



MISSOURI HOUSE OF REPRESENTATIVES  
**WITNESS APPEARANCE FORM**

BILL NUMBER: <b>HB 1745</b>		DATE: <b>2/25/2026</b>	
COMMITTEE: <b>Commerce</b>			
<b>TESTIFYING:</b> <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
<b>WITNESS NAME</b>			
<b>REGISTERED LOBBYIST:</b>			
WITNESS NAME: <b>BRANDON KOCH</b>		PHONE NUMBER: <b>573-893-4241</b>	
REPRESENTING: <b>MISSOURI INSURANCE COALITION</b>		TITLE:	
ADDRESS: <b>220 E. HIGH STREET</b>			
CITY: <b>JEFFERSON CITY</b>		STATE: <b>MO</b>	ZIP: <b>65101</b>
EMAIL:	ATTENDANCE:	SUBMIT DATE: <b>2/25/2026 12:00 AM</b>	
<b>THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.</b>			



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<b>WITNESS NAME</b>			
<b>REGISTERED LOBBYIST:</b>			
WITNESS NAME: <b>RICH AUBUCHON</b>		PHONE NUMBER: <b>573-616-1845</b>	
REPRESENTING: <b>MO CIVIL JUSTICE REFORM COALITION, INC</b>		TITLE:	
ADDRESS: <b>112 EAST HIGH STREET</b>			
CITY: <b>JEFFERSON CITY</b>		STATE: <b>MO</b>	ZIP: <b>65101</b>
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<b>WITNESS NAME</b>			
<b>INDIVIDUAL:</b>			
WITNESS NAME: <b>ARNIE C. "HONEST-ABE" DIENOFF-STATE PUBLIC ADVOCAT</b>		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: <b>In-Person</b>	SUBMIT DATE: <b>2/25/2026 11:45 PM</b>	
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**I am Opposed to this Legislation.**



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<b>WITNESS NAME</b>			
<b>BUSINESS/ORGANIZATION:</b>			
WITNESS NAME: <b>JEREMY AL-HAJ</b>		PHONE NUMBER: <b>816-394-4959</b>	
BUSINESS/ORGANIZATION NAME: <b>MISSOURI WORKERS CENTER</b>		TITLE:	
ADDRESS:			
CITY: <b>ST. LOUIS</b>		STATE: <b>MO</b>	ZIP: <b>63108</b>
EMAIL: <b>jalhaj@moworkers.org</b>	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>2/24/2026 4:06 PM</b>	
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My name is Jeremy Al-Haj. I'm the Executive Director of Missouri Workers Center, a nonprofit that organizes low-wage workers across Missouri on issues of economic justice, wage theft, and workplace rights. I submit this testimony in strong opposition to HB 1745.

This bill weaponizes bureaucracy against working people.

Missouri voters made clear in 2024 — by a 57% margin — that they want stronger protections for workers through Proposition A. HB 1745 moves in the opposite direction. It doesn't reform wage enforcement; it obstructs it.

The workers who come to us with minimum wage and overtime complaints are not sophisticated plaintiffs with organized records. They're home health aides, restaurant workers, warehouse temps, and domestic workers — often paid in cash or on irregular schedules, often without easy access to the pay stubs and time sheets this bill requires them to produce at the time of filing. Many have been afraid to speak up for months or years. Under this bill, if they fail to include every pay period in their initial complaint, those periods are waived under state law and they may never recover them.

The 30-day window to file suit after receiving a right-to-sue notice is indefensible. It takes time to find an attorney, especially for workers who can't afford one. It takes time to understand your rights. This provision will cause workers to miss their deadline not because their claims lack merit, but because they couldn't move fast enough through a process they've never navigated before.

The fee-shifting provisions are designed to intimidate workers into silence. If a worker completes the entire administrative process, receives a right-to-sue notice, takes their case to court, and wins — but wins less than what the department found or the employer offered — they now owe both sides' legal costs. In practice, this lets employers make a lowball settlement offer during the administrative phase and punish workers who seek anything more in court. That is not justice. That is a trap.

We urge this committee to reject HB 1745.

Missouri workers deserve a fair shot at enforcing the wages they've already earned. Mandatory pre-filing, 30-day sue windows, documentation traps, and fee-shifting are not administrative reform — they are the wishlist of employers who want to escape accountability for wage theft. This committee should reject them.



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<b>WITNESS NAME</b>			
<b>BUSINESS/ORGANIZATION:</b>			
WITNESS NAME: <b>MICHAEL HODGSON</b>		PHONE NUMBER: <b>816-600-0117</b>	
BUSINESS/ORGANIZATION NAME: <b>HODGSON LAW FIRM</b>		TITLE:	
ADDRESS: <b>5036 SW WIDGEAN WAY</b>			
CITY: <b>LEES SUMMIT</b>		STATE: <b>MO</b>	ZIP: <b>64082</b>
EMAIL:	ATTENDANCE:	SUBMIT DATE: <b>2/25/2026 12:00 AM</b>	
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<b>WITNESS NAME</b>		
<b>INDIVIDUAL:</b>		
WITNESS NAME: <b>SARAH BERRY</b>		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE:      ZIP:
EMAIL:	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>2/24/2026 1:33 PM</b>
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Legally vulnerable; serious access-to-courts concerns.

**1. Open Courts / Right to Jury Trial (Mo. Const. Art. I, §§ 14, 22(a))**

HB 1745 makes filing with the Department of Labor a jurisdictional condition precedent to suit and imposes:

- A strict 30-day deadline after a “right to sue” letter
- Waiver of omitted pay periods
- Mandatory dismissal if exhaustion is not completed

Missouri’s Constitution guarantees open courts and jury trial for common-law claims. While administrative exhaustion can be required, barriers that:

- Shorten limitations periods
- Deem claims waived automatically
- Impose procedural traps
- risk being found an unreasonable burden on access to the courts.

**2. Due Process Concerns (Procedural)**

The bill:

- Limits evidence to what is filed initially
- Deems omitted pay periods “in compliance”
- Restricts lawsuits to issues listed in the complaint

This creates forfeiture of wage claims based on paperwork omissions rather than merits. That structure raises procedural due process vulnerability.

**3. Federal Preemption Risk (FLSA)**

The statute references the Fair Labor Standards Act (FLSA).

If state procedural barriers effectively impair federally protected wage rights, courts may find:

- Conflict preemption
- Interference with federal enforcement scheme

**States may supplement wage law — they cannot obstruct federally protected claims.**

#### **4. Cost-Shifting Penalties — Chilling Effect**

**The bill requires employees to:**

**Pay employer legal fees if they fail to exhaust**

**Pay both sides' costs if the court award is less than a prior offer**

**Mandatory fee-shifting against wage claimants creates a chilling effect and may be challenged as:**

**Retaliatory in effect**

**Disproportionate**

**Contrary to public policy favoring wage enforcement**

#### **5. Separation of Powers / Nonseverability Clause**

**The nonseverability provision voids rulemaking authority if legislative rule-review powers are struck down. This creates structural instability and invites litigation over the entire section.**

**Serious legislatures should vote no.**