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Bill Will Bring State In Line With Federal Requirement

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JEFFERSON CITY — Employment law in Missouri is one step closer to reflecting the federal Civil Rights Act of 1964.

Legislation has been introduced by Sen. Brad Lager, R-Savannah, that would change state laws to mirror federal employment laws when it comes to discrimination.

“We want Missouri employees to be protected from employers who break the law,” Lager said. “We can best do this by raising our standards to meet the provisions set out in the historic Civil Rights Act, giving employers and workers better certainty across the board when it comes to their day in court.”

The bill changes Missouri law to state that discrimination must be “a motivating factor” rather than “a contributing factor” in wrongful termination lawsuits, which is identical to language in the federal Civil Rights Act. It would also allow for summary judgments, allow any party to demand a jury trial, limit awards for certain damages as outlined in federal law, and exclude managers and supervisors from being held individually liable.

Lager noted Missouri’s employment law originally resembled federal law, but differences have surfaced through case law.

“Unfortunately, Missouri courts have drastically changed Missouri employment law over the years,” said Lager. “It’s important the people of Missouri, through their elected representatives, ultimately shape our laws.”

Senate Leader Robert N. Mayer, R-Dexter, said bringing certainty to employment law is an important step in legislative efforts aimed at putting Missourians back to work.

“Currently there is no harmony in how employment law is treated between federal standards, state law and how our three appellate courts in Missouri have ruled on the law,” said Mayer. “By harmonizing our state employment law with federal employment law, Missouri companies can invest more in hiring new employees, rather than expansive legal fees to navigate a current system riddled with uncertainty.”

The bill also addresses Missouri’s “whistleblower protections” by clarifying the protections only apply to those employees who call attention to wrongdoing that is illegal, rather than allegations of wrongdoing where no law was broken.

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