayments are assessed a monetary penalty.

The Shared Work Program is an alternative to layoffs for employers faced with a reduction in available work. This program allows some workers who would be laid off full-time to work at least 60 percent of their regular hours by reducing the work hours of all workers in the affected unit. In return, all workers can draw up to 40 percent of their weekly unemployment benefits. Employers voluntarily elect to participate in this program in order to retain their trained workers.

Prosecution Activity Report FY 2011 to FY 2012

	FY 2011	FY 2012	Year-Over-Year
Cases Referred	316	532	68%
Overpayment Total	\$2,402,463.96	\$4,376,713.37	82%
Avg. Overpayment Referred	\$7,602.73	\$8,226.90	8%
Convictions	133	185	39%
Court Ordered Restitution	\$618,892.23	\$1,166,068.09	88%

Restitution Received

Cash	\$493,065.31	\$572,672.94	16%
UI Weeks	\$332,454.56	\$56,875.34	-83%
Tax/Lottery Intercepts	\$65,261.78	\$63,398.18	-3%
Total Restitution Received	\$890,781.65	\$692,946.46	-22%

The DES mailed more than 125,000 letters to all Missouri employers to reach out to the business community in an effort to inform them of this option to avert layoffs.

During FY 2012, there were 451 Missouri employers that were approved to participate in the Shared Work Program. More than 114,000 weeks of unemployment benefits were paid to eligible claimants participating in this program. This year, employer participation saved more than 26,790 Missouri jobs.

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Appeals Section

Pursuant to federal and Missouri law, the DES must provide an opportunity for a fair hearing before an impartial tribunal to all parties affected by a deputy's determination. The DES Appeals Section provides due process hearings for all appeals arising under the basic programs of UI benefit entitlement and tax liability, as well as special programs such as federal Emergency Unemployment Compensation 2008 (EUC08), DUA, Trade Readjustment Assistance, and Extended Benefits.

Once an appeal is filed, an impartial Appeals Referee conducts an evidentiary hearing and issues a written decision regarding the appeal. The decision of the Appeals Referee is subject to review by the Labor and Industrial Relations Commission upon timely application by the aggrieved party.

During FY 2012, 34,196 appeals were filed with the Appeals Section. The section scheduled 32,784 hearings and disposed of 31,645 appeals by decision or order.

Quality Control Section

The Quality Control Section is responsible for the operation of two federally mandated programs, Benefit Accuracy Measurement (BAM) and Tax Performance System (TPS). The BAM Program audits paid and denied UI claims. The TPS Program audits the operation of the UI tax program.

In addition, this section and the Department of Economic Development's Division of Workforce Development are jointly responsible for the operation of Missouri's Reemployment and Eligibility Assessment (REA) Program. This program randomly selects UI claimants and refers them to their local Missouri Career Center to receive services that will help them become reemployed more quickly and to receive a UI eligibility assessment.

Other functions and responsibilities of the Quality Control Section include producing and providing statistical information, raw data, and financial information to the executive staff of the Department of Labor and Industrial Relations, the Missouri State Unemployment Council, the United States Department of Labor (USDOL), members of the Missouri General Assembly, the media, and all other interested stakeholders. The Quality Control Section also prepares and submits USDOL required reports, UTF projections, budget oversight, and fiscal notes; calculates and monitors the DES performance measures; writes and monitors grants; assists in the implementation of statutory changes; and ensures Missouri's UI system is in compliance with federal laws and policies.

Quality Control Work Functions FY 2012

57	Fiscal Notes Prepared
495	USDOL Required Reports Submitted
930	Benefit Claims Audited
1,142	Tax Cases Audited
9,403	Claimants Selected for the REA Program



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New Federal Requirements/Laws/Programs

EUC08 Reemployment Services (RES) REA – The Middle Class Tax Relief and Job Creation Act of 2012, Public Law 112-96, added a new requirement that EUC08 claimants start receiving reemployment services and reemployment and eligibility assessments as a condition of continued eligibility for EUC08 benefits.

Federal Extensions

- Amount of Benefits paid in EUC08 - \$597,496,390
- Number of claimants whose benefits will expire – The federal EUC08 Program is set to expire at the end of December 2012. The DES estimates the expiration of this program will end benefits to 33,000 claimants.
- Tiers dropped – Due to Missouri's improving unemployment rate, individuals exhausting EUC08 Tier 3 benefits February 19, 2012, or later, were no longer able to establish eligibility for EUC08 Tier 4 benefits.
- State Extended Benefits (EB) ending – The last payable week of state EB was the week ending April 7, 2012, as Missouri no longer met the criteria established under state statute to remain on this federally funded program. During FY 2012, the DES paid out more than \$85 million in state EB.

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Employment and Earnings

Calendar Year	Covered Employers	Covered Employees	State Revenues ¹	Wages Paid in Covered Employment ¹		Avg. Tax Rate - Percent of		Taxable Wage Base	Annual Wage
				Total	Taxable	Total	Taxable		
1938	12,499	501,000	\$33.5M	\$636.7M	\$636.7M	2.7	2.7	Total	\$1,270
1940	13,829	554,000	\$19.6M	\$734.6M	\$734.6M	2.7	2.7	Total	\$1,326
1950	18,060	781,000	\$22.9M	\$2.3B	\$1.8B	1.0	1.2	\$3,000	\$3,022
1960	36,705	961,000	\$29.5M	\$4.5B	\$2.7B	0.6	1.1	\$3,000	\$4,715
1970	39,721	1,189,000	\$37.2M	\$8.6B	\$3.8B	0.4	1.0	\$3,000	\$7,310
1980	106,747	1,523,000	\$106.8M	\$25.1B	\$9.1B	0.4	1.0	\$6,000	\$13,933
1990	134,733	1,812,000	\$187.8M	\$47.3B	\$12.9B	0.5	1.5	\$7,000	\$21,531
2000	127,558	2,610,000	\$253.8M	\$79.8B	\$18.4B	0.4	1.2	\$7,500	\$31,145
2001	128,948	2,951,000	\$255.6M	\$82.7B	\$17.5B	0.4	1.4	\$7,000	\$32,157
2002	129,917	2,599,000	\$276.3M	\$83.9B	\$16.6B	0.4	1.5	\$7,000	\$32,812
2003	130,937	2,588,000	\$352.9M	\$84.8B	\$17.1B	0.5	1.8	\$7,500	\$33,473
2004	132,984	2,603,000	\$412.8M	\$86.7B	\$18B	0.5	2.0	\$8,000	\$34,517
2005	135,417	2,636,000	\$545.9M	\$90.5B	\$22.3B	0.6	2.1	\$11,000	\$35,601
2006	137,551	2,674,000	\$571M	\$96.2B	\$24.4B	0.7	2.2	\$11,000	\$36,782
2007	139,345	2,696,000	\$578.6M	\$99.2B	\$24.7B	0.7	2.2	\$12,000	\$38,258
2008	139,330	2,695,000	\$605M	\$103.9B	\$26.2B	0.7	2.2	\$12,500	\$39,990
2009	137,732	2,581,000	\$569.9M	\$104.2B	\$25.8B	0.6	2.1	\$13,000	\$39,575
2010	136,810	2,540,000	\$608.7M	\$99.9B	\$25.2B	0.7	2.1	\$13,000	\$40,200
2011	137,223	2,553,000	\$680.3M	\$102.3B	\$26B	0.8	2.3	\$13,000	\$40,993

1 - These are abbreviated figures.

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UI Claims and Benefits

Calendar Year	First Payments	Weeks Compensated	Benefits Paid ¹	Average Weekly Benefit Amount	Average Duration	Exhaustion Rate	Trust Fund Balance ¹	Outstanding Federal Loans ¹
1938	0	0	\$0	\$0.00	-	-	\$34M	\$0
1940	141,876	880,080	\$7.2M	\$9.09	6.2	55.3	\$58.1M	\$0
1950	103,962	1,224,621	\$19.8M	\$16.94	11.8	29.8	\$194.6M	\$0
1960	148,740	1,558,290	\$41.3M	\$28.61	10.5	19.5	\$201.7M	\$0
1970	159,483	1,604,229	\$73.2M	\$48.67	10.1	17.4	\$263.5M	\$0
1980	244,383	3,284,393	\$278.4M	\$88.41	13.4	36.8	\$125.6M	\$0
1990	178,495	2,293,815	\$289.3M	\$134.74	12.9	29.9	\$298.5M	\$0
2000	137,426	1,800,947	\$325.7M	\$186.22	13.1	26.9	\$484.9M	\$0
2001	174,147	2,441,824	\$476.2M	\$200.49	14.0	30.4	\$276.3M	\$0
2002	185,414	2,897,341	\$579.2M	\$205.49	15.6	40.4	\$137.4M	\$0
2003	182,972	3,016,853	\$603.3M	\$205.62	16.5	42.8	\$3.6M	\$142.9M
2004	166,435	2,584,909	\$515.1M	\$205.05	15.5	39.4	\$18.2M	\$288.5M
2005	137,165	2,113,181	\$422.8M	\$205.79	15.4	34.3	\$46.8M	\$238.2M
2006	134,756	1,910,468	\$394.6M	\$212.28	14.2	31.9	\$241.7M	\$135.4M
2007	139,265	1,950,293	\$428.2M	\$224.81	14.0	29.3	\$113.2M	\$0
2008	176,288	2,449,368	\$580.5M	\$244.10	13.9	35.5	\$118.4M	\$0
2009	241,057	4,438,399	\$1.1B	\$256.41	18.4	52.1	\$13.8M	\$474.3M
2010	189,210	3,528,443	\$828.3M	\$244.16	18.7	51.1	\$18.5M	\$722.1M
2011	168,199	2,807,589	\$642.4M	\$237.70	16.7	48.5	\$13.4M	\$725.5M

1 - These are abbreviated figures.

UI Benefits by Claimant's County of Residence

Regular UI – Fiscal Year 2012

County	Initial Claims		Weeks Claimed		Weeks Paid		Amount of Benefit Payments		
	UI	UCFE ¹ UCX ²	UI	UCFE ¹ UCX ²	UI	UCFE ¹ UCX ²	State	Federal	Total
ADAIR	1,396	7	8,322	78	7,097	74	\$1,530,951	\$23,835	\$1,554,786
ANDREW	1,224	9	6,989	222	6,130	252	\$1,463,354	\$82,449	\$1,545,803
ATCHISON	261	4	1,714	15	1,224	10	\$249,007	\$4,615	\$253,621
AUDRAIN	1,517	10	10,014	92	8,801	95	\$1,936,228	\$29,231	\$1,965,459
BARRY	2,030	29	13,063	151	11,470	141	\$2,434,668	\$53,670	\$2,488,338
BARTON	681	3	4,427	93	3,886	52	\$847,442	\$25,546	\$872,988
BATES	1,136	8	7,271	76	6,610	69	\$1,527,080	\$23,836	\$1,550,915
BENTON	1,255	13	7,965	187	6,702	144	\$1,504,797	\$37,328	\$1,542,125
BOLLINGER	1,012	5	5,975	30	5,360	30	\$1,243,701	\$9,079	\$1,252,780
BOONE	7,828	79	46,860	733	40,121	677	\$9,195,991	\$242,973	\$9,438,964
BUCHANAN	7,015	51	44,426	473	38,856	454	\$8,942,043	\$173,721	\$9,115,763
BUTLER	4,258	31	21,763	360	18,802	351	\$3,898,136	\$123,207	\$4,021,343
CALDWELL	740	7	4,322	30	3,368	20	\$791,490	\$10,515	\$802,005
CALLAWAY	3,096	22	19,869	209	17,201	220	\$4,013,843	\$72,170	\$4,086,013
CAMDEN	4,173	21	30,808	333	28,012	326	\$5,763,393	\$106,707	\$5,870,099
CAPE GIRARDEAU	4,352	36	29,785	416	25,954	417	\$5,767,224	\$162,044	\$5,929,268
CARROLL	883	3	6,016	63	4,681	40	\$1,036,355	\$11,778	\$1,048,133
CARTER	549	15	3,490	199	3,071	213	\$668,256	\$72,758	\$741,014
CASS	5,945	202	38,072	1,596	34,244	1,527	\$8,300,532	\$458,090	\$8,758,622
CEDAR	894	9	5,838	105	4,867	123	\$975,419	\$36,245	\$1,011,664
CHARITON	531	4	4,222	19	3,505	18	\$763,176	\$7,515	\$770,691
CHRISTIAN	5,623	37	37,417	333	33,437	274	\$7,633,423	\$89,008	\$7,722,431
CLARK	285	0	1,705	17	1,210	13	\$243,643	\$1,186	\$244,829
CLAY	13,467	349	85,999	2,795	76,762	2,636	\$18,791,359	\$865,011	\$19,656,371
CLINTON	1,782	17	11,633	111	8,850	93	\$2,079,172	\$31,023	\$2,110,195
COLE	4,302	31	28,505	470	24,942	459	\$5,784,656	\$145,661	\$5,930,317
COOPER	1,406	14	9,580	118	8,649	75	\$1,978,852	\$25,989	\$2,004,840
CRAWFORD	2,464	15	15,550	83	14,050	71	\$3,133,045	\$20,612	\$3,153,657
DADE	489	4	3,326	89	2,910	90	\$644,797	\$18,046	\$662,842
DALLAS	1,381	18	8,868	153	7,857	122	\$1,759,754	\$38,045	\$1,797,800
DAVISS	494	1	3,482	47	2,622	44	\$612,168	\$20,245	\$632,412
DEKALB	646	6	4,376	88	3,360	79	\$810,753	\$27,603	\$838,356
DENT	1,085	12	7,294	111	6,450	96	\$1,328,520	\$29,127	\$1,357,647
DOUGLAS	1,033	8	7,279	110	6,543	103	\$1,425,339	\$42,711	\$1,468,050
DUNKLIN	2,334	25	15,126	215	12,968	160	\$2,722,272	\$43,909	\$2,766,180
FRANKLIN	11,018	69	63,935	621	58,644	610	\$14,052,822	\$202,097	\$14,254,920
GASCONADE	1,698	8	8,483	71	7,631	52	\$1,755,502	\$14,288	\$1,769,791
GENTRY	348	3	2,420	25	2,018	23	\$425,062	\$5,482	\$430,544
GREENE	16,942	160	117,388	2,016	103,343	1,925	\$23,291,248	\$631,634	\$23,922,883

