

It is a class A misdemeanor punishable, notwithstanding the provisions of section 560.021, RSMo, to the contrary, for a term of imprisonment not to exceed one year in the county jail or a fine not to exceed ten thousand dollars or both, for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or to sign a petition when such person knows he or she is not a registered voter.

INITIATIVE PETITION

Page No: _____

To the Honorable John R. Ashcroft, Secretary of State for the state of Missouri: _____ County (or City of St. Louis), respectfully order that the following proposed law shall be submitted to the voters of the state of Missouri, for their approval or rejection, at the general election to be held on the 5th day of November, 2024, and each for himself or herself says: I have personally signed this petition. I am a registered voter of the state of Missouri and _____ County (or City of St. Louis); my registered voting address and the name of the city, town or village in which I live are correctly written after my name.

RECEIVED
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 2023

[OFFICIAL BALLOT TITLE]
CIRCULATORS AFFIDAVIT
 being first duly sworn, say (print names of signers)

1.	2.	3.	4.	5.	6.	7.	8.	9.	10.
NAME (Signature)	DATE Signed	REGISTERED VOTING ADDRESS (Number)(Street), (City, Town Or Village)	ZIP CODE	CONG. DIST.	NAME (Printed or Typed)				

signed this page of the foregoing petition, and each of them signed his or her name thereto in my presence: I believe that each has stated his or her name, registered voting address and city, town or village correctly, and that each signer is a registered voter of the state of Missouri and _____ County (or city of St. Louis). FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLED GUILTY TO ANY OFFENSE INVOLVING FORGERY. I am at least 18 years of age. I do _____ do not _____ (check one) expect to be paid for circulating this petition. If paid, list the payer: _____, A.D.

Signature of Affiant (Person obtaining signatures) _____ Street Address of Affiant _____
 Printed Name of Affiant _____ City, State and Zip Code of Affiant _____
 Signature of Notary _____ Address of Notary _____
 Notary Public (Seal) My commission expires _____

Be it enacted by the people of the state of Missouri:

Chapter 290, RSMo, is amended by amending sections 290.502, 290.522, 290.525, 290.527, and 290.530 of the Revised Statutes of Missouri and enacting seventeen new sections to be known as sections 290.518, 290.519, 290.600, 290.603, 290.606, 290.609, 290.612, 290.615, 290.618, 290.621, 290.624, 290.627, 290.630, 290.633, 290.636, 290.639, and 290.642, to read as follows:

290.502. 1. Except as may be otherwise provided pursuant to sections 290.500 to 290.530, effective January 1, 2007, every employer shall pay to each employee wages at the rate of \$ 6.50 per hour, or wages at the same rate or rates set under the provisions of federal law as the prevailing federal minimum wage applicable to those covered jobs in interstate commerce, whichever rate per hour is higher.

2. The minimum wage shall be increased or decreased on January 1, 2008, and on January 1 of successive years, by the increase or decrease in the cost of living. On September 30, 2007, and on each September 30 of each successive year, the director shall measure the increase or decrease in the cost of living by the percentage increase or decrease as of the preceding July over the level as of July of the immediately preceding year of the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) or successor index as published by the U.S. Department of Labor or its successor agency, with the amount of the minimum wage increase or decrease rounded to the nearest five cents.

3. Except as may be otherwise provided pursuant to sections 290.500 to 290.530, and notwithstanding subsection 1 of this section, effective January 1, [2019] 2025, every employer shall pay to each employee wages at the rate of not less than [~~\$8.60~~] \$13.50 per hour, or wages at the same rate or rates set under the provisions of federal law as the prevailing federal minimum wage applicable to those covered jobs in interstate commerce, whichever rate per hour is higher. Thereafter, the minimum wage established by this subsection shall be increased each year by [~~\$.85~~] \$.75 per hour, effective January 1 of each of the next [~~four~~] two years, until it reaches [~~\$12.00~~] \$15.00 per hour, effective January 1, [2023] 2027. Thereafter, the minimum wage established by this subsection shall be increased or decreased on January 1, [2024] 2028, and on January 1 of successive years, per the method set forth in subsection 2 of this section. If at any time the federal minimum wage rate is above or is thereafter increased above the minimum wage then in effect under this subsection, the minimum wage required by this subsection shall continue to be increased pursuant to this subsection 3, but the higher federal rate shall immediately become the minimum wage required by this subsection and shall be increased or decreased per the method set forth in subsection 2 for so long as it remains higher than the state minimum wage required and increased pursuant to this subsection.

4. For purposes of this section, the term "public employer" means an employer that is the state or a political subdivision of the state, including a department, agency, officer, bureau, division, board, commission, or instrumentality of the state, or a city, county, town, village, school district, or other political subdivision of the state. Subsection 3 of this section shall not apply to a public employer with respect to its employees. Any public employer that is subject to subsections 1 and 2 of this section shall continue to be subject to those subsections.

