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IRS website has Freedom of Information data

"... our court issued a ruling that has left us stunned."

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As we approach the annual convention, I want to clean out my folder of ideas for monthly columns. There are a number of things in that folder that you need to know, and I don't think any of them will take an entire column, so this month you get something for everyone.

- First, the IRS has added several sites on its web page that contain Freedom of Information information. The primary FOIA site on the IRS web page (at <http://www.irs.gov/foia/index.html>) contains information on requesting tax records, FOIA fee schedule and a guide to filing FOIA requests that may be useful in other situations. Another linked site contains training and reference materials and frequently requested documents as well as the Internal Revenue Manual.

- Second, there have been some changes made in July and August to the requirements for employers for posting workers notices in the workplace and I want to tell you where you can find the current posters you need for FREE. (If you are like me, you are constantly getting mailings from companies wanting money to send you copies of these posters. Save your money. Download them from the Internet!)

Many of the federal forms you need can be found at dol.gov/osbp/sbrefa/poster/main.htm. There you can find the Minimum Wage poster, the Equal Employment Opportunity poster and the Family and Medical Leave Act poster (only required if you have 50 or more employees).

Also there is the Notice to Workers with Disabilities, if you hire workers under the federal program for workers with disabilities. You will also need to go to osha.gov/publications/osha3165.pdf to print out the "It's the Law OSHA notice" for all employers. And you should go to dol.gov/vets/programs/userra/poster.pdf to print out the Uniformed Services Employment and Reemployment Rights Act poster.

Posters you need for Missouri state laws are at dolor.state.mo.us/posters2.htm. All employers must post the Notice to Workers concerning unemployment benefits. If you have five or more employees, you must provide workers' compensation benefits and you need to post the Workers' Compensation poster located there. (If you have fewer than five employees, then you DO NOT need to post this poster, despite what some companies would have you believe.) And if you have six or more employees, you will need the Discrimination in Employment poster.

- Third, I want all of you to be aware of a recent case in Kansas that settled. The Lawrence Journal-World published a paid notice last month advising readers that items left in an apartment would be thrown out if unclaimed. Unfortunately, the address was wrong. The owner of the apartment returned home to find strangers raiding her belongings and loading them into cars. She believes more than \$3,000 of her possessions disappeared before she got the matter stopped.

The Journal-World declined to detail the terms of the settlement. "We made a mistake in a legal ad," said Ralph Gage, the paper's chief operating officer. "It's totally settled to the satisfaction of all parties."

Double-check those legal notices. I'll stop there.

- A month or so ago, the Missouri Supreme Court dropped a bombshell on media lawyers in the state. Most of us had assumed that the two-year statute of libel was pretty well established in the state. The tort of "injurious falsehood" was something I think we assumed was gone by the wayside, based upon assumptions that it would be gathered into the tort of libel and placed under the specific statute of limitations for that tort.

Well, our court issued a ruling in a commercial suit that has left us stunned. The suit involved a company's false statements about another company. The court held that defamation protects a reputational injury such as character or reputation, while injurious falsehood protects against pecuniary loss. The court, in making this distinction, noted that injurious falsehood had been around in Missouri for 25 years. And the court held that it should be placed under the five-year statute of limitations.

What does this mean to you, the publisher? Well, if a plaintiff can claim a false statement caused them to lose money or otherwise cause economic damages, they will have five years instead of two to sue. Believe you me, your libel insurance company will be thrilled when they hear this. I imagine rates in Missouri will be going up. (It doesn't take a rocket scientist to make that prediction.) The press association is discussing this turn of events and pondering some legislative action next year to resolve this surprise.

- For now, I hope to see all of you at the convention. Speaking of legislators, we'll have several on a panel discussion that you won't want to miss. Come hear what they think about the status of the media in the state and your relationship with them. Have a dialogue and remind them how hard we work every day to cover what they do and how it impacts your local residents. See you there!

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