1 - UCFE- Unemployment Compensation for Federal Civilian Employees

2 - UCX – Unemployment Compensation for Ex-Service Members



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UI Benefits Continued

County	Initial Claims		Weeks Claimed		Weeks Paid		Amount of Benefit Payments		
	UI	UCFE ¹ UCX ²	UI	UCFE ¹ UCX ²	UI	UCFE ¹ UCX ²	State	Federal	Total
GRUNDY	557	6	3,333	52	2,710	51	\$597,202	\$12,778	\$609,980
HARRISON	461	2	3,193	16	2,259	19	\$506,967	\$8,673	\$515,640
HENRY	1,825	20	11,602	174	9,482	165	\$2,075,763	\$59,712	\$2,135,475
HICKORY	704	8	4,569	62	3,711	51	\$765,416	\$8,715	\$774,131
HOLT	317	2	2,045	19	1,796	21	\$385,884	\$6,720	\$392,604
HOWARD	714	3	4,684	49	4,191	42	\$982,186	\$12,703	\$994,889
HOWELL	2,429	37	15,635	357	12,918	293	\$2,672,291	\$94,694	\$2,766,985
IRON	907	5	6,307	72	5,649	76	\$1,235,135	\$27,414	\$1,262,549
JACKSON	52,031	1,918	323,707	15,045	282,026	13,803	\$63,331,807	\$4,547,482	\$67,879,289
JASPER	7,647	39	47,922	296	41,917	270	\$9,152,922	\$105,887	\$9,258,809
JEFFERSON	19,975	118	128,129	1,343	117,218	1,306	\$28,952,325	\$493,335	\$29,445,660
JOHNSON	3,555	113	21,512	1,102	16,850	989	\$3,839,734	\$303,498	\$4,143,232
KNOX	202	4	1,363	44	1,257	45	\$275,558	\$12,539	\$288,098
LACLEDE	4,380	61	25,419	554	22,652	556	\$4,729,422	\$191,947	\$4,921,369
LAFAYETTE	3,001	57	19,212	527	15,411	478	\$3,575,466	\$150,782	\$3,726,248
LAWRENCE	2,349	32	15,380	261	13,499	240	\$3,056,541	\$71,346	\$3,127,887
LEWIS	342	6	1,943	39	1,693	45	\$383,412	\$14,016	\$397,427
LINCOLN	6,052	15	36,962	215	33,843	211	\$8,487,280	\$76,256	\$8,563,536
LINN	1,166	2	8,313	58	7,095	43	\$1,542,026	\$17,059	\$1,559,084
LIVINGSTON	961	2	5,966	5	5,107	2	\$1,156,199	\$947	\$1,157,146
MCDONALD	1,085	8	7,273	102	6,158	103	\$1,288,520	\$34,150	\$1,322,669
MACON	1,031	8	7,055	74	5,908	77	\$1,344,495	\$29,802	\$1,374,297
MADISON	1,013	5	6,651	37	5,685	31	\$1,261,997	\$13,193	\$1,275,189
MARIES	680	11	4,328	104	3,732	96	\$884,896	\$27,937	\$912,833
MARION	1,875	13	11,029	107	9,532	106	\$1,938,449	\$29,796	\$1,968,245
MERCER	143	0	918	0	730	0	\$184,583	\$528	\$185,111
MILLER	3,107	18	19,914	187	18,276	163	\$3,776,536	\$69,146	\$3,845,682
MISSISSIPPI	1,439	6	8,873	76	7,520	64	\$1,529,930	\$24,749	\$1,554,678
MONITEAU	1,088	6	6,914	47	6,149	52	\$1,484,898	\$16,523	\$1,501,420
MONROE	635	6	4,280	48	3,770	48	\$887,628	\$17,544	\$905,172
MONTGOMERY	1,180	7	7,837	43	7,173	35	\$1,661,762	\$13,253	\$1,675,015
MORGAN	1,616	9	11,430	119	10,116	119	\$2,091,695	\$52,179	\$2,143,874
NEW MADRID	1,777	9	10,989	74	9,270	62	\$2,042,471	\$17,926	\$2,060,396
NEWTON	3,679	39	23,514	392	20,704	364	\$4,536,995	\$108,871	\$4,645,865
NODAWAY	1,128	2	6,287	27	5,387	22	\$1,137,299	\$7,272	\$1,144,572
OREGON	501	7	3,595	73	3,069	70	\$603,668	\$22,736	\$626,403
OSAGE	1,416	7	13,465	227	4,705	94	\$1,120,566	\$28,542	\$1,149,108
OZARK	509	11	4,225	97	3,642	104	\$698,996	\$31,863	\$730,859
PEMISCOT	1,496	3	9,459	26	7,859	23	\$1,517,888	\$10,622	\$1,528,510

1 - UCFE- Unemployment Compensation for Federal Civilian Employees

2 - UCX - Unemployment Compensation for Ex-Service Members



UI Benefits Continued

County	Initial Claims		Weeks Claimed		Weeks Paid		Amount of Benefit Payments		
	UI	UCFE ¹ UCX ²	UI	UCFE ¹ UCX ²	UI	UCFE ¹ UCX ²	State	Federal	Total
PERRY	1,608	2	8,107	31	6,910	40	\$1,578,095	\$24,385	\$1,602,480
PETTIS	3,330	26	20,949	276	17,717	278	\$3,854,014	\$97,781	\$3,951,795
PHELPS	2,672	71	17,551	650	15,376	633	\$3,380,290	\$182,118	\$3,562,407
PIKE	1,297	16	8,049	99	7,156	98	\$1,782,700	\$30,453	\$1,813,153
PLATTE	4,371	119	30,583	836	27,683	811	\$6,900,571	\$288,390	\$7,188,961
POLK	2,074	23	14,301	154	12,825	144	\$2,684,157	\$51,109	\$2,735,266
PULASKI	2,419	312	13,802	3,456	11,536	3,049	\$2,515,598	\$880,118	\$3,395,716
PUTNAM	181	3	1,283	18	1,027	16	\$214,523	\$1,653	\$216,176
RALLS	720	11	4,779	60	4,040	57	\$938,887	\$13,998	\$952,885
RANDOLPH	2,138	23	15,359	289	13,514	282	\$2,849,320	\$80,721	\$2,930,041
RAY	2,280	19	13,121	99	10,070	113	\$2,345,332	\$39,970	\$2,385,302
REYNOLDS	444	7	3,078	47	2,793	51	\$573,301	\$16,000	\$589,301
RIPLEY	1,120	12	5,945	143	5,130	148	\$1,028,181	\$62,146	\$1,090,327
ST. CHARLES	24,639	168	163,250	1,827	148,928	1,729	\$38,568,562	\$575,343	\$39,143,905
ST. CLAIR	620	7	4,359	49	3,536	43	\$780,184	\$11,261	\$791,445
STE. GENEVIEVE	1,888	17	11,005	141	10,209	139	\$2,430,958	\$43,168	\$2,474,126
ST. FRANCOIS	5,599	38	35,608	333	31,885	312	\$7,262,576	\$110,773	\$7,373,349
ST. LOUIS	74,334	669	520,696	9,367	462,595	9,668	\$108,565,594	\$2,996,579	\$111,562,173
SALINE	1,475	12	9,622	124	7,844	130	\$1,654,306	\$42,758	\$1,697,064
SCHUYLER	263	0	1,775	0	1,473	0	\$318,605	\$335	\$318,940
SCOTLAND	531	5	1,195	48	731	49	\$168,783	\$14,737	\$183,521
SCOTT	3,731	22	23,246	192	19,594	192	\$4,141,396	\$66,743	\$4,208,138
SHANNON	571	26	4,187	327	3,582	335	\$683,038	\$112,335	\$795,373
SHELBY	405	3	2,273	8	2,007	7	\$461,557	\$1,929	\$463,485
STODDARD	2,922	26	18,482	157	16,439	139	\$3,804,893	\$47,559	\$3,852,453
STONE	4,024	31	27,615	264	25,200	261	\$4,880,217	\$69,310	\$4,949,527
SULLIVAN	331	4	2,432	26	1,981	25	\$461,088	\$7,964	\$469,052
TANEY	9,080	40	65,141	545	59,978	526	\$11,473,105	\$162,014	\$11,635,119
TEXAS	1,654	57	10,267	626	8,906	603	\$1,835,727	\$171,499	\$2,007,227
VERNON	1,110	10	7,034	87	5,961	89	\$1,249,640	\$44,456	\$1,294,096
WARREN	3,384	15	20,103	103	18,392	100	\$4,516,418	\$24,263	\$4,540,682
WASHINGTON	2,780	23	17,632	191	16,046	155	\$3,520,799	\$45,553	\$3,566,353
WAYNE	1,226	18	7,010	208	6,244	211	\$1,315,465	\$62,603	\$1,378,068
WEBSTER	2,548	20	16,196	287	14,272	244	\$3,234,359	\$79,019	\$3,313,378
WORTH	116	1	629	11	508	9	\$109,052	\$2,880	\$111,932
WRIGHT	1,246	10	7,936	35	6,792	25	\$1,439,508	\$8,673	\$1,448,181
ST. LOUIS CITY	29,099	307	210,492	3,922	180,185	3,878	\$34,772,944	\$1,142,391	\$35,915,335
NEC MO RES	12,715	241	111,120	2,853	109,959	3,979	\$27,306,380	\$1,300,514	\$28,606,894
NONRESIDENT	27,860	735	204,989	7,355	105,688	4,327	\$27,853,087	\$1,289,084	\$29,142,171

1 - UCFE- Unemployment Compensation for Federal Civilian Employees

2 - UCX - Unemployment Compensation for Ex-Service Members



Labor Force and Unemployment Rates Fiscal Year 2012 Annual Averages

County	Average Annual Labor Force	Change from FY 2011	Avg. Annual Unemployment Rate	Change from FY 2011	County	Average Annual Labor Force	Change from FY 2011	Avg. Annual Unemployment Rate	Change from FY 2011
Adair	12,408	(396)	6.8	-0.7	Grundy	4,899	(27)	7.0	-0.3
Andrew	10,657	(9)	5.6	-1.0	Harrison	4,352	(16)	7.3	-0.9
Atchison	3,097	(82)	7.1	-0.2	Henry	10,342	(259)	8.6	-1.0
Audrain	12,010	41	7.1	-1.4	Hickory	3,421	(116)	12.7	0.2
Barry	16,766	(155)	7.3	-1.0	Holt	2,789	(7)	6.3	-0.6
Barton	5,022	(107)	9.2	-1.6	Howard	5,308	163	6.8	-0.9
Bates	7,956	45	9.7	-0.9	Howell	18,800	(677)	7.9	-0.7
Benton	7,850	(274)	9.3	-1.1	Iron	4,772	(352)	10.0	-0.4
Bollinger	5,572	(74)	7.9	-1.3	Jackson	338,519	(606)	8.7	-1.6
Boone	92,982	2,673	5.2	-1.1	Jasper	58,822	583	6.8	-1.3
Buchanan	51,021	(154)	6.7	-1.2	Jefferson	117,077	(660)	8.2	-1.2
Butler	20,570	(401)	8.2	0.1	Johnson	25,376	(311)	7.7	-1.0
Caldwell	4,395	2	7.8	-1.4	Knox	2,243	(12)	5.5	-1.1
Callaway	22,892	122	6.8	-1.0	Laclede	16,129	(152)	10.3	-1.0
Camden	19,637	(597)	10.2	-0.9	Lafayette	16,819	1	8.6	-1.4
Cape Girardeau	38,542	(338)	6.6	-0.9	Lawrence	18,677	(220)	6.9	-1.1
Carroll	4,844	(67)	9.0	-1.4	Lewis	5,539	(156)	5.9	-1.4
Carter	3,048	(126)	8.9	-0.6	Lincoln	26,999	(205)	9.3	-1.4
Cass	51,089	64	7.8	-1.3	Linn	5,722	(319)	9.7	-1.2
Cedar	6,548	7	7.4	-1.1	Livingston	6,921	(132)	7.5	-0.6
Chariton	4,256	(58)	7.4	-1.4	Macon	7,880	(156)	7.1	-1.0
Christian	40,976	(19)	6.7	-1.3	Madison	6,028	(204)	8.5	-1.2
Clark	3,519	(0)	8.0	-1.7	Maries	4,761	(75)	6.9	-0.6
Clay	120,962	262	7.0	-1.3	Marion	14,463	(300)	6.8	-1.2
Clinton	10,358	7	8.8	-1.4	McDonald	11,131	28	7.0	-1.5
Cole	40,600	220	5.8	-1.0	Mercer	1,970	61	5.5	-1.9
Cooper	8,667	(17)	7.8	-0.9	Miller	11,355	(550)	10.3	-1.4
Crawford	11,629	(360)	9.2	-1.4	Mississippi	5,847	(185)	9.8	-0.5
Dade	3,547	(6)	8.0	-1.4	Moniteau	7,595	41	7.0	-1.0
Dallas	7,375	17	9.4	-1.0	Monroe	3,877	(67)	9.3	-2.1
Daviess	3,979	26	8.0	-1.1	Montgomery	5,834	(103)	9.1	-1.2
Dekalb	5,670	(37)	7.2	-1.5	Morgan	8,643	(256)	10.3	-1.6
Dent	6,473	(465)	8.8	-0.6	New Madrid	8,375	(297)	8.9	-0.4
Douglas	6,355	87	8.2	-1.3	Newton	29,505	266	7.1	-1.3
Dunklin	13,764	(788)	10.0	-0.4	Nodaway	11,700	(296)	6.2	-0.8
Franklin	53,215	(291)	8.8	-1.2	Oregon	4,506	(143)	8.0	-1.0
Gasconade	7,264	(224)	8.2	-1.5	Osage	7,420	43	5.7	-1.0
Gentry	3,632	25	5.9	-1.2	Ozark	4,402	40	8.9	-0.7
Greene	143,524	143	6.7	-1.2	Pemiscot	8,049	(432)	9.5	-0.6