290.518. 1. Every employer shall provide employees who are to work for seven and one-half hours from the beginning of their shift a meal period of at least 30 continuous minutes. An employee who works in excess of seven and one-half hours shall be entitled to an additional 30 minute meal period for every additional seven and one-half hours worked. An employer shall schedule a meal period no earlier than two hours and no later than five hours from the beginning of a shift, and for employees entitled to a second meal period no earlier than two hours and no later than five hours from the beginning of the second period of seven and one-half hours worked.

2. Meal periods may be unpaid and not counted as time worked provided the employee is completely relieved of all duty. Meal periods shall be time worked and paid at the employee's regular rate of compensation when an employee is required to perform any duties, whether active or inactive, while taking the meal period. An employer is permitted to make the meal period on duty only when the nature of work or other circumstances exist that make it

infeasible for an employee to take a duty-free meal period. In such case, the employee shall be allowed to eat while on duty and shall be paid for the full 30 minutes on-duty meal period and further shall only be required to perform the limited duties during the meal period that make a fully duty-free meal period infeasible. It is the employer's burden to establish that a duty-free meal period is "infeasible" by demonstrating that the failure to provide a duty-free meal period was a business necessity, either because it was caused by exceptional and unanticipated circumstances that are temporary or because the provision of a duty-free meal period would prevent the employer from performing a vital function or pose a danger to the safety and health of other employees, patients, residents of a facility, service recipients of home and community-based services, clients, or the public.

3. If an employer fails to provide an employee a meal period in accordance with this section, the employer shall pay the employee an additional one hour of pay at the employee's regular rate of compensation for each shift that the meal period is not provided. There is a rebuttable presumption that an employee who did not take a meal period was not permitted to do so and that the employer failed to provide that employee a meal period in accordance with this section.

4. If an employer requires an employee to eat on premises, it shall provide a suitable place for that purpose, with adequate seating and tables.

5. This section shall not apply to a public employer, as defined in Section 290.502.4, with respect to its employees.

6. The provisions of this section shall become effective January 1, 2025.

290.519. 1. Every employer shall provide employees a rest break of at least 10 continuous minutes for each four hours worked or major fraction thereof, to be taken as near as practical to the midpoint of each work period of four hours worked or major fraction thereof. An employer need not provide a rest break to employees whose total daily work time is less than three and one-half hours.

2. An employer shall not require the employee to perform any work during a rest break. Employees shall receive rest breaks without deduction from wages and time on rest breaks shall be considered time worked. Rest breaks are in addition to any meal period to which an employee is entitled. An employer need not provide a duty-free rest break of 10 continuous minutes as near as practical to the midpoint of each work period of four hours worked or major fraction thereof only when the nature of work or other circumstances exist that make it infeasible. In such case, the employee shall be paid an extra 10 minutes of compensation at the employee's regular rate of compensation without being required to perform additional work for that time, for each rest break of 10 continuous minutes that an employee does not receive, and further the employee shall be permitted to use restroom facilities without unreasonable restriction. It is the employer's burden to establish that providing a duty-free rest break of 10 continuous minutes as near as practical to the midpoint of each work period of four hours worked or major fraction thereof is "infeasible" by demonstrating that the failure to provide such a rest break was a business necessity, either because it was caused by exceptional and unanticipated circumstances that are temporary or because the provision of a duty-free rest break would prevent the employer from performing a vital function or pose a danger to the safety and health of other employees, patients, residents of a facility, service recipients of home and community-based services, clients, or the public.

3. If an employer fails to provide an employee a rest break in accordance with the applicable provisions of this Section, the employer shall pay the employee an additional 30 minutes of pay at the employee's regular rate of compensation for each work period that a rest break is not provided. There is a rebuttable presumption that an employee who did not take a rest break was not permitted to do so and that the employer failed to provide that employee a rest break in accordance with this section.

4. This section shall not apply to a public employer, as defined in Section 290.502.4, with respect to its employees.

5. The provisions of this section shall become effective January 1, 2025.

290.522. Every employer subject to any provision of sections 290.500 to 290.530 or of any regulations issued under sections 290.500 to 290.530 shall keep a summary of sections 290.500 to 290.530, approved by the director, and copies of any applicable wage, meal period, and rest break regulations issued under sections 290.500 to 290.530, or a summary of the wage, meal period, and rest break regulations posted in a conspicuous and accessible place in or about the premises wherein any person subject thereto is employed. Employers shall be furnished copies of the summaries and regulations by the state on request without charge, except that the state may, but is not required to, furnish to employers copies of summaries and regulations relating to the provisions on meal periods and rest breaks without charge but regardless an employer shall keep a summary of those provisions posted consistent with this section.

