
**Rules of
Department of Labor and Industrial
Relations**

**Division 20—Labor and Industrial
Relations Commission
Chapter 1—Organization**

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**Title 8—DEPARTMENT OF
LABOR AND
INDUSTRIAL RELATIONS
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**8 CSR 20-1.010 The Labor and Industrial
Relations Commission**

PURPOSE: This rule describes the organization of the commission.

The Labor and Industrial Relations Commission (commission) is in charge of the department (*Missouri Constitution*, Article IV, Section 49) and is composed of three (3) members appointed by the governor with the consent of the senate. One (1) member of the commission who, by reason of his/her previous activities and interests and who is licensed to practice law in Missouri, shall represent the public. Another member on account of his/her previous vocation, employment, affiliation or interests shall be classified as a representative of the employer. The remaining member on account of his/her previous vocation, employment, affiliation or interests shall be classified as a representative of the employee. A member of the commission is designated by the governor as chairman.

AUTHORITY: section 286.010, RSMo 1986.*
Original rule filed Dec. 18, 1975, effective Dec. 28, 1975.

*Original authority: 286.010, RSMo 1945, amended 1995.

State ex inf. Danforth v. Butler, 524 SW2d1 (1975). The Omnibus State Reorganization Act of 1974 did not abolish the Industrial Commission, in fact, but was “abolished” only as related to the transfer of duties, powers and functions of office to the Labor and Industrial Relations Commission. Provisions that members of Industrial Commission succeed to membership as Labor and Industrial Relations Commission was not unconstitutional as conflicting with constitutional powers of governor, as order by Reorganization Act of 1974.

Graphenreed v. Ford Motor Company, 482 SW2d68 (Mo. App. 1972). Where a final award affirming a referee’s decisions was properly signed by two commissioners, this constituted a quorum or majority as required by section 286.010, RSMo (1969). Similarly the order denying the motion to vacate was properly signed by two members thus constituting a majority. The award and order were

therefore acts of the commission and were totally within its powers.

Op. Atty. Gen. No. 49, Bradford, 8-27-79. The salary of members of the Labor and Industrial Commission, set by statute at \$28,000 per annum, cannot be increased by reorganization plan.