DIVISION OF EMPLOYMENT SECURITY

Labor Force and Unemployment Rates Continued

County	Average Annual Labor Force	Change from FY 2011	Avg. Annual Unemployment Rate	Change from FY 2011
Perry	10,568	(106)	5.5	-0.8
Pettis	19,980	(365)	7.9	-0.6
Phelps	21,734	(393)	7.1	-0.7
Pike	9,007	(66)	7.6	-0.8
Platte	50,642	(32)	6.3	-1.5
Polk	14,498	(17)	8.2	-1.4
Pulaski	20,974	(19)	8.3	-0.6
Putnam	2,375	(41)	6.3	-1.0
Ralls	5,698	(86)	6.8	-0.8
Randolph	12,553	(209)	8.6	-1.0
Ray	11,565	55	9.3	-1.0
Reynolds	2,222	(356)	12.7	-0.1
Ripley	6,549	(263)	9.8	0.3
Saline	11,418	(45)	7.1	-1.2
Schuyler	2,055	(74)	7.1	-1.1
Scotland	2,435	9	5.5	-1.4
Scott	19,850	(180)	7.9	-0.9
Shannon	3,005	(219)	12.2	-1.2
Shelby	3,170	1	6.9	-0.8
St Clair	3,926	(133)	9.3	-1.4
St Francois	28,693	(1,133)	9.6	-1.3
St. Charles	200,146	(951)	6.7	-1.1
St. Louis City	143,843	(2,002)	10.6	-1.9
St. Louis County	523,795	(2,580)	7.5	-1.2
Ste Genevieve	9,609	(270)	7.7	-1.6
Stoddard	15,113	(307)	8.5	-0.3
Stone	14,967	(286)	11.2	-1.1
Sullivan	3,444	(64)	6.1	-1.0
Taney	27,637	(592)	11.3	-1.2
Texas	11,127	(119)	8.1	-1.1
Vernon	9,599	(155)	6.7	-0.9
Warren	17,179	(80)	8.4	-1.2
Washington	10,343	(81)	11.2	-1.4
Wayne	5,680	(414)	9.4	0.0
Webster	16,687	(57)	7.6	-1.6
Worth	1,147	(18)	5.6	-1.2
Wright	8,245	87	8.1	-1.7

UI Wages and Benefits

Calendar Year	Average Weekly Wage	Average Benefit
2002	\$626.40	\$205.49
2003	\$635.51	\$205.62
2004	\$650.72	\$205.05
2005	\$671.71	\$205.79
2006	\$703.56	\$212.28
2007	\$718.53	\$224.81
2008	\$748.46	\$244.10
2009	\$767.86	\$256.41
2010	\$762.77	\$244.16
2011	\$781.39	\$237.70

Labor Market Data

	FY10	FY11	FY12
Civilian Labor Force	3,054,787	3,049,926	3,031,005
Employment	2,765,338	2,774,331	2,794,296
Unemployment	289,449	275,595	236,709
Rate (%)	9.5	9.0	7.8

Change Between

Fiscal Years	FY10-11	FY11-12
Civilian Labor Force	-4,861	-18,921
Employment	8,993	19,965
Unemployment	-13,854	-38,886
Rate (%)	-0.5	-1.2

Produced by Missouri Department of Economic Development/MERIC in cooperation with U.S. Department of Labor, Bureau of Labor Statistics.

DIVISION OF EMPLOYMENT SECURITY

Fiscal Year 2012 Payroll Employment (Jobs) Averages

	FY10	FY11	FY12	Change Between Fiscal Years	
				FY10-11	FY11-12
TOTAL NONFARM	2,655,500	2,653,100	2,649,800	-2,400	-3,300
TOTAL PRIVATE	2,203,700	2,211,200	2,215,800	7,500	4,600
GOODS-PRODUCING	358,500	353,400	355,000	-5,100	1,600
MINING AND LOGGING	4,200	4,200	4,300	0	100
CONSTRUCTION	110,300	104,200	100,500	-6,100	-3,700
MANUFACTURING	244,000	244,900	250,300	900	5,400
Durable Goods	139,700	141,900	148,700	2,200	6,800
Nondurable Goods	104,200	103,000	101,600	-1,200	-1,400
SERVICE-PROVIDING	2,297,100	2,299,800	2,294,800	2,700	-5,000
PRIVATE SERVICE-PROVIDING	1,845,200	1,857,900	1,860,700	12,700	2,800
TRADE, TRANSPORTATION & UTILITIES	514,300	514,100	508,900	-200	-5,200
Wholesale Trade	116,600	115,800	116,300	-800	500
Retail Trade	299,800	300,200	296,200	400	-4,000
Transportation, Warehousing & Utilities	97,900	98,100	96,400	200	-1,700
INFORMATION	61,200	59,400	57,900	-1,800	-1,500
FINANCIAL ACTIVITIES	162,200	161,500	158,100	-700	-3,400
Finance & insurance	125,500	126,700	124,600	1,200	-2,100
Real Estate and rental & leasing	36,600	34,900	33,500	-1,700	-1,400
PROFESSIONAL & BUSINESS SERVICES	316,300	327,400	335,800	11,100	8,400
Professional, scientific & technical services	121,600	122,400	122,900	800	500
Management of companies & enterprises	59,600	61,100	61,000	1,500	-100
Administrative, support and waste mgt svcs	135,100	143,900	151,800	8,800	7,900
EDUCATION & HEALTH SERVICES	404,300	411,800	420,100	7,500	8,300
Educational services	56,900	57,500	59,000	600	1,500
Health care & social assistance	347,400	354,300	361,000	6,900	6,700
LEISURE & HOSPITALITY	271,200	271,100	267,800	-100	-3,300
Arts, entertainment & recreation	42,200	41,800	41,600	-400	-200
Accommodation & food services	228,900	229,400	226,200	500	-3,200
OTHER SERVICES	115,900	112,500	112,200	-3,400	-300
GOVERNMENT	451,900	441,900	434,100	-10,000	-7,800
FEDERAL GOVERNMENT	59,000	58,200	56,200	-800	-2,000
STATE GOVERNMENT	107,100	103,600	99,200	-3,500	-4,400
LOCAL GOVERNMENT	285,700	280,200	278,700	-5,500	-1,500

Produced by Missouri Department of Economic Development/MERIC in cooperation with U.S. Department of Labor, Bureau of Labor Statistics.

DIVISION OF EMPLOYMENT SECURITY

Unemployment Compensation Fund FY12

Balance on Hand, July 1, 2011

\$17,717,778.63

DEPOSITS

Net UI Contributions	\$641,305,193.34
Penalty/Interest	\$2,157,989.94
U.S. Treasury Interest Credits	\$44,686.43
Title IX Funds (Reed Act)-Amortization	\$-
Title IX Funds (Reed Act)-Distribution	\$-
Intra-Account Transfer	\$1,942,486,158.37
From Other States-Interstate Benefits CWC	\$8,855,280.76
FECA Advances/Reimbursements-UCX	\$7,340,177.30
Reimbursable-Local Govt. & Other Pol. Subdivisions	\$17,070,307.57
Reimbursable-State Govt., State Hosp., Higher Education	\$6,146,007.84
Reimbursable-Nonprofit Organizations	\$22,144,381.20
Federal Share Extended Benefits	\$82,245,141.00
Federal Emergency Compensation/EUC08	\$586,131,441.87
Federal Emergency Compensation/FAC	\$13,841.63
FECA Advances/Reimbursements-UCFE	\$12,265,206.73
From Other Sources-CMIA Deposits to Trust Fund	\$-
From Other Sources-Trust Fund Loans	\$(84,791,092.45)
From Other Sources-Returned EUC/FSC Rest. Trust Fund	\$-
From Other Sources-Federal Assessment	\$23,782,891.65
From Other Sources-Federal Interest Payment	\$-
Total Receipts	\$3,267,197,613.18

DIVISION OF EMPLOYMENT SECURITY

Unemployment Compensation Fund FY12 continued

DISBURSEMENTS

Net UI Benefits	\$506,448,255.49
Net State Share Extended Benefits	\$5,182,721.90
Reimbursable-Local Govt. & Other Pol. Subdivisions	\$17,894,363.41
Reimbursable-State Govt., State Hosp., Higher Education	\$6,343,595.74
Reimbursable-Nonprofit Organizations	\$23,703,487.04
FECA Net Benefit Payments-UCX	\$7,098,248.93
Net Federal Benefits-Federal Share (Regular)	\$-
Net Federal Benefits-Federal Share (Extended)	\$79,068,490.34
EUC 08 Activity	\$588,712,347.70
EUC Activity	\$-
TEUC Activity	\$(42,792.18)
Federal Emergency Compensation	\$-
Federal Emergency Compensation-FAC	\$(230,459.41)
To Other States-Interstate Benefits CWC	\$35,859,459.20
Title IX Funds-Withdrawn (Reed Act)	\$-
To Special Funds Penalty/Interest	\$26,252,203.76
FECA Net Benefit Payments-UCFE	\$11,581,777.01
Intra-Account Transfers	\$1,942,486,158.37
Other First Pmts EB/Loan Repayment	\$-
Total Disbursements	\$3,250,357,857.30

BALANCE ON HAND, June 30, 2012 **\$34,557,534.51**

CASH BALANCE, June 30, 2012

Clearing Account	
Central Bank, Jefferson City, MO	\$(283,142.92)
Trust Fund Account	
U.S. Treasury	\$31,011,626.41
Benefit Payment Account	
Central Bank, Jefferson City, MO	\$3,829,051.02

Account Total **\$34,557,534.51**



DIVISION OF LABOR STANDARDS

The Division of Labor Standards (DLS) consists of four sections: Wage, Hour and Dismissal Rights, On-Site Safety and Health Consultation Program, Mine and Cave Safety and Health Training Program, and Workers' Safety Program. In FY 2012, DLS answered nearly 40,000 incoming phone calls from citizens.

Carla Buschjost

DIRECTOR

In FY 2012, 38 percent of hazards found were corrected on-site. That's more than 33 percent more hazards corrected than in FY 2007.

Wage, Hour and Dismissal Rights Section

The DLS Wage, Hour and Dismissal Rights Program administers and enforces the state's Prevailing Wage Law, Minimum Wage Law, Child Labor Law, and the 10-Hour Construction Safety Training Act. The Wage and Hour Section helps Missourians get accurate information regarding wages, work hours, vacations, breaks, hiring, and more. The section also educates employers and employees of their workplace rights and responsibilities.

Public Works Construction Projects Reported

2007	2,864
2008	2,388
2009	2,267
2010	4,188
2011	4,208
2012	3,899

The Wage and Hour section is also responsible for compiling wage surveys to ascertain the wage rates that prevail in each construction occupation in every Missouri County,

providing educational outreach, and conducting investigations to ensure employer compliance with Prevailing Wage and Minimum Wage Law, and the Child Labor Law. The Prevailing Wage and Minimum Wage Law require employers to provide payroll documentation to assure compliance with the law. Obtaining necessary information can be challenging at times, but the DLS continues to persevere to assure Missourians are paid the correct wages and to protect the health and safety of Missouri's children from dangers in the workplace.