290.525. Any employer who hinders the director in the performance of his duties in the enforcement of sections 290.500 to 290.530 by any of the following acts is guilty of a class C misdemeanor:

- (1) Refusing to admit the director to any place of employment;
- (2) Failing to make, keep and preserve any records as required under the provisions of sections 290.500 to 290.530;
- (3) Falsifying any record required under the provisions of sections 290.500 to 290.530;
- (4) Refusing to make any record required under the provisions of sections 290.500 to 290.530 accessible to the director;
- (5) Refusing to furnish a sworn statement of any record required under the provisions of sections 290.500 to 290.530 or any other information required for the proper enforcement of sections 290.500 to 290.530 to the director upon demand;
- (6) Failing to post a summary of sections 290.500 to 290.530 or a copy of any applicable regulation as required;
- (7) Discharging or in any other manner discriminating against any employee who has notified the director that he has not been paid wages in accordance with the provisions of sections 290.500 to 290.530, or who has caused to be instituted any proceeding under or related to sections 290.500 to 290.530, or who has testified or is about to testify in any such proceeding;
- (8) Paying or agreeing to pay wages at a rate less than the rate applicable under sections 290.500 to 290.530. Payment at such rate for any week or portion of a week constitutes a separate offense as to each employee;
- (9) Failing to provide meal periods and rest breaks in accordance with sections 290.500 to 290.530;
- ~~(9)~~ (10) Otherwise violating any provisions of sections 290.500 to 290.530.

Each day of violation constitutes a separate offense.

290.527. Any employer who pays any employee less wages than the wages to which the employee is entitled under or by virtue of sections 290.500 to 290.530 shall be liable to the employee affected for the full amount of the wage rate and an additional amount equal to twice the unpaid wages as liquidated damages, less any amount actually paid to the employee by the employer and for costs and such reasonable attorney fees as may be allowed by the court or jury. Any employer who fails to provide meal periods and rest breaks to an employee in accordance with sections 290.500 to 290.530 shall be liable to the employee for any additional wages for time worked if applicable, and in addition for the additional or extra pay due employees for failing to provide meal periods or rest breaks under section 290.518 and 290.519, respectively, and for costs and such reasonable attorney fees as may be allowed by the

court or jury. The employee may bring any legal action necessary to collect the claim. Any agreement between the employee and the employer to work for less than the wage rate or to relinquish requirements associated with meal periods and rest breaks shall be no defense to the action. All actions for the collection of any deficiency in wages or failure to provide meal periods or rest breaks in accordance with sections 290.500 to 290.530 shall be commenced within three years of the accrual of the cause of action.

290.530. Nothing in sections 290.500 to 290.530 shall be deemed to interfere with, impede, or in any way diminish the right of employees to bargain collectively with their employers through representatives of their own choosing in order to establish wages, meal periods, rest breaks, or other conditions of work in excess of the applicable minimum under the provisions of sections 290.500 to 290.530.

290.600. As used in sections 290.600 through 290.642:

(1) "Construction", includes construction, reconstruction, improvement, enlargement, alteration, painting and decorating, or major repair, and does not include maintenance.

(2) "Construction industry", includes any employer whose employees conduct or perform construction as a principal component of the employer's business or enterprise.

(3) "Department", Department of Labor and Industrial Relations.

(4) "Director", Director of the Department of Labor and Industrial Relations.

(5) "Domestic violence", as such term is defined in section 455.010.

(6) "Earned paid sick time", time that is compensated at the same hourly rate and with the same benefits, including health care benefits, as the employee normally earns during hours worked and is provided by an employer to an employee for the purposes described in section 290.606, but in no case shall this hourly amount be less than that provided under section 290.502.

(7) "Employee", any individual employed in this state by an employer, but does not include:

(A) Any individual engaged in the activities of an educational, charitable, religious, or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to the organization are on a voluntary basis;

(B) Any individual standing in loco parentis to foster children in their care;

(C) Any individual employed for less than four months in any year in a resident or day camp for children or youth, or any individual employed by an educational conference center operated by an educational, charitable or not-for-profit organization;

(D) Any individual engaged in the activities of an educational organization where employment by the organization is in lieu of the requirement that the individual pay the cost of tuition, housing or other educational fees of the organization or where earnings of the individual employed by the organization are credited toward the payment of the cost of tuition, housing or other educational fees of the organization;

(E) Any individual employed on or about a private residence on an occasional basis for six hours or less on each occasion;

(F) Any individual employed on a casual basis to provide baby-sitting services;

(G) Any individual employed by an employer subject to the provisions of part A of subtitle IV of title 49, United States Code, 49 U.S.C. §§ 10101 et seq.;

(H) Any individual employed on a casual or intermittent basis as a golf caddy, newsboy, or in a similar occupation;

(I) Any individual who is employed in any government position defined in 29 U.S.C. §§ 203(e)(2)(C)(i)-(ii);

(J) Any individual employed by a retail or service business whose annual gross volume sales made or business done is less than five hundred thousand dollars;

(K) Any individual who is an offender, as defined in section 217.010, who is incarcerated in any correctional facility operated by the department of corrections, including offenders who provide labor or services on the grounds of such correctional facility pursuant to section 217.550;

(L) Any individual described by the provisions of section 29 U.S.C. 213(a)(8); or

(M) Any individual employed in the construction industry and engaged in construction work, of fixed works, buildings, or structures or heavy and highway construction work, on the site of a building or construction job.