State Fiscal Year 2012

29	Child Labor Complaints Received
5	Child Labor Violations Found
456	Mine/Caves Inspected
3,471	Miners Trained
681	On-Site Consultations Conducted
206	Prevailing Wage Complaints Received
89	Prevailing Wage Violations Found
\$2,339,405.21	Prevailing Wage Restitution Collected
768	Affected Workers Receiving Restitution
474	Minimum Wage Complaints Received
95	Minimum Wage Violations Found
\$99,666.12	Minimum Wage Restitution Collected
171	Affected Workers Receiving Back Wages

In FY 2012, DLS' commitment

to conducting quality investigations resulted in the doubling of assessed restitution to the amount of \$2,330,506.98 due 768 workers, versus FY 2011 restitution of \$1,107,078 due 987 workers. In FY 2012



DIVISION OF LABOR STANDARDS

restitution was a result of 206 complaints filed, and 89 violations found. The DLS focuses on education for workers and public bodies, resulting in more stringent compliance and more detailed and accurate complaints received. Despite the lack of a wage collection law, the DLS has over a 95 percent success rate in working with contractors to ensure workers receive back wages due. In FY 2012, the DLS referred 7 cases to the prosecuting attorney.

The 10-Hour Construction Safety Training Act requires all contractors and subcontractors who perform public works construction to provide a 10-Hour Construction Safety Training course to all on-site employees regarding the potential hazards they may encounter while working on construction projects. The DLS has issued penalties of \$351,000 since the Act became effective August 28, 2009.

In FY 2012, DLS received 474 Minimum Wage complaints resulting in 95 violations, versus FY 2011's 606 complaints and 125 violations. The DLS commitment to quality resulted in assessed back wages of \$269,063.45 for FY 2012, whereas FY 2011 resulted in \$83,477.44 assessed back wages.

The Missouri Child Labor law protects Missouri's young workers by promoting safety and health in the workplace by prohibiting youth from working long hours or in hazardous occupations, which can jeopardize their development and education. In FY 2012, the DLS received 29 complaints resulting in 431 violations and \$23,194.40 in fines collected.

Mine and Cave Safety and Health Program

MINE & CAVE SAFETY PROGRAM



The Mine and Cave Safety and Health Program helps Missouri's mines and caves improve safety by offering training to miners, mine owners, mine operators, and

contractors. Chapter 293 of the Missouri Revised Statutes (RSMo) requires that each mine be inspected on a regular basis for hazards and unsafe or unhealthy work practices. Underground mines are inspected on a quarterly basis, and surface mines are inspected at least twice a year. Missouri show caves that are open to the public also must be inspected at least once a year. The annual inspection fee is \$35. In FY 2012, the program trained 3,471 miners, and inspected 456 mines and caves. Missouri has incurred no mining fatalities since 2009.

Mineral Production - FY 2012

Numbers shown in tons

Clay.....	1,912,067.44
Coal	460,918.67
Copper	23,240.00
Iron	18,926.95
Lead	260,150.00
Zinc	53,187.00
Granite	1,162,022.20
Shale	301,162.06
Silica Sand	1,861,986.66
TOTAL.....	6,058,660.98

Mine Fatalities FY 2012	0
Miners Trained	3,471
Mines/Caves Inspected	456
Hazards Found/Abated	1,309
Miners Affected	7,389
Fees Collected	\$70,235.05



DIVISION OF LABOR STANDARDS

10 Year Total Production Record in Tons

Year	Commodity								
	Clay	Coal	Copper	Iron	Lead	Zinc	Granite	Shale	Silica
2003	1,143,003.63	404,412.83	11,420	0	370,169	86,803	1,203,499.98	857,221.66	703,945.30
2004	948,386.47	568,251.58	16,405	0	356,870	83,835	1,156,113.79	779,023.00	735,993.30
2005	1,057,841.38	539,955.99	26,024	0	365,647	75,536	1,351,935.32	689,325.78	736,729.70
2006	1,155,430.92	591,089.42	21,910	0	352,196	71,435	1,418,371.45	625,872.79	681,061.00
2007	1,176,266.97	239,944.37	21,300	1,876.81	323,421	78,406	1,174,647.45	674,598.46	707,326.10
2008	1,192,187.66	230,893.34	22,580	9,923.67	305,165	66,285	973,800.56	755,767.74	977,703.60
2009	1,085,690.43	373,513.79	23,154	26,244.27	280,673	58,650	1,056,331.45	667,066.52	895,707.67
2010	1,386,241.19	458,401.48	16,710	4,085.66	241,185	55,329	784,836.99	260,425.00	1,097,696.35
2011	1,736,957.68	455,713.73	17,695	25	250,911	57,250	1,108,165.49	264,190.07	1,419,175.41
2012	1,912,067.44	460,918.67	28,240	18,926.95	260,150	53,187	1,162,022.20	301,162.06	1,861,986.66

10 Year Total Fee Collection Record

2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
\$75,057.18	\$72,859.00	\$78,531.57	\$77,474.48	\$69,934.70	\$64,485.02	\$63,424.93	\$54,462.12	\$65,676.71	\$70,235.05

Missouri Show Caves

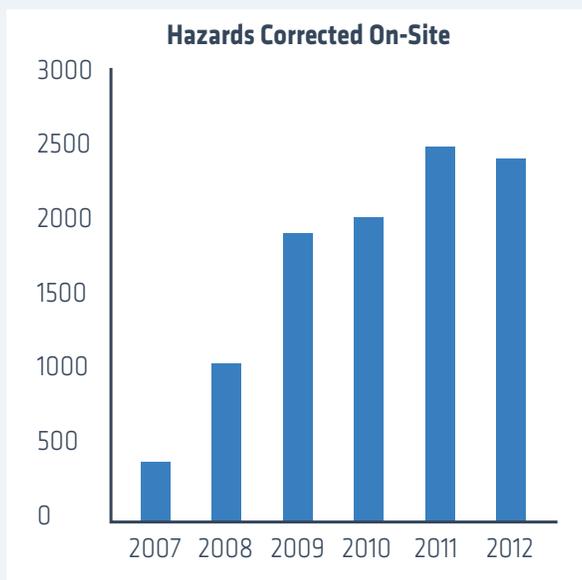
Name of Cave	City	Name of Cave	City
Bear Cave	Camdenton	Jacob's Cave	Versailles
Bluff Dwellers Cavern	Noel	Ozarks Marina	Camdenton
Bonne Terre Mine	Bonne Terre	Mark Twain Cave	Hannibal
Bridal Cave	Camdenton	Marvel Cave	Branson
Cameron Cave	Hannibal	Meramec Caverns	Stanton
Cathedral Cave	Leasburg	Mincke Quarry Cave	Eureka
Cave Restaurant	Richland	Onondaga	Leasburg
Cave Vineyard	Ste. Genevieve	Ozark Caverns	Linn Creek
Current River Cavern	Van Buren	Smallin Civil War Cave	Ozark
Fantastic Caverns	Springfield	Talking Rocks Cavern	Branson
Fantasy World Caverns	Tuscumbia	Third Rail Mine	Pacific
Fisher Cave	Sullivan	Crystal City Underground	Crystal City

DIVISION OF LABOR STANDARDS

On-Site Safety and Health Program



The On-Site Safety and Health Consultation Program strives to reduce work-related injuries, illnesses, and fatalities by educating and training employers and employees on workplace safety and health issues. At the request of the employer, the program performs consultations in which its staff identifies safety and health hazards and offers recommendations for their correction and elimination. The On-Site Safety and Health Consultation Program provides free on-site safety and health consultations, with no penalties or fines, for Missouri employers with less than 250 employees. In FY 2012, the On-Site section had 12 consultants that conducted 681 consultations and identified 6,751 hazards, which saved Missouri small businesses \$5,731,599 in potential Occupational Safety and Health Administration (OSHA) penalties.



Within the past 10 years, the Missouri On-Site Safety and Health Consultation Program has experienced continual growth in providing safety and health consultation services to Missouri small businesses. In FY 2002, the DLS had only 9 consultants that performed 335 visits.

Consultants have also dramatically increased the number of hazards “Corrected On-Site.” In FY 2007, 4.8 percent of the hazards were corrected on-site. In FY 2012, 47 percent of hazards found were corrected on-site, leading the region (Kansas, Iowa, Nebraska) in this measure. Having more hazards corrected on-site leads to a safer work environment for employees. Also, having more hazards corrected on-site leads to greater administrative efficiency for both the program and the employer.

In early FY 2011, two consultants developed an idea to promote a safer working environment by assisting employers in identifying hazards. The idea was to develop what’s known as the Hazard Lab, where actual hazards are put on display and attendees walk through the lab to identify the hazards. The Hazard Lab also reveals the types of hazards found during a typical consultation, showing the employer the importance of participating in the On-Site Program. After viewing the Hazard Lab, attendees would then attend a presentation discussing the hazards and the OSHA standards violated. The display continues to receive rave reviews. Because of the session’s popularity, six presentations were given in FY 2012.



DIVISION OF LABOR STANDARDS



The Missouri On-Site Safety and Health Consultation Program in conjunction with OSHA administers the Safety and Health Achievement Recognition Program (SHARP). This program rewards small businesses that operate exceptional health and safety programs. Participation is offered to businesses that have worked with On-Site consultants and implemented safety programs that have significantly reduced their workplace injury and illness rate. For FY 2012, a total of 36 companies are currently participating in SHARP. Since this administration came into office, SHARP membership has increased by 59 percent and requests for safety consultations have increased by 77 percent.

In 2008, the Missouri On-Site Safety and Health Consultation Program along with Missouri SHARP employers formed the Missouri SHARP Association. The association is designed to mentor and educate potential and current SHARP sites in continually improving their safety and health management programs. Three meetings are held each year where presenters provide information on the latest safety and health management techniques.

681 On-Site Workplace Consultations Conducted
37 SHARP Participants
\$5,731,599 OSHA fines avoided

Workers' Safety Program

The Missouri Workers' Safety Program evaluates and certifies the safety programs of insurance carriers that write Workers' Compensation insurance policies in Missouri, individual self-insureds, self-insured trusts and Second Injury Fund-approved physical therapy clinics. The program also evaluates and certifies safety consultants and engineers. These certifications are necessary to help ensure quality safety services are provided to Missouri employers who utilize the services of these insurance carriers and safety professionals. In addition, the program assists Missouri employers in developing programs and policies to address identified workplace hazards, thereby reducing work-related injuries and illness to Missouri workers. Employers benefit by reducing their workers' compensation premiums.

Number of Worksites Visited	
2010	610
2011	934
2012	858

DIVISION OF WORKERS' COMPENSATION



John J. Hickey

DIRECTOR

The Missouri Division of Workers' Compensation (DWC) administers the programs that provide services to all stake holders including workers who have been injured on the job or have been exposed to occupational diseases arising out of and in the course of employment. The DWC makes sure that an injured worker receives benefits that he or she is entitled to under the Missouri Workers' Compensation law. The DWC's Administrative Law Judges have the authority to approve settlements or issue awards after a hearing relating to an injured worker's entitlement to permanent benefits allowed by Missouri law.

The funding for the DWC to administer the Workers' Compensation law comes from a tax and surcharge on employer workers' compensation net deposits, net premiums or net assessments, and net premium equivalents for self-insured employers. The Workers' Compensation Administrative Tax and Surcharge is capped at two percent per Missouri Statute. For calendar years 2010 through 2012, the administrative tax and surcharge rate has been set at one percent.

The DWC's new eTranscripts project reduced the printing and mailing of nearly 350,000 pages in FY 2012.

An employer or its insurer must report workplace injuries to the DWC, other than injuries that require immediate first aid and no further medical treatment or lost time from work, within 30 days of knowledge of the injury. Any person who knowingly fails to report the injury as required by law is deemed guilty of a misdemeanor and, on conviction shall be punished by fine or imprisonment, or both. Employees can file a formal Claim for Compensation to initiate a contested case proceeding in the Workers' Compensation Program.

Since FY 2009, DWC has been actively monitoring late reporting of First Reports of Injury (FROI) by insurers and service companies. This monitoring has led to a significant drop in the late filing of reports. In FY 2011, 80 companies were referred to the Missouri Attorney General's Office for habitual late reporting but only two companies were referred in FY 2012.

In FY 2012, the DWC implemented a new procedure to send electronic copies of the transcripts of trial proceedings in cases that were appealed to the Labor and Industrial Relations Commission. The transcripts are burned to discs that are sent to the parties. During FY 2012, the DWC sent 97 eTranscripts. The eTranscripts project has led to a considerable cost-savings with regards to postage and paper. The DWC's new eTranscripts project reduced the printing and mailing of nearly 350,000 pages in FY 2012.

State Fiscal Year 2012

108,251	Workplace Injuries (FROIs plus Claims for Compensation filed where no FROI was filed)
18,941	Total Workers' Compensation Awards and Settlements
1,659	Fraud and Noncompliance Cases Investigated
415	Fraud and Noncompliance Cases Referred for Prosecution

Employers who are subject to the workers' compensation law, are required to either purchase workers' compensation insurance coverage through an insurance carrier that is authorized to insure such liability in the state of Missouri by the Missouri Department of Insurance, Financial Institutions and Profession Registration or obtain

Before you Build Your Home

make sure the contractor you hired covers its employees with work comp so you don't get stuck with the bill!



approval from the DWC to self-insure their workers' compensation liability. In FY 2012, over 3,000 employers opted to self-insure their workers' compensation liabilities and 29 percent of Missouri workers were employed by self-insured employers.

Injured workers bear the burden of proving their entitlement to benefits under the Workers' Compensation law. Injured workers also can qualify for benefits from the Second Injury Fund (the Fund). The Fund was created to benefit the physically handicapped and individuals with a previous work-related disability. The Fund encourages employment by permitting persons to be employed without exposing employers to any liability for previous disabilities. The Fund, which receives money from a surcharge on employers' workers' compensation premiums, began facing financial difficulty in 2005 when the surcharge was capped at three percent by the General Assembly.

Most workers' compensation cases are resolved through a settlement between the parties and without proceeding to a hearing, which is costly and time consuming. For those cases that are not resolved by compromise settlement, the DWC's Administrative Law Judges (ALJs) conduct hearings and make determinations on what, if any, benefits are owed to the injured worker. In FY 2012, more than 1,800 hearings were held and over 2,000 awards were issued regarding the compensability of work related injuries.

The DWC's Fraud and Noncompliance Unit investigates all allegations of fraud and noncompliance under chapter 287 of the Missouri Revised Statutes (RSMo). Employers who are subject to the law and knowingly fail to insure their workers' compensation liability are committing a criminal offense that can lead to fines and prison time. In FY 2012, this unit investigated more than 1,600 cases of potential fraud or noncompliance by employees, employers, insurers, attorneys, and others involved with the workers' compensation system.

Under § 287.128.3(6), RSMo, fraud includes "Knowingly mak[ing] or caus[ing] to be made any false or fraudulent material statement or material representation for the purpose of obtaining or denying a benefit."

Administrative Law Judges

Nelson Allen
Karla Boresi
Kenneth Cain
Suzette Carlisle
Joseph Denigan
Robert Dierkes
Hannelore Fischer
Karen Fischer
Emily Fowler
Grant Gorman
Kathleen Hart
Margaret Holden
Robert House
Lawrence Kasten
Edwin Kohner
Margaret Landolt
Cornelius Lane
Vicky Mahon
Paula McKeon
Lisa Meiners
Robert Miner
John Ottenad
Gary Robbins
Vicky Ruth
Lee Schaefer
Mark Siedlik
Carl Strange
Maureen Tilley
Linda Wenman
Tim Wilson
David Zerrer

DIVISION OF WORKERS' COMPENSATION

DWC Statistics for Fiscal Year 2012

Introduction

Hearing Staff (ALJs) 31

Work Volume

Ratio of claims filed to reports of injuries received 13%
 Received FROIs..... 106,214
 Filed claims for compensation 13,696
 Cases set for hearing or conference 12,862
 Formal hearings conducted1,881
 Awards issued 2,001
 Employer/Insurer compromise settlements
 approved..... 18,302
 Employer/Insurer claims dismissed..... 2,256

Assessments

Workers' Compensation tax CY2011 \$12,064,890.00
 Second Injury Fund surcharge CY2011. \$40,938,834.00

*Permanent Total Disability
 **Permanent Partial Disability

Second Injury Fund (SIF)

Total recipients of *PTD benefits
 (both ongoing and lump sum) 1,102
 Recipients who received ongoing,
 lifetime PTD benefits 1,100
 Total PTD benefits paid..... \$29,056,174.11
 Total recipients of **PPD benefits
 (both ongoing and lump sum)978
 Total PPD benefits paid \$7,387,433.46
 Total recipients of Rehab benefits
 (both ongoing and lump sum)92
 Total Rehab benefits paid..... \$38,062.85
 Recipients of Uninsured Medical benefits
 (both ongoing and lump sum)23
 Total Medical benefits paid \$303,171.70
 Total recipients of Death benefits
 (both ongoing and lump sum) 13
 Total Death benefits paid \$212,527.90
 Total recipients of Lost Wages benefits
 (both ongoing and lump sum)23
 Total Lost Wages benefits paid..... \$148,079.18

Reports of Injuries by Calendar Years Reported

Year	Count										
1926	690	1941	100,574	1956	90,853	1972	101,155	1987	173,225	2002	149,239
1927	90,158	1942	116,928	1957	82,342	1973	106,579	1988	183,328	2003	142,506
1928	93,442	1943	116,143	1958	73,405	1974	113,992	1989	191,075	2004	140,554
1929	104,151	1944	112,939	1959	81,230	1975	119,848	1990	197,421	2005	140,970
1930	93,452	1945	100,854	1960	80,256	1976	112,530	1991	197,129	2006	130,950
1931	69,452	1946	101,846	1961	76,079	1977	121,580	1992	188,334	2007	130,920
1932	50,759	1947	109,813	1962	78,599	1978	131,127	1993	182,628	2008	121,965
1933	49,223	1948	107,782	1963	81,035	1979	140,762	1994	187,801	2009	108,572
1934	53,013	1949	91,167	1965	87,443	1980	157,158	1995	192,416	2010	111,313
1935	58,720	1950	91,620	1966	89,285	1981	143,329	1996	187,136	2011	108,206
1936	76,868	1951	96,259	1967	99,167	1982	80,172	1997	166,665		
1937	78,687	1952	100,762	1968	100,635	1983	70,965	1998	173,584		
1938	57,321	1953	98,713	1969	105,632	1984	75,484	1999	172,985		
1939	66,034	1954	90,142	1970	104,635	1985	134,593	2000	164,533		
1940	71,299	1955	89,436	1971	105,481	1986	152,847	2001	160,228		

DIVISION OF WORKERS' COMPENSATION

Accidents and Diseases by Severity for FY 2012

INDUSTRY	FATALITIES ¹	LOST TIME ²	MEDICAL ³	UNKNOWN OR INCIDENT ONLY ⁴	TOTAL
ACCOMMODATION AND FOOD SERVICES	3	511	3,017	3,378	6,909
ADMINISTRATIVE AND SUPPORT AND WASTE MANAGEMENT AND REMEDIATION SERVICES	3	426	1,485	1,623	3,537
AGRICULTURE, FORESTRY, FISHING, AND HUNTING	2	81	361	395	839
ARTS, ENTERTAINMENT, AND RECREATION	-	87	808	674	1,569
CONSTRUCTION	14	914	2,429	2,834	6,191
EDUCATIONAL SERVICES	2	667	4,268	3,706	8,643
FINANCE AND INSURANCE	1	105	685	1,047	1,838
HEALTH CARE AND SOCIAL ASSISTANCE	2	1,159	7,500	10,601	19,262
INFORMATION	-	96	462	569	1,127
MANAGEMENT OF COMPANIES AND ENTERPRISES	-	7	24	58	89
MANUFACTURING	11	1,212	6,539	6,795	14,557
MINING	-	15	43	55	113
OTHER SERVICES (EXCEPT PUBLIC ADMINISTRATION)	4	253	1,232	1,213	2,702
PROFESSIONAL, SCIENTIFIC, AND TECHNICAL SERVICES	3	303	1,589	1,488	3,383
PUBLIC ADMINISTRATION	8	983	3,071	5,231	9,293
REAL ESTATE AND RENTAL AND LEASING	2	110	519	619	1,250
RETAIL TRADE	6	933	5,346	5,139	11,424
TRANSPORTATION AND WAREHOUSING	14	1,031	1,903	2,064	5,012
UTILITIES	2	149	612	599	1,362
WHOLESALE TRADE	8	454	1,780	2,428	4,670
UNKNOWN	5	41	112	702	860
TOTAL	90	9,537	43,785	51,218	104,630

1 - Deaths reported. Death may later be determined not to be a compensable work related injury.

2 - Cases where Temporary Total Disability (TTD) or Temporary Partial Disability (TPD) benefits were reported paid.

3 - Cases where no TTD or TPD benefits were reported but medical costs were reported.

4 - Cases where no payment information has been received. Includes incident only cases reported to DWC as a precautionary measure.



DIVISION OF WORKERS' COMPENSATION

Severity of Injury by County for FY 2012

COUNTY ¹	TOTAL	FATALITIES ²	LOST TIME ³	MEDICAL ONLY ⁴	UNKNOWN OR INCIDENT ONLY ⁵
ADAIR	417	-	38	164	215
ANDREW	83	-	9	51	23
ATCHISON	66	-	10	22	34
AUDRAIN	643	1	70	235	337
BARRY	949	2	48	352	547
BARTON	143	1	13	75	54
BATES	102	-	17	46	39
BENTON	127	-	10	43	74
BOLLINGER	54	-	9	21	24
BOONE	3,396	3	299	1,276	1,818
BUCHANAN	2,540	-	123	854	1,563
BUTLER	737	1	89	268	379
CALDWELL	54	1	5	20	28
CALLAWAY	873	-	99	234	540
CAMDEN	684	1	63	321	299
CAPE GIRARDEAU	1,387	1	139	511	736
CARROLL	73	-	12	24	37
CARTER	46	-	14	11	21
CASS	1,103	1	131	460	511
CEDAR	136	-	16	67	53
CHARITON	71	-	11	26	34
CHRISTIAN	621	-	76	248	297
CLARK	83	-	18	36	29
CLAY	5,189	6	442	1,817	2,924
CLINTON	304	-	29	71	204
COLE	1,520	-	94	554	872
COOPER	224	-	18	73	133
CRAWFORD	274	-	41	83	150
DADE	77	-	10	26	41
DALLAS	96	-	12	42	42
DAVISS	62	-	9	22	31
DEKALB	45	-	14	12	19
DENT	229	-	18	110	101
DOUGLAS	83	-	11	28	44
DUNKLIN	369	1	51	151	166
FRANKLIN	1,691	3	141	793	754
GASCONADE	185	-	22	92	71
GENTRY	99	-	12	52	35
GREENE	6,063	2	585	2,721	2,755
GRUNDY	128	-	12	34	82
HARRISON	95	-	11	51	33
HENRY	348	-	35	125	188
HICKORY	43	-	4	15	24

DIVISION OF WORKERS' COMPENSATION

Severity of Injury by County Continued

COUNTY ¹	TOTAL	FATALITIES ²	LOST TIME ³	MEDICAL ONLY ⁴	UNKNOWN OR INCIDENT ONLY ⁵
HOLT.....	58	-	8	22	28
HOWARD.....	67	-	7	18	42
HOWELL.....	690	-	74	320	296
IRON.....	96	1	12	38	45
JACKSON.....	13,461	7	1,090	5,814	6,550
JASPER.....	3,345	1	318	1,686	1,340
JEFFERSON.....	1,790	1	196	764	829
JOHNSON.....	620	-	59	194	367
KNOX.....	40	-	3	5	32
LACLEDE.....	657	1	39	295	322
LAFAYETTE.....	464	-	60	156	248
LAWRENCE.....	427	-	41	185	201
LEWIS.....	201	-	21	37	143
LINCOLN.....	464	-	64	211	189
LINN.....	217	1	21	100	95
LIVINGSTON.....	314	1	25	137	151
MACON.....	219	-	21	102	96
MADISON.....	119	-	22	42	55
MARIES.....	44	-	6	20	18
MARION.....	747	-	73	358	316
MCDONALD.....	427	-	21	262	144
MERCER.....	73	1	3	54	15
MILLER.....	324	1	36	121	166
MISSISSIPPI.....	187	1	26	54	106
MONITEAU.....	301	-	10	91	200
MONROE.....	67	-	11	20	36
MONTGOMERY.....	127	-	16	54	57
MORGAN.....	122	-	16	56	50
NEW MADRID.....	284	1	48	116	119
NEWTON.....	465	-	51	245	169
NODAWAY.....	358	-	32	111	215
OREGON.....	103	-	15	42	46
OSAGE.....	134	-	14	58	62
OZARK.....	46	-	4	25	17
PEMISCOT.....	196	1	23	76	96
PERRY.....	465	1	46	219	199
PETTIS.....	1,011	-	81	433	497
PHELPS.....	644	-	71	296	277
PIKE.....	288	-	42	100	146
PLATTE.....	2,007	1	203	825	978
POLK.....	255	1	37	125	92
PULASKI.....	640	1	68	287	284
PUTNAM.....	37	-	5	18	14

DIVISION OF WORKERS' COMPENSATION

Severity of Injury by County Continued

COUNTY ¹	TOTAL	FATALITIES ²	LOST TIME ³	MEDICAL ONLY ⁴	UNKNOWN OR INCIDENT ONLY ⁵
RALLS	27	-	2	13	12
RANDOLPH	505	1	40	222	242
RAY	173	-	18	64	91
REYNOLDS	75	-	8	39	28
RIPLEY	91	-	23	30	38
SALINE	637	1	70	141	425
SCHUYLER	24	-	3	11	10
SCOTLAND	52	1	8	10	33
SCOTT	908	3	110	338	457
SHANNON	35	1	-	16	18
SHELBY	120	-	8	20	92
ST CHARLES	4,796	3	428	2,127	2,238
ST CLAIR	61	-	16	23	22
ST FRANCOIS	1,171	2	143	353	673
ST LOUIS CITY	6,130	7	539	2,472	3,112
ST LOUIS CO	21,025	14	1,709	9,498	9,804
STE GENEVIEVE	265	-	24	144	97
STODDARD	386	-	61	155	170
STONE	229	1	22	95	111
SULLIVAN	88	-	13	31	44
TANEY	1,434	1	107	637	689
TEXAS	267	-	34	118	115
VERNON	305	-	41	101	163
WARREN	366	1	37	163	165
WASHINGTON	308	-	21	126	161
WAYNE	96	1	12	28	55
WEBSTER	249	2	28	102	117
WORTH	11	-	-	3	8
WRIGHT	180	1	28	71	80
OUT OF STATE	440	4	49	169	218
MISSING	63	-	6	36	21
TOTAL	104,630	90	9,537	43,785	51,218

1 - Based on date of injury and accident site location zip code.