(8) "Employer", any person acting directly or indirectly in the interest of an employer in relation to an employee; provided, however, that for the purposes of sections 290.600 through 290.642 "employer" does not include the United States Government, the state, or a political subdivision of the state, including a department, agency, officer, bureau, division, board, commission, or instrumentality of the state, or a city, county, town, village, school district, public higher education institution, or other political subdivision of the state.

(9) "Family member", any of the following individuals:

(A) Regardless of age, a biological, adopted or foster child, stepchild or legal ward, a child of a domestic partner, a child to whom the employee stands in loco parentis, or an individual to whom the employee stood in loco parentis when the individual was a minor;

(B) A biological, foster, stepparent or adoptive parent or legal guardian of an employee or an employee's spouse or domestic partner or an individual who stood in loco parentis when the employee or employee's spouse or domestic partner was a minor child;

(C) An individual to whom the employee is legally married under the laws of any state, or a domestic partner who is registered as such under the laws of any state or political subdivision, or an individual with whom the employee is in a continuing social relationship of a romantic or intimate nature;

(D) A grandparent, grandchild, or sibling (whether of a biological, foster, adoptive or step relationship) of the employee or the employee's spouse or domestic partner; or

(E) A person for whom the employee is responsible for providing or arranging health or safety-related care, including but not limited to helping that individual obtain diagnostic, preventative, routine, or therapeutic health treatment or ensuring the person is safe following domestic violence, sexual assault, or stalking.

(10) "Health care professional," any individual licensed under federal or any state law to provide medical or emergency services, including but not limited to doctors, nurses, certified nurse midwives, mental health professionals, and emergency room personnel.

(11) "Person", any individual, partnership, association, corporation, business, business trust, legal representative, or any organized group of persons.

(12) "Retaliatory personnel action", denial of any right guaranteed under sections 290.600 through 290.642, or any threat, discharge, suspension, demotion, reduction of hours, or any other adverse action against an employee for the exercise of any right guaranteed herein. "Retaliatory personnel action" shall also include interference with or punishment for in any manner participating in or assisting an investigation, proceeding, or hearing under sections 290.600 through 290.642.

(13) "Same hourly rate", means the following:

(A) For employees paid on the basis of a single hourly rate, the same hourly rate shall be the employee's regular hourly rate.

(B) For employees who are paid multiple hourly rates of pay from the same employer, the same hourly rate shall be either:

(i) the wages the employee would have been paid for the hours absent during use of earned paid sick time if the employee had worked; or,

(ii) the weighted average of all hourly rates of pay during the previous pay period.

Whatever method the employer uses, the employer must use a consistent method for each employee throughout a year.

(C) For employees who are paid a salary, the same hourly rate shall be determined by dividing the wages the employee earns in the previous pay period by the total number of hours worked during the previous pay period. For determining total number of hours worked during the previous pay period, employees who are exempt from overtime requirements under 29 U.S.C. § 213(a)(1), the Fair Labor Standards Act, shall be assumed to work 40 hours in each work week unless their normal work week is less than 40 hours, in which case earned paid sick time shall accrue and the same hourly rate shall be calculated based on the employee's normal work week. Regardless of the basis used, the same hourly rate shall not be less than the effective minimum wage specified in section 290.502.

(D) For employees paid on a piece rate or a fee-for-service basis, the same hourly rate shall be a reasonable calculation of the wages or fees the employee would have received for the piece work, service, or part thereof, if the employee had worked. Regardless of the basis used, the same hourly rate shall not be less than the effective minimum wage specified in section 290.502.

(E) For employees who are paid on a commission basis (whether base wage plus commission or commission only), the same hourly rate shall be the greater of the base wage or the effective minimum wage specified in section 290.502.

(F) For employees who receive and retain compensation in the form of gratuities in addition to wages, the same hourly rate shall be the greater of the employee's regular hourly rate or 100% of the effective minimum wage specified in section 290.502 without deduction of any tips as a credit.

(14) "Sexual assault", as such term is defined in section 455.010.

(15) "Stalking", as such term is defined in section 455.010.