2 - Deaths reported. Death may later be determined not to be a compensable work related injury.

3 - Cases where TTD or TPD benefits were reported paid.

4 - Cases where no TTD or TPD benefits were reported but medical costs were reported.

5 - Cases where no payment information has been received. Includes incident only cases reported to DWC as a precautionary measure.

DIVISION OF WORKERS' COMPENSATION

Cost by Type of Disability of All Incidences

Type	Fiscal Year ¹	Number of Incidences	Non Medical Compensation ²	Medical Compensation	Total
Accidental Injuries³	2008	84,862	\$311,977,224.37	\$402,501,795.72	\$714,479,020.09
	2009	74,451	\$264,731,852.60	\$370,055,819.47	\$634,787,672.07
	2010	69,822	\$213,226,292.60	\$347,073,465.04	\$560,299,757.64
	2011	64,846	\$150,386,714.92	\$305,534,714.69	\$455,921,429.61
	2012	52,104	\$50,193,262.52	\$182,277,894.79	\$232,471,157.31
Temporary Disability ⁴	2008	65,321	\$11,810,256.90	\$102,105,112.66	\$113,915,369.56
	2009	57,468	\$11,897,242.99	\$104,455,494.70	\$116,352,737.69
	2010	55,506	\$13,908,178.16	\$122,278,196.76	\$136,186,374.92
	2011	53,534	\$19,166,698.44	\$148,940,190.10	\$168,106,888.54
	2012	48,289	\$18,361,087.14	\$144,814,921.69	\$163,176,008.83
Permanent Disability ⁵	2008	19,408	\$295,826,722.01	\$295,231,886.45	\$591,058,608.46
	2009	16,891	\$247,527,020.00	\$264,208,490.40	\$511,735,510.40
	2010	14,214	\$197,795,923.21	\$223,974,108.70	\$421,770,031.91
	2011	11,199	\$129,394,594.31	\$155,224,732.76	\$284,619,327.07
	2012	3,727	\$31,307,913.55	\$37,445,743.37	\$68,753,656.92
Death ⁶	2008	133	\$4,340,245.46	\$5,164,796.61	\$9,505,042.07
	2009	92	\$5,307,589.61	\$1,391,834.37	\$6,699,423.98
	2010	102	\$1,522,191.23	\$821,159.58	\$2,343,350.81
	2011	113	\$1,825,422.17	\$1,369,791.83	\$3,195,214.00
	2012	88	\$524,261.83	\$17,229.73	\$541,491.56
Occupational Diseases	2008	2,882	\$15,884,678.01	\$10,314,060.64	\$26,198,738.65
	2009	2,660	\$16,267,200.62	\$10,856,673.51	\$27,123,874.13
	2010	3,164	\$10,850,103.06	\$8,909,099.23	\$19,759,202.29
	2011	2,013	\$5,728,168.84	\$6,089,503.31	\$11,817,672.15
	2012	1,496	\$1,723,312.19	\$4,566,332.34	\$6,289,644.53
Temporary Disability	2008	1,882	\$160,883.78	\$2,140,499.32	\$2,301,383.10
	2009	1,674	\$224,441.35	\$1,975,821.86	\$2,200,263.21
	2010	2,494	\$155,312.06	\$2,724,912.18	\$2,880,224.24
	2011	1,604	\$252,482.86	\$2,221,650.79	\$2,474,133.65
	2012	1,370	\$312,477.69	\$3,384,554.43	\$3,697,032.12

DIVISION OF WORKERS' COMPENSATION

Cost by Type of Disability Continued

Type	Fiscal Year ¹	Number of Incidences	Non Medical Compensation ²	Medical Compensation	Total
Permanent Disability	2008	996	\$15,572,461.83	\$8,059,351.78	\$23,631,813.61
	2009	983	\$16,042,759.27	\$8,880,851.65	\$24,923,610.92
	2010	668	\$10,694,791.00	\$6,184,187.05	\$16,878,978.05
	2011	407	\$5,475,685.98	\$3,867,852.52	\$9,343,538.50
	2012	124	\$1,410,834.50	\$1,181,777.91	\$2,592,612.41
Death	2008	4	\$151,332.40	\$114,209.54	\$265,541.94
	2009	3	-	-	-
	2010	2	-	-	-
	2011	2	-	-	-
	2012	2	-	-	-
Records Unknown⁷	2008	40,260	-	-	-
	2009	38,100	-	-	-
	2010	38,471	-	-	-
	2011	44,131	-	-	-
	2012	51,030	-	-	-
Total	2008	128,004	\$327,861,902.38	\$412,815,856.36	\$740,677,758.74
	2009	115,211	\$280,999,053.22	\$380,912,492.98	\$661,911,546.20
	2010	111,457	\$224,076,395.66	\$355,982,564.27	\$580,058,959.93
	2011	110,990	\$156,114,883.76	\$311,624,218.00	\$467,739,101.76
	2012	104,630	\$51,916,574.71	\$186,844,227.13	\$238,760,801.84

1 - Based on date of injury.

2 - Includes any compensation paid other than medical (TTD, TPD, TTSalary, PPD, PTD, Death, Burial)

3 - Defined as any injury reported with a nature code other than those classified as "Occupational Disease or Cumulative Injury" by WCIO standards.

4 - Defined as any nonfatal injury with reported TTD, TPD, TTSalary or Medical compensation.

5 - Defined as any nonfatal injury with reported PPD or PTD compensation.

6 - Deaths reported. Death may later be determined not to be a compensable work related injury.

7 - Lack of compensation reported prohibits determination of type of disability, if any.

DIVISION OF WORKERS' COMPENSATION

Cost by Industry and Type of Benefit for FY 2012

INDUSTRY	TEMPORARY BENEFITS	PERMANENT BENEFITS	DEATH BENEFITS	MEDICAL BENEFITS	TOTAL BENEFITS
ACCOMMODATION AND FOOD SERVICES	\$607,764.96	\$891,521.51	-	\$7,947,020.23	\$9,446,306.70
ADMINISTRATIVE AND SUPPORT AND WASTE MANAGEMENT AND REMEDIATION SERVICES	\$969,488.24	\$1,056,733.67	-	\$7,543,921.94	\$9,570,143.85
AGRICULTURE, FORESTRY, FISHING, AND HUNTING	\$176,402.95	\$328,837.68	-	\$1,925,917.56	\$2,431,158.19
ARTS, ENTERTAINMENT, AND RECREATION	\$115,955.08	\$211,278.74	-	\$2,539,103.45	\$2,866,337.27
CONSTRUCTION	\$3,814,703.94	\$3,513,284.98	\$10,517.71	\$21,316,038.34	\$28,654,544.97
EDUCATIONAL SERVICES	\$1,346,692.59	\$1,252,476.71	-	\$13,744,068.79	\$16,343,238.09
FINANCE AND INSURANCE	\$268,568.41	\$333,298.38	-	\$2,289,705.68	\$2,891,572.47
HEALTH CARE AND SOCIAL ASSISTANCE	\$1,931,994.22	\$2,331,532.22	-	\$20,675,110.77	\$24,938,637.21
INFORMATION	\$332,277.95	\$180,013.64	-	\$1,896,209.07	\$2,408,500.66
MANAGEMENT OF COMPANIES AND ENTERPRISES	\$3,464.43	\$1,913.36	-	\$92,111.79	\$97,489.58
MANUFACTURING	\$3,045,755.54	\$5,724,621.15	-	\$30,334,402.00	\$39,104,778.69
MINING	\$60,930.98	\$61,013.41	-	\$341,138.48	\$463,082.87
MISSING	\$130,369.48	\$387,380.47	\$13,858.91	\$785,733.19	\$1,317,342.05
OTHER SERVICES (EXCEPT PUBLIC ADMINISTRATION)	\$696,696.53	\$602,056.44	-	\$6,322,513.07	\$7,621,266.04
PROFESSIONAL, SCIENTIFIC, AND TECHNICAL SERVICES	\$650,145.14	\$800,686.87	-	\$5,269,740.39	\$6,720,572.40
PUBLIC ADMINISTRATION	\$2,331,056.82	\$2,571,795.87	\$20,833.77	\$15,981,923.01	\$20,905,609.47
REAL ESTATE AND RENTAL AND LEASING	\$264,897.58	\$186,977.53	-	\$2,099,726.17	\$2,551,601.28
RETAIL TRADE	\$1,795,925.19	\$2,515,206.75	-	\$18,441,641.08	\$22,752,773.02
TRANSPORTATION AND WAREHOUSING	\$4,403,158.14	\$2,033,624.39	-	\$15,185,092.98	\$21,621,875.51
UTILITIES	\$542,018.77	\$416,548.88	-	\$3,117,862.41	\$4,076,430.06
WHOLESALE TRADE	\$1,398,663.66	\$1,593,631.07	-	\$9,154,429.58	\$12,146,724.31
TOTAL	\$24,886,930.60	\$26,994,433.72	\$45,210.39	\$187,003,409.98	\$238,929,984.69

DIVISION OF WORKERS' COMPENSATION

Self Insurance Statistics by Fiscal Year

Security Held FY2012 \$629,411,992.00

Security Held FY2011 \$611,139,977.00

Individual Self Insurance

Year	Employers	Employees Covered ¹	Payroll Covered ¹	Applications Received	Applications Approved	Voluntary Withdrawals	Involuntary Terminations
2012	287	409,809	\$17,705,537,572	13	1	7	0
2011	294	413,794	\$17,458,768,533	9	10	10	0
2010	300	433,512	\$17,761,654,900	5	6	16	1
2009	310	447,438	\$17,554,128,689	11	8	13	0
2008	329	453,670	\$18,324,557,231	12	13	17	0
2007	325	447,198	\$17,631,079,335	18	3	20	0
2006	335	457,751	\$17,060,420,359	12	18	31	0
2005	365	459,407	\$16,730,549,319	13	7	18	0
2004	368	377,079	\$17,694,561,476	20	18	29	2
2003	391	N/A	\$18,504,370,557	31	12	40	0
2002	409	N/A	\$15,881,462,199	16	14	33	3

Group Trust Self Insurance

Year	Employers	Employees Covered ¹	Payroll Covered ¹	Applications Received	Applications Approved	Voluntary Withdrawals	Involuntary Terminations
2012	2,504	253,798	\$8,079,728,045	0	0	1	0
2011	2,761	346,854	\$8,571,060,317	0	0	3	0
2010	2,865	346,313	\$8,271,038,492	0	0	0	1
2009	2,939	274,061	\$8,610,285,988	0	0	1	0
2008	3,337	296,044	\$8,397,510,209	0	0	1	0
2007	3,410	302,106	\$8,410,308,656	0	0	0	0
2006	3,461	294,431	\$8,130,034,186	0	0	0	0
2005	3,527	309,637	\$8,122,256,738	0	0	1	0
2004	3,583	296,118	\$10,341,268,157	0	0	0	0
2003	3,436	280,670	\$6,226,256,249	1	1	0	0
2002	3,288	158,688	\$5,983,324,243	1	2	1	0

1 - Number valid as of close of prior calendar year.

MISSOURI COMMISSION ON HUMAN RIGHTS



Dr. Alisa Warren

EXECUTIVE
DIRECTOR

For the third year in a row, the MCHR received a grant from the U.S. Department of Housing and Urban Development to continue its Show-Me Fair Housing Awareness project in southeast Missouri.

has jurisdiction over complaints of discrimination in housing, employment, and places of public accommodations based on race, color, religion, national origin, ancestry, sex, disability, age (in employment only), and familial status (in housing only).

Commissioners are nominated by the Director of the Department of Labor and Industrial Relations and

appointed by the governor with

the advise and consent of the Senate. The governor appoints at least one member from each of Missouri's nine congressional districts,

one member at large, and one member as chairperson. The Commissioners serve for six years without compensation. MCHR meets quarterly and its meetings are open to the public.

The mission of the Missouri Commission on Human Rights (MCHR) is to prevent and eliminate discrimination and provide equitable and timely resolutions to discrimination complaints. MCHR also provides training and education to the public about their rights and responsibilities under the Missouri Human Rights Act.

In FY 2012, 1,854 complaints were filed, while MCHR staff resolved 1,800 complaints. Nearly 2,000 people attended MCHR education, training, and outreach events. The MCHR also received another grant from the Department of Housing and Urban Development to continue its Show-Me Fair Housing Awareness project in not only southeast Missouri but also in southwest Missouri. MCHR is using this grant to educate residents about their fair housing rights and to provide training to Community Development Block Grant recipients about their obligation to affirmatively further fair housing.

1,626 people attended training provided by the MCHR in FY 2012.

The Missouri Human Rights Act authorizes MCHR to receive and investigate complaints of discrimination and where probable cause is found, litigate those cases at public hearings. The statute empowers MCHR to certify local commissions and grant them enforcement power, enter into work sharing agreements with federal and local human rights agencies, and develop ways to prevent discrimination. MCHR

State Fiscal Year 2012

1,854 Cases received

1,800 Decisions rendered

Percent of Complaints Filed by Category

84% Employment

8% Housing

8% Public Accommodations

Percent of Complaints Filed by Type*

39.3% Retaliation

30.9% Sex

29.6% Disability

29.1% Race

23.0% Age

* These percentages will not total 100 percent due to multiple basis and allegations



MISSOURI COMMISSION ON HUMAN RIGHTS

Missouri Commission on Human Rights Hearing Decisions in FY 2012

STATE OF MISSOURI ex rel. Jacquelyn Annette Sharp v. Enterprise Manufacturing, Inc. f/k/a Scot Young Research, Inc.

The Commission found Jacquelyn Sharp, the Complainant, joined several other female employees in filing sexual harassment complaints and later a lawsuit against Enterprise. The employer immediately began to retaliate against her. The employer changed her pay from salary to hourly; changed and restricted her employment duties, making it harder for her to work; transferred her to various locations; gave her warnings; and tried to turn her co-workers against her by increasing their fear that their jobs were jeopardized by the sexual harassment lawsuit. Complainant was finally forced to resign due to this systematic effort by Enterprise to punish her for asserting her rights. Then she filed a complaint of retaliation with MCHR. The case was tried and the MCHR Commissioners determined that Enterprise Manufacturing violated the Missouri Human Rights Act. Enterprise was ordered to pay Sharp \$37,609.45 in back pay, \$45,000 in actual damages for humiliation and emotional distress and \$15,000 for violation of her civil rights. The employer was also ordered to adopt a non-retaliation policy and to cease and desist from any further discriminatory practices.

STATE OF MISSOURI ex rel. Tammela Sarkar v. Nino Valenti

Tammela Sarkar, a white female, rented a house owned by Valenti. After her son, who is African-American, came to visit her, the landlord referred to Complainant's son using a racially derogatory term and warned Complainant he did not want any of them on his property. After her son visited again, the landlord made the same comment to Complainant using the racial slur and told her that he wanted her to move out. The landlord began harassing Complainant after that and entered her residence unannounced, uninvited, and without knocking on several occasions. On one occasion, he caused a commotion and, on another, he assaulted Complainant's daughter and her sister. Once, he threatened to shoot Complainant with a shotgun. Later, the landlord served Complainant an eviction notice.

Complainant then filed her complaint with MCHR and alleged Respondent harassed her because of her association with her son, who is African-American and she is Caucasian. The case was tried and the MCHR Commissioners determined that the landlord violated the Human Rights Act. He was ordered to pay Complainant the sum of \$125,000 in actual damages for humiliation and emotional distress, \$37,500 in actual damages for violation of Complainant's civil rights, and pre-judgment interest of 3.25%. The landlord was also ordered to pay \$2,000 in civil penalties to MCHR to vindicate the public interest. Finally, the landlord was ordered to cease and desist discriminatory practices.

MISSOURI COMMISSION ON HUMAN RIGHTS

Total Complaints Received in Employment, Public Accommodations, and Housing Discrimination by Complaint Classification and Year

Classification	Year	Number	Percent
Race	2012	540	29.1
	2011	446	24.6
	2010	576	28.9
Sex	2012	573	30.9
	2011	554	30.3
	2010	595	30.2
Sex Harassment	2012	247	13.3
	2011	245	13.5
	2010	255	13.5
Religion	2012	53	2.8
	2011	41	2.2
	2010	52	2.7
National Origin/ Ancestry	2012	78	4.8
	2011	101	5.5
	2010	114	5.4
Disability	2012	548	29.5
	2011	501	27.8
	2010	517	26.5
Retaliation	2012	728	39.2
	2011	616	34.1
	2010	669	32.2
Age	2012	427	23.3
	2011	337	18.6
	2010	395	20.1
Unknown/Other	2012	42	2.2
	2011	95	5.2
	2010	56	2.8
Total	2012	1,854	100.0
	2011	1,831	100.0
	2010	2,109	100.0

Totals will not match total number of cases received because many cases allege multiple allegations and categories.

Dispositions During FY 2012

Disposition	EMP	PA	Housing	Total	Percent
Investigations					
Negotiated Settlements	11	3	19	33	1.9
No Probable Cause	631	131	70	832	47.5
No Jurisdiction	86	11	8	105	5.4
Unable to Locate	13	2	0	15	0.9
Withdrawn	68	10	2	80	4.0
Withdrawn/Settled	96	7	15	118	6.8
Admin. Closure	39	4	2	46	2.6
Failure to Cooperate	23	2	11	36	2.0
Probable Cause	15	3	6	24	1.4
Right to Sue	459	29	6	494	27.5
Conciliation					
Withdrawal/Settled	1	1		2	
Admin. Closure					
Conciliated	4	3	1	8	
Right to Sue	1			1	
Hearings Decisions					
Withdrawal	0	1	0	1	
Admin. Closure	2	0	0	2	
Prehearing Settlement	1	0	1	2	
Hearing Panel Order	1	0	1	2	
Right to Sue	0	0	0	0	
Total	1,451	207	142	1,800	100.0

The commission maintains five offices in Missouri as a means of providing access and delivery of services. The office locations are: Jefferson City (central office), Kansas City, St. Louis, Sikeston, and Springfield.

The Disposition Chart (above) reflects the types of closures or decisions rendered as a result of investigation, conciliation, and public hearing.

In addition to the above, at the end of FY 2012 there were 1,131 complaints pending investigation, 16 complaints pending conciliation, and 14 complaints pending public hearing.

MISSOURI COMMISSION ON HUMAN RIGHTS

During MCHR's 54 years of working toward eradicating discrimination, the agency has provided immeasurable services. The record reflects the agency has continued to receive a large number of complaints of alleged discrimination in employment, public accommodations and housing.

Total Cases Received by Year and Category

Fiscal Year	Category ¹	MCHR ²	Dual Filed ³
2012	EMP	1,552	2,437
	PA	145	
	Housing	157	
	Total	1,854	2,437
2011	EMP	1,443	2,114
	PA	206	
	Housing	182	
	Total	1,831	1,817
2010	EMP	1,765	2,109
	PA	166	
	Housing	168	
	Total	2,109	2,109

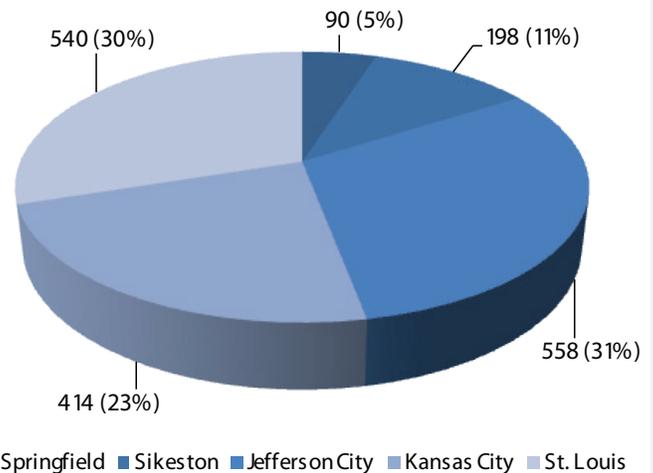
¹ EMP - Fair Employment Practices PA - Public Accommodations
Housing - Fair Housing

² MCHR - Missouri Commission on Human Rights

³ Dual Filing - During the first part of April 1978, the EEOC and MCHR began a new procedure of dual filing cases instead of deferral process. This means that employment complaints meeting the requirements of TITLE VII, filed with MCHR are automatically filed with both agencies merely by filing with one.

The preceding chart illustrates the number of complaints filed with MCHR by category for the past three years. It also shows the number of complaints received by the U.S. Equal Employment Opportunity Commission (EEOC) and Dual Filed with MCHR. Since EEOC only has responsibility for employment discrimination, the 2437 cases under the dual filed column reflect the number of additional cases MCHR would be responsible for if there were no EEOC or if MCHR and EEOC did not have a worksharing agreement.

Office Caseloads



The number of complaints filed with MCHR has had a slight increase from FY11 to FY12. Also employment cases continue to make up the largest portion of the workload:

Employment	84%
Public Accommodations	8%
Housing	8%

There are 11 local human rights agencies in Missouri handling a substantial number of cases that otherwise would fall within MCHR's responsibility. In an effort to further reduce potential duplication, MCHR has initiated working relationships, similar to the EEOC/ MCHR worksharing, with local human rights agencies and the U.S. Dept. of Housing and Urban Development. These efforts have proven beneficial in terms of more efficient use of limited state resources.

MISSOURI COMMISSION ON HUMAN RIGHTS

Commission

Alvin Carter
Chairperson
Term expires 4-1-2011

James Buford
Commissioner 1st District
Term expires 4-1-2013

Vacant
Commissioner 2nd District

Michael Dierkes
Commissioner 3rd District
Term expires 4-1-2015

Dr. Susan Lee Pentlin
Commissioner 4th District
Term expires 4-1-2006

Vacant
Commissioner 5th District

Vacant
Commissioner 6th District

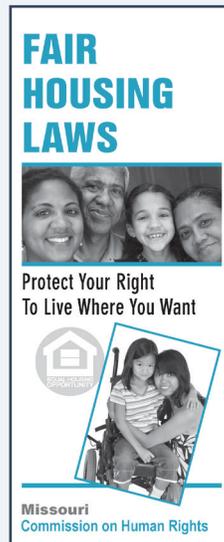
Jenifer M. Placzek
Commissioner 7th District
Term expires 4-1-2016

Vacant
Commissioner 8th District

Dr. Roger Worthington
Commissioner 9th District
Term expires 4-1-2014

Vacant
Commissioner At Large

Products Produced to Further Fair Housing Awareness



Car decal

2012 MCHR Show-Me Fair Housing Poster Contest Winners



Grades K-3 left to right:
Britany Jordan, Nilen Sharkey,
and Maya Watt.



Grades 4-6 left to right:
Nicholas Williams, Jamya Smith,
and Ashanti Jones.



Grades 7-12 left to right:
Larysa McClellon and Jameea King.

STATE BOARD OF MEDIATION

Article I Section 29 of the Missouri Constitution states “That employees shall have the right to organize and to bargain collectively through representatives of their own choosing.” In 2007, the Missouri Supreme Court overruled prior cases and held that the word “employees” as used in this provision applies to public employees, as well as private-sector employees.



Michael Pritchett

ACTING
CHAIRMAN

**In fiscal year 2012,
there were 27 petitions
filed with the SBM, and
eight representation
elections conducted,
affecting more than 400
employees.**

The State Board of Mediation (SBM) is a quasi-judicial board created by the General Assembly in 1947 to assist in the resolution of labor disputes in the public utility industry. The SBM’s primary activity, however, changed in 1965, with the passage of the Public Sector Labor Law, §§ 105.500 to 105.530 of the Missouri Revised Statutes. This Law authorizes the SBM to determine appropriate bargaining units of public employees based on their community of interests and to conduct secret-ballot elections to determine whether a majority of the employees in a bargaining unit agree to be represented by a petitioning labor organization.

The SBM consists of five members appointed by the governor. Two members are employers or selected from an association representing employers, two members hold membership in a bona fide trade or labor union, and the fifth member is a neutral party who serves as full-time chairman and administrator of the agency.

If a public employer and a petitioning labor organization cannot agree as to the makeup of an appropriate bargaining unit or on the manner of conducting the election, the SBM will hold a formal hearing at which the parties may present evidence and legal arguments in support of their positions on the disputed questions. After considering the evidence and the legal points made, the SBM issues a written decision resolving the disputes.

If a majority of the members of a bargaining unit do vote for the labor organization in an SBM conducted election, the SBM certifies it as the exclusive bargaining representative for all the unit members for the purposes of collective bargaining. The labor organization will then negotiate with the public employer of the unit members over salaries and other conditions of employment with the goal of reaching a written agreement governing these matters. The labor organization will also represent unit members with regard to individual employment issues that may arise, such as disciplinary charges.

The SBM’s jurisdiction under the Public Sector Labor Law to determine appropriate bargaining units and to certify exclusive bargaining representatives extends to almost all public employees, including those employed by the state and its agencies, counties, cities, school districts, fire departments, and other special districts. The SBM, however, does not have jurisdiction to resolve such matters for police officers, deputy sheriffs, Missouri Highway Patrol officers, Missouri National Guard members, or teachers at schools, colleges, and

STATE BOARD OF MEDIATION

universities. These types of employees still have the right to organize and bargain collectively, but the SBM has no authority to play a role when they are doing so.

In FY 2012, there were 27 petitions filed with the SBM, and eight representation elections conducted, affecting more than 400 employees. The SBM works to ensure that the election process it oversees is fair and equitable. In addition, the SBM conducted one hearing on a disputed issue, issued three decisions following hearings held in a previous fiscal year, issued two amended unit certifications, and issued eight unit clarifications. Three cases were dismissed, two due to the voluntary withdrawal of the petitions and one because the required 30 percent showing of interest in support of the petition was not met.

The SBM also continues to be charged with assisting in the resolution of labor disputes in the public utility industry.