(16) "Year", a regular and consecutive twelve-month period as determined by the employer; except that for the purposes of section 290.615 and section 290.627, "year" shall mean a calendar year.

290.603. 1. Employees of an employer with fifteen or more employees shall accrue a minimum of one hour of earned paid sick time for every thirty hours worked, but such employees shall not be entitled to use more than fifty-six hours of earned paid sick time per year, unless the employer selects a higher limit.

2. Employees of an employer with fewer than fifteen employees shall accrue a minimum of one hour of earned paid sick time for every thirty hours worked, but such employees shall not be entitled to use more than forty hours of earned paid sick time per year, unless the employer selects a higher limit.

3. In determining the number of employees of an employer, all employees performing work in the state for an employer for compensation on a full-time, part-time, or temporary basis shall be counted. In situations in which the number of employees performing work in the state for an employer for compensation per week fluctuates above and below 15 employees per week over the course of a year, an employer is required to provide earned paid sick time pursuant to subsection (1) of this section if it maintained fifteen or more employees in the state on the payroll for some portion of a working day in each of twenty or more different calendar weeks, including any periods of leave, and whether or not the weeks were consecutive, in either the current or the preceding year (irrespective of whether the same individuals were in employment in each working day).

4. All employees shall accrue earned paid sick time as follows:

(A) Earned paid sick time as provided in this section shall begin to accrue at the commencement of employment or May 1, 2025, whichever is later. An employee shall be entitled to use earned paid sick time as it is accrued. An employer may provide all earned paid sick time that an employee is expected to accrue in a year at the beginning of the year.

(B) Employees who are exempt from overtime requirements under 29 U.S.C. § 213(a)(1) of the Federal Fair Labor Standards Act will be assumed to work forty hours in each work week for purposes of earned paid sick time accrual unless their normal work week is less than forty hours, in which case earned paid sick time accrues based upon that normal work week.

(C) Up to 80 hours of earned paid sick time shall be carried over to the following year if the employee has any unused accrued earned paid sick time at the end of the year, but this law does not require an employer to permit an employee to use more than the applicable number of hours of earned paid sick time per year as set forth in subsection (1) and (2) of this section. Alternatively, in lieu of carryover of unused earned paid sick time from one year to the next, an employer may pay an employee for unused earned paid sick time at the end of a year which could be carried over and provide the employee with an amount of paid sick time that meets or exceeds the requirements of sections 290.600 through 290.642 that is available for the employee's immediate use at the beginning of the subsequent year.

(D) If an employee is transferred to a separate division, entity, or location, but remains employed by the same employer, the employee is entitled to all earned paid sick time accrued at the prior division, entity, or location and is entitled to use all earned paid sick time as provided in this section. When there is a separation from employment and the employee is

rehired within nine months of separation by the same employer, previously accrued earned paid sick time that had not been used shall be reinstated. Further, the employee shall be entitled to use accrued earned paid sick time and accrue additional earned paid sick time at the re-commencement of employment.

(E) When a different employer succeeds or takes the place of an existing employer, all employees of the original employer who remain employed by the successor employer are entitled to all earned paid sick time they accrued when employed by the original employer, and are entitled to use earned paid sick time previously accrued.

(F) At its discretion, an employer may loan earned paid sick time to an employee in advance of accrual by such employee.

5. Any employer with a paid leave policy, such as a paid time off policy, who makes available an amount of paid leave sufficient to meet the accrual requirements of this section that may be used for the same purposes and under the same conditions as earned paid sick time under sections 290.600 through 290.642 is not required to provide additional paid sick time under this section.

6. Except as specifically provided in this section, nothing in this section shall be construed as requiring financial or other reimbursement to an employee from an employer upon the employee's termination, resignation, retirement, or other separation from employment for accrued earned paid sick time that has not been used.

7. Employees shall not accrue earned paid sick time before May 1, 2025. Employees who are employed or who commence employment on or after May 1, 2025 shall accrue earned paid sick time and be entitled to use earned paid sick time as it is accrued in accordance with sections 290.600 through 290.642. The Department may develop model posters and notices, engage in rule-making, initiate outreach programs, and engage in other activities for implementation of the provisions of sections 290.600 through 290.642 as authorized by those sections before May 1, 2025.