State Fiscal Year 2012

- 27 Petitions filed
- 54 Requests for Public Sector Labor Law assistance/information

Board Members

- | | |
|---------------|-----------------|
| Emily Martin | Lewis Moye |
| Robert Miller | Leonard Toenjes |

State Board of Mediation Cases with Activity in FY 2012

R 2008-021 Springfield Office Professionals v. School District of Springfield R-12 and Springfield National Education Association (SNEA)

The Springfield Office Professionals petitioned to represent a bargaining unit of clerical workers employed by the School District. SNEA intervened in the case and sought to represent the same unit. The result of the SBM conducted election turned on the ballot of one challenged voter. SBM held a hearing and in its decision issued on October 31, 2011, ruled that the challenged voter was a confidential employee excluded from the unit and that a majority of the votes were thereby in support of SNEA. SBM then certified SNEA as the exclusive bargaining representative of the bargaining unit.

STATE BOARD OF MEDIATION

R 2009-035 The Missouri Home Care Union v. Missouri Quality Home Care Council

The Missouri Home Care Union petitioned to represent a state-wide unit of home health care workers. SBM conducted a mail ballot election in which unit members approved the Union as their bargaining representative by a vote of 2085 to 1405. Three individual home health care workers challenged the results of the election in state court. The court overturned the election and the case was appealed. On May 1, 2012, the Missouri Court of Appeals reversed the trial court's decision overturning the election. The Court concluded that the election was not improperly conducted under the authority of unpromulgated rules because all the parties had agreed to the procedures for the election and SBM had the authority to approve this agreement. The Court of Appeals also affirmed the trial court's ruling that the election process did not violate the constitutional right to bargain collectively, due process, or the Quality Home Care Act because SBM conducted the election as quickly as possible considering the difficulty in getting home health care worker names and addresses from all the vendors.

R 2010-015 Laborers' Public Service Employees, Local 1290 PE v. City of St. Joseph

The parties' sole dispute in this case was whether, in an otherwise city-wide unit, workers at the City's Water Pollution Control Plant (who already had a certified bargaining representative) could properly be excluded. Following a hearing, SBM concluded in its decision issued on September 6, 2011, that a city-wide unit, with the exception of Water Pollution Control Plant workers, was an appropriate bargaining unit and directed that a representation election be held among the members of that unit.

AC 2011-005 SEIU, Local 1 v. City of St. Joseph

The Service Employers International Union (SEIU) Local 1, petitioned to amend the certification of an existing bargaining unit of the City's workers at the Water Pollution Control Plant to reflect that it had succeeded SEIU, Local 2000. Local 2000's public service units had merged into Local 1. After conducting a hearing, SBM ruled in its decision issued on September 6, 2011, that there was no reason to question whether Local 1 continued to hold majority support among the workers in the Water Pollution Control Plant unit because there was substantial continuity between Local 2000 and Local 1. SBM granted the requested amendment.

R 2011-027 IBEW, Local 753 v. City of Marshall – Municipal Utility

The International Brotherhood of Electrical Workers (IBEW) petitioned to represent a unit of electricians employed by the City. The parties agreed to the description of an appropriate unit and SBM conducted an election among the unit's 10 members. IBEW received a majority of the votes cast and SBM certified the unit on September 1, 2011.

STATE BOARD OF MEDIATION

UC 2012-001 State of Missouri v. SEIU, Local 1

The State petitioned to clarify a unit of professionals employed by several state departments to add the positions of Physical Therapist I, Physical Therapist II, and Health Care Practitioner to the unit. SEIU agreed to the requested additions. Based on the agreement, SBM granted the unit clarification petition on August 30, 2011.

R 2012-002 Springfield Fire Fighters Association, Local 152 v. City of Republic – Fire Department

The Springfield Fire Fighters Association petitioned to represent a unit of fire fighters employed by the City. The parties agreed to the description of an appropriate unit and SBM conducted an election among the unit's 17 members. The union received a majority of the votes cast and SBM certified the unit on December 22, 2011.

UC 2012-003 State of Missouri v. CWA, Local 6355, and AFSCME, Council 72

The State petitioned for a unit clarification following the transfer of maintenance workers from the supervision of the Department of Social Services to the supervision of the Office of Administration (OA). Following the hearing, held on March 30, 2012, SBM concluded that the contract bar rule applied. The effect of this bar was that the maintenance workers at issue remained in the Social Services unit and were still represented by Communications Workers of America (CWA). The State could file another unit clarification petition at the appropriate time, but in the interim, the State should negotiate with CWA concerning the consequences of the transfer of the workers from the Department of Social Services to OA.

AC 2012-004 State of Missouri v. CWA, Local 6355

The State petitioned to amend the certification of an existing unit of employees to reflect a reorganization of state operations that resulted in a significant portion of the unit membership being transferred from one state department to another. CWA, the bargaining representative of the unit, agreed that the requested amendment was appropriate. Based on the petition and information provided at conferences with the parties, SBM became satisfied that the requirements for an amendment of certification were met and granted the amendment on September 28, 2012.

UC 2012-005 State of Missouri v. AFSCME, Council 72

The State petitioned to clarify a unit of craft and maintenance workers employed by several state departments to include certain additional positions due to restructuring of the state's job descriptions and to exclude other positions from the unit because they were no longer used. The American Federation of State, County and Municipal Employees (AFSCME) agreed to the requested clarifications. Based on the agreement, SBM granted the unit clarification petition on November 16, 2011.

STATE BOARD OF MEDIATION

UC 2012-006 State of Missouri v. AFSCME, Council 72

The State petitioned to clarify a unit of employees of two state departments to reflect title changes in certain positions already included in the unit and to delete certain other positions from the unit because they were no longer used. AFSCME agreed to the requested clarifications. Based on the agreement, SBM granted the unit clarification petition on October 25, 2011.

R 2012-007 SEIU, Local 1 v. Special Administrative Board of the Transitional School District of the City of St. Louis

SEIU petitioned to represent a unit of custodial workers employed by the School District. The parties agreed to the description of an appropriate unit and SBM conducted an election among the unit's 197 members. SEIU received a majority of the votes cast and SBM certified the unit on December 21, 2011.

UC 2012-008 IAFF, Local 2665 v. North Jefferson County Ambulance District

The International Association of Firefighters (IAFF) petitioned to clarify a unit of employees of the Ambulance District to add the positions of business manager and claims representative to the existing unit. The Ambulance District agreed to the clarification and SBM entered its order clarifying the unit as requested on September 22, 2011.

R 2012-009 Lake Area Fire Fighters Association, IAFF, Local 3987 v. Miller County Ambulance District

IAFF petitioned to represent a unit of emergency medical personnel employed by the Ambulance District. The parties agreed to the description of an appropriate unit and SBM conducted an election among the unit's 29 members. IAFF received a majority of the votes cast and SBM certified the unit on December 15, 2011.

UC 2012-010 Missouri National Education Association, Independence Transportation Employees Association v. Independence School District

The Independence Transportation Employees Association (ITEA) petitioned to clarify a unit of transportation workers employed by the School District to add the new position of Driver Mentor, which has essentially the same duties as another position already included in the unit. The School District agreed to the addition of the new position to the unit and SBM issued its order clarifying the unit on March 7, 2012.

UC 2012-011 State of Missouri v. SEIU, Local 1

The State petitioned to clarify a unit of employees of two state departments but almost immediately voluntarily dismissed its petition. SBM entered its order dismissing the case on October 26, 2011.

STATE BOARD OF MEDIATION

UC 2012-012 State of Missouri v. AFSCME, Council 72

The State petitioned to clarify a unit of employees of two state departments to include the positions of Restorative Aide and Restorative Technician and to remove the positions of Physical Therapy Aide I and II and Physical Therapy Technician. AFSCME agreed to the requested clarifications. Based on the agreement, SBM granted the unit clarification petition on November 30, 2011.

UC 2012-013 State of Missouri v. SEIU, Local 1

The State petitioned to clarify a unit of employees of three state departments to add Registered Nurse positions. SEIU agreed to the requested clarifications. Based on the agreement, SBM granted the unit clarification petition on November 30, 2011.

UC 2012-014 IBEW, Local 1439 v. City of Potosi

IBEW petitioned to clarify a certified unit of utility workers employed by the City as including the job classifications of Gas Foreman and General Foreman. The City agreed to the clarification and SBM entered an order granting the requested clarification on February 21, 2012.

AC 2012-015 Professional Fire Fighters of Eastern Missouri, IAFF, Local 2665 v. Mehlville Fire Protection District

IAFF, Local 2665, petitioned for an amendment of certification to reflect the vote of the members of a unit of fire fighters and support staff employed by the Fire District to discontinue their affiliation with IAFF, Local 1889, and to affiliate instead with Local 2665. The Fire District did not oppose the amendment. Finding its requirements for the amendment of certification to have been met, SBM granted the petition on December 27, 2011.

R 2012-016 Professional Fire Fighters of Eastern Missouri, IAFF, Local 2665 v. South County Fire Alarm

IAFF petitioned to represent a unit of dispatchers and the system administrator employed by South County Fire Alarm. The parties agreed to the description of an appropriate unit and SBM conducted an election among the unit's 8 members. IBEW received a majority of the votes cast and SBM certified the unit on January 27, 2012.

STATE BOARD OF MEDIATION

RD 2012-017 Glenn Bussen v. Hillsboro R-III School District and Hillsboro Paraeducators Association/NEA

A representative of a group of employees within a unit of paraeducators employed by the School District petitioned to decertify the bargaining unit. SBM dismissed the case on December 21, 2011, because the petitioner did not establish the existence of the necessary 30 percent showing of interest among unit members to hold a decertification election.

R 2012-018 IBEW, Local 1 v. St. Louis Public Schools

IBEW petitioned to represent a unit of electricians employed by the Public Schools. The parties agreed to the description of an appropriate unit and SBM conducted an election among the unit's 9 members. IBEW received a majority of the votes cast and SBM certified the unit on April 2, 2012.

RD 2012-019 Glenn Bussen v. Hillsboro R-III School District and Hillsboro Paraeducators Association/NEA

A representative of a group of employees within a unit of paraeducators employed by the School District petitioned to decertify the bargaining unit. After being given the opportunity to show cause why the petition should not be dismissed due to the contract bar rule, the petitioner voluntarily dismissed the petition. SBM entered its order dismissing the case on February 3, 2012.

R 2012-020 Ste. Genevieve National Education Association v. Ste. Genevieve R-II School District

The Ste. Genevieve National Education Association petitioned to represent a unit of most of the School District's non-teacher staff members. The parties agreed to the description of an appropriate unit and SBM conducted an election among the unit's 93 members. The union received a majority of the votes cast and SBM certified the unit on May 17, 2012.

R 2012-021 MNEA v. St. Charles School District

The Missouri National Education Association (MNEA) petitioned to represent a unit of transportation workers employed by the School District. The parties agreed to the description of an appropriate unit and SBM conducted an election among the unit's 65 members. MNEA received a majority of the votes cast and SBM certified the unit on August 30, 2012.

STATE BOARD OF MEDIATION

R 2012-022 IBEW, Local 53 v. City of Independence Water Pollution Control

IBEW petitioned to represent a unit of workers employed by the City of Independence in its water pollution control operation. The parties agreed to the description of an appropriate unit and SBM conducted an election among the unit's 46 members. IBEW received a majority of the votes cast and SBM certified the unit on July 20, 2012.

R 2012-023 MNEA v. Normandy School District

MNEA petitioned to represent a unit of maintenance and custodial workers employed by the School District. The parties agreed to the description of an appropriate unit and SBM conducted an election among the unit's 68 members. MNEA received a majority of the votes cast and SBM certified the unit on October 23, 2012.

R 2012-024 MNEA v. Normandy School District

MNEA petitioned to represent a unit of food service workers employed by the School District. The parties agreed to the description of an appropriate unit and SBM conducted an election among the unit's 55 members. MNEA received a majority of the votes cast and SBM certified the unit on October 23, 2012.

R 2012-025 MNEA v. Normandy School District

MNEA petitioned to represent a unit of transportation workers employed by the School District. The parties agreed to the description of an appropriate unit and SBM conducted an election among the unit's 38 members. MNEA received a majority of the votes cast and SBM certified the unit on October 23, 2012.

R 2012-026 MNEA v. Normandy School District

MNEA petitioned to represent a unit of information technology technicians employed by the School District. The parties agreed to the description of an appropriate unit and SBM conducted an election among the unit's four members. MNEA received a majority of the votes cast and SBM certified the unit on October 23, 2012.

AC 2012-027 Missouri Education Workers, Local 1 v. University of Central Missouri

Local 1, the certified bargaining representative of a unit of service employees working at the University, petitioned to amend the certification of the unit to reflect the unit members' decision by majority vote to affiliate with Laborers, Local 1290 PE. The University did not object. Finding its requirements for the amendment of certification to have been met, SBM granted the petition on July 24, 2012.

STATE FISCAL YEAR 2012

Divisions	Appropriation
Director and Staff	\$5,718,503
Labor and Industrial Relations Commission	\$987,741
Division of Employment Security	\$32,438,119 *
Division of Labor Standards	\$2,730,029
Division of Workers' Compensation	\$9,031,363 **
Missouri Commission on Human Rights	\$1,551,713
State Board of Mediation	\$114,298
Total	\$52,571,766

* This amount excludes tax interceptions, claim payments, and federal interest payments.

** This amount excludes second injury and tort victims' claim payments and second injury fund refunds.

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