290.606. 1. Earned paid sick time shall be provided to an employee by an employer for:

(A) An employee's mental or physical illness, injury, or health condition; an employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; an employee's need for preventative medical care;

(B) Care of a family member with a mental or physical illness, injury, or health condition; care of a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; care of a family member who needs preventative medical care;

(C) Closure of the employee's place of business by order of a public official due to a public health emergency, or an employee's need to care for a child whose school or place of care has been closed by order of a public official due to a public health emergency, or care for oneself or a family member when it has been determined by the health authorities having jurisdiction or by a health care provider that the employee's or family member's presence in the community may jeopardize the health of others because of his or her exposure to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease; or

(D) Absence necessary due to domestic violence, sexual assault, or stalking, provided the leave is to allow the employee to obtain for the employee or the employee's family member:

(i) Medical attention needed to recover from physical or psychological injury or disability caused by domestic violence, sexual assault, or stalking;

(ii) Services from a victim services organization;

(iii) Psychological or other counseling;

(iv) Relocation or taking steps to secure an existing home due to the domestic violence, sexual assault, or stalking; or

(v) Legal services, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from the domestic violence, sexual assault, or stalking.

2. Earned paid sick time shall be provided upon the request of an employee. Such request may be made orally, in writing, by electronic means, or by any other means acceptable to the employer. When possible, the request shall include the expected duration of the absence.

3. When the use of earned paid sick time is foreseeable, the employee shall make a good faith effort to provide notice of the need for such time to the employer in advance of the use of the earned paid sick time and shall make a reasonable effort to schedule the use of earned paid sick

time in a manner that does not unduly disrupt the operations of the employer. Where such need is not foreseeable, an employer may require an employee to provide notice of the need for the use of earned paid sick time as soon as practicable.

4. An employer that requires notice of the need to use earned paid sick time where the need is not foreseeable shall provide a written policy that contains procedures for the employee to provide notice. An employer that has not provided to the employee a copy of its written policy for providing such notice shall not deny earned paid sick time to the employee based on non-compliance with such a policy.

5. An employer may not require, as a condition of an employee's taking earned paid sick time, that the employee search for or find a replacement worker to cover the hours during which the employee is using earned paid sick time.

6. Earned paid sick time may be used in the smaller of hourly increments or the smallest increment that the employer's payroll system uses to account for absences or use of other time.

7. For earned paid sick time of three or more consecutive work days, an employer may require reasonable documentation that the earned paid sick time has been used for a purpose covered by subsection (1) of this section.

(A) Documentation signed by a health care professional indicating that earned paid sick time is necessary shall be considered reasonable documentation for purposes of this section.

(B) In cases of domestic violence, sexual assault, or stalking, if the employer requests, one of the following types of documentation selected by the employee shall be considered reasonable documentation: (i) a police report indicating that the employee or the employee's family member was a victim of domestic violence, sexual assault, or stalking; (ii) a written statement from an employee or agent of a victim service provider affirming that the employee or employee's family member is or was receiving services from a victim service provider; (iii) documentation signed by a health care professional from whom the employee or employee's family member sought assistance relating to domestic violence, sexual assault, or stalking or the effects thereof; (iv) a court document indicating that an employee or employee's family member is or was involved in a legal action related to domestic violence, sexual assault, or stalking; or (v) a written statement from the employee affirming that the employee or employee's family member is taking or took earned paid sick time for a qualifying purpose of subsection (1) of this section.

(C) An employer may not require that the documentation explain the nature of the illness, details of the underlying health needs, or the details of the domestic violence, sexual assault, or stalking, unless otherwise required by law.

290.609. 1. It shall be unlawful for an employer or any other person to interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right protected under sections 290.600 through 290.642.

2. An employer shall not take retaliatory personnel action or discriminate against an employee or former employee because the individual has exercised rights protected under sections 290.600 through 290.642. Such rights include, but are not limited to, the right to request or use earned paid sick time pursuant to sections 290.600 through 290.642; the right to file a complaint or inform any person about any employer's alleged violation of sections 290.600 through 290.642; the right to participate in any investigation, hearing, or proceeding or cooperate with or assist the Department in any investigations of alleged violations of sections 290.600 through 290.642; and the right to inform any person of his or her potential rights under sections 290.600 through 290.642.

3. It shall be unlawful for an employer's absence control policy to count earned paid sick time taken under sections 290.600 through 290.642 as an absence that may lead to or result in discipline, discharge, demotion, suspension, or any other adverse action.

4. Protections of this section shall apply to any individual who mistakenly but in good faith alleges violations of sections 290.600 through 290.642.

290.612. 1. Employers shall give employees a written notice about earned paid sick time within fourteen calendar days of the commencement of employment or on April 15, 2025, whichever is later, which must include the following information: (1) beginning May 1, 2025, employees accrue and are entitled to earned paid sick time at the rate one hour of earned paid sick time for every 30 hours of work, and may use earned paid sick time, subject to the limits and terms under sections 290.600 through 290.642 of Missouri law, (2) it is prohibited for an employer to

take retaliatory personnel action against employees who request or use earned paid sick time as allowed by law, (3) each employee has the right to bring a civil action if earned paid sick time as required by sections 290.600 through 290.642 is denied by the employer or the employee is subjected to retaliatory personnel action by the employer for exercising the employee's rights under sections 290.600 through 290.642; and, (4) the contact information for the Department. Notice shall be provided by the Employer to the employee on a single piece of paper, at least 8.5 x 11, in no less than 14-point font.

2. Beginning April 15, 2025, employers shall display a poster that contains the information required in subsection (1) of this section in a conspicuous and accessible place in each establishment where such employees are employed, provided that such poster has been made available by the Department.

3. The Department may create and make available to employers, model notices and posters that contain the information required under subsection (1) of this section for employers' use in complying with subsections (1) and (2) of this section. Nothing in this subsection shall be interpreted or applied, either expressly or through practical necessity, to require the Department to create or make available notices or posters if it requires the appropriation of funds to cover the costs of such acts.

290.615. 1. Employers shall retain records documenting hours worked by employees and earned paid sick time taken by employees, for a period of not less than three years, and shall allow the Department access to such records, with appropriate notice and at a mutually agreeable time, to monitor compliance with the requirements of sections 290.600 through 290.642.

2. To the extent permitted by law, the Director may inspect such records, and the records shall be open for inspection by the Director by appointment. Where the records required under this section are kept outside the state, the records shall be made available to the Director upon demand. Every such employer shall furnish to the Director on demand a sworn statement of time records and information upon forms prescribed or approved by the Director. All the records and information obtained by the Department are confidential and shall be disclosed only on order of a court of competent jurisdiction.

3. Nothing in this section shall be interpreted or applied, either expressly or through practical necessity, to require the Department or Director to access or inspect records or to create forms relating to the inspection of records if it requires the appropriation of funds to cover the costs of such acts.

290.618. 1. The Department may, in accordance with chapter 536, promulgate rules for the implementation, enforcement, and administration of sections 290.600 through 290.642. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after November 5, 2024, shall be invalid and void.

2. Nothing in this section shall be interpreted or applied, either expressly or through practical necessity, to require the promulgation or adoption of rules if it requires the appropriation of funds to cover the costs of such acts.

290.621. 1. The Department may investigate and ascertain compliance with sections 290.600 through 290.642, establish and implement a system to receive complaints regarding non-compliance with sections 290.600 through 290.642 and to investigate and attempt to resolve complaints between the complainant and the subject of the complaint, and establish additional means of enforcement, including requiring by subpoena the testimony of witnesses and production of books, records, and other evidence relative to any matter under investigation or hearing, issuing notices of violation, holding hearings on notices of violation, making determinations, recovering unpaid earned sick time, and imposing fines for willful violations of up to \$500 per day of each day of a continuing violation. A final decision of the department is subject to review in accordance with the provisions of chapter 536.

2. The Department may develop and implement an outreach program to inform employees, parents, and persons who are under the care of a health care provider about the availability of earned paid sick time under sections 290.600 through 290.642. This program may include the

distribution of notices and other written materials to child care and elder care providers, domestic violence shelters, schools, hospitals, community health centers and other health care providers in Missouri.

3. A municipality, county, city, town, or village may adopt ordinances, rules, and regulations to investigate and ascertain compliance with sections 290.600 through 290.642, establish and implement a system to receive complaints regarding non-compliance with sections 290.600 through 290.642 and to investigate and attempt to resolve complaints between the complainant and the subject of the complaint, and establish additional means of enforcement, with respect to employers within, or employees performing work while physically present in, the geographic boundaries of the municipality, county, city, town, or village. Any such ordinance, rule, or regulation shall be consistent with this law and any Department rules or regulations and system for compliance and enforcement. The municipality, county, city, town, or village may exercise such powers as allowed by any applicable charter or ordinance, including requiring by subpoena the testimony of witnesses and production of books, records, and other evidence relative to any matter under investigation or hearing, issuing notices of violation, holding hearings on notices of violation, making determinations, recovering unpaid earned sick time, and imposing fines for willful violations of up to the maximum allowed for an ordinance violation. Before investigating or seeking to resolve any complaint between the complainant and the subject of the complaint, the municipality, county, city, town, or village shall give notice to the Department with a copy of the complaint and, within 14 days of such notice, the Department may intervene as of right and participate in the matter to ensure that the complaint is being investigated and resolved in the interest of effective enforcement of sections 290.600 through 290.642 or, alternatively, the Department may institute its own proceedings in which case the municipality, county, city, town, or village shall refrain from acting on the matter so long as the complaint is being investigated and resolved in the interest of effective enforcement of sections 290.600 through 290.642. If the Department does not, within 14 days, intervene or instigate its own proceedings, the municipality, county, city, town, or village may, without the Department, investigate and attempt to resolve the complaint and take other additional means within its power to enforce sections 290.600 through 290.642 against the subject of the complaint. In no event shall an employer be subject to compliance proceedings arising out of a single set of facts after having already been subjected to a final compliance order by another governmental entity.

4. Nothing in this section shall be interpreted or applied, either expressly or through practical necessity, to require the Department, a municipality, county, city, town, or village to conduct investigations and ascertain compliance with sections 290.600 through 290.642, to establish and implement a system to receive or resolve complaints, to establish additional means of enforcement, or to conduct outreach and education, including the creation of notices and other written materials, concerning sections 290.600 through 290.642, if it requires the appropriation of funds to cover the costs of such acts.

290.624. 1. Any employer who willfully violates or fails to comply with any of the provisions and requirements of sections 290.600 through 290.642 shall be guilty of a class C misdemeanor; provided, however, that an employer who willfully violates the notice and posting requirements of section 290.612 shall be guilty of an infraction.

2. For purposes of this section, each day of violation or failure to comply and each employee affected shall constitute a separate offense.

290.627. 1. Any individual who claims to have been aggrieved by a failure of an employer to comply with any portion of sections 290.600 through 290.642, including but not limited to the failure to provide earned paid sick time or to allow employees to use such time consistent with sections 290.600 through 290.642, or who claims to have suffered a retaliatory personnel action, shall have a right of action and may commence a civil action in the appropriate court of jurisdiction within three years of the accrual of the cause of action, to obtain appropriate relief with respect to such unlawful violation. Such action may be brought without first filing an administrative complaint.

2. In a civil action under this section, if the court finds a violation has occurred, the court may grant as relief, as it deems appropriate and to the extent permitted by law, any permanent or temporary injunction, the full amount of any unpaid earned sick time plus any actual damages suffered as the result of the employer's violation of sections 290.600 through 290.642, an additional amount equal to twice any unpaid earned sick time as liquidated damages, costs, and reasonable attorney's fees as may be allowed by the court, and other legal or equitable relief as

may be appropriate to remedy the violation, including, without limitation, reinstatement to employment and back pay.

290.630. 1. Except as otherwise required by law, an employer may not require disclosure of details relating to an employee's or an employee's family member's health information, domestic violence, sexual assault, or stalking as a condition of providing earned paid sick time under sections 290.600 through 290.642.

2. Unless as otherwise required by law, any health or safety information possessed by an employer regarding an employee or employee's family member must:

(A) be maintained on a separate form and in a separate file from other personnel information;

(B) be treated as confidential medical records; and

(C) not be disclosed except to the affected employee or with the express written permission of the affected employee.

290.633. 1. With respect to employees covered by a valid collective bargaining agreement in effect on November 5, 2024, no provisions of sections 290.600 through 290.642 shall apply until the stated expiration date in the collective bargaining agreement; however, further the provisions of sections 290.600 through 290.642 shall apply upon any such agreement's renewal, extension, amendment, or modification in any respect after November 5, 2024.

2. Nothing in sections 290.600 through 290.642 shall be deemed to interfere, impede, or otherwise diminish the right of employees to bargain collectively through representatives of their own choosing in order to establish earned paid sick time or other conditions of work in excess of the applicable minimum standards under the provisions of sections 290.600 through 290.642.

3. Any waiver by an employee of rights under sections 290.600 through 290.642 shall be deemed contrary to public policy and shall be void.

290.636. 1. Nothing in sections 290.600 through 290.642 shall be construed to discourage or prohibit an employer from the adoption or retention of an earned paid sick time policy more generous than the one required herein.

2. Nothing in sections 290.600 through 290.642 shall be construed as diminishing the obligation of an employer to comply with any contract, collective bargaining agreement, employment benefit plan, or other agreement providing more generous paid sick time to an employee than required herein. Nothing in sections 290.600 through 290.642 shall be construed as diminishing the rights of public employees regarding paid sick time or use of paid sick time as provided in the laws of Missouri and ordinances of political subdivisions pertaining to public employees.

290.639. 1. Sections 290.600 through 290.642 provide minimum requirements pertaining to earned paid sick time and shall not be construed to preempt, limit, or otherwise affect the applicability of any other law, regulation, requirement, policy, or standard that provides for greater accrual or use by employees of earned paid sick time or that extends other protections to employees.

2. Nothing in sections 290.600 through 290.642 shall be interpreted or applied to create a power or obligation contrary to any federal law, rule, or regulation.

290.642. Except as detailed in section 290.618, all of the provisions of sections 290.600 through 290.642 are severable, and if any provision, including any section, subsection, subdivision, paragraph, sentence, or clause, or the application thereof to any person or circumstance, is found by a court of competent jurisdiction to be invalid, unconstitutional, or unconstitutionally enacted, such decision shall not affect other provisions or applications of sections 290.600 through 290.642 that can be given effect without the invalid, unconstitutional, or unconstitutionally enacted provision or application, and to this end the provisions of sections 290.600 through 290.642 are declared severable.