

County: _____

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.

Page No: _____

INITIATIVE PETITION

To the Honorable Denny Hoskins, Secretary of State for the state of Missouri:

We, the undersigned, registered voters of the state of Missouri and _____ County (or City of St. Louis), respectfully order that the following proposed amendment to the constitution 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 3rd day of November, 2026, 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.

[OFFICIAL BALLOT TITLE]

CIRCULATOR'S AFFIDAVIT

STATE OF MISSOURI, COUNTY OF _____, I, _____ being first duly sworn, say (print names of signers)

NAME (Signature)	DATE Signed	REGISTERED VOTING ADDRESS (Number)(Street), (City, Town Or Village)	ZIP CODE	CONG. DIST.	NAME (Printed or Typed)
1.					
2.					
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Denny Hoskins

MO. SEC. OF STATE

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: _____

Subscribed and sworn to before me this _____ day of _____, 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 resolved by the people of the state of Missouri that the Constitution be amended:

Section A. Article I of the Constitution is revised by adopting one new Section to be known as Article I, Section 37 to read as follows:

Section 37.1. This Section shall be known as the "Economic Rights Amendment."

2. Definitions. For purposes of this Section, the following terms shall have the following definitions:

- (1) "Agriculture", farming and all its branches including, but not limited to, the cultivation and tillage of the soil, dairying, the production, cultivation, growing and harvesting of any agricultural commodities, the raising of livestock, fish and other marine life, bees, fur-bearing animals or poultry and any practices performed by a farmer or on a farm as an incident to or in conjunction with farming operations, including preparation for market, delivery to storage or to market or to carriers for transportation to market.
- (2) "Department", Department of Labor and Industrial Relations.
- (3) "Director", the director of the department of labor and industrial relations or his authorized representative.
- (4) "Domestic violence", as such term is defined in section 455.010 or any successor statute.
- (5) "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 subsection 4(2), but in no case shall this hourly amount be less than that provided under subsection 3.
- (6) "Employee", any individual employed in this state by an employer.
- (7) "Employer", any person acting directly or indirectly in the interest of an employer in relation to an employee, or a successor thereof. More than one entity may be the "employer" if employment by one employer is not completely disassociated from employment by the other employer.
- (8) "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.
- (9) "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.

- (10) "Person", any individual, partnership, association, corporation, business, business trust, legal representative, or any organized group of persons.
- (11) "Public employer", an employer that is 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
- (12) "Retaliatory personnel action", denial of any right guaranteed under this Section, 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 this Section.
- (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 earned 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 subsection 3.
 - (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 subsection 3.
 - (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 subsection 3.
 - (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 subsection 3 without deduction of any tips as a credit.
- (14) "Sexual assault", as such term is defined in section 455.010 or successor statute.
- (15) "Stalking", as such term is defined in section 455.010 or successor statute.

- (16) "Wage", compensation due to an employee by reason of his employment, payable in legal tender of the United States or checks on banks convertible into cash on demand at full face value.
- (17) "Year", a regular and consecutive twelve-month period as determined by the employer; except that for the purposes of subsections 3(2) and 3(7) and subsection 7, "year" shall mean a calendar year.

3. Minimum Wage

- (1) Minimum Wage Rate. Except as may be otherwise provided in this subsection 3, effective January 1, 2027, every employer shall pay to each employee wages at the rate of not less than \$15.00 per hour (subject to the cost of living adjustment described in this subsection), or wages at not less 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. The rate of \$15.00 per hour shall be adjusted on January 1, 2027 by any increase or decrease in the cost of living by the method described in subparagraph (2). Thereafter, the most recent rate in effect will continue to be adjusted on January 1 of each successive year by any increase or decrease in the cost of living by the method described in subparagraph (2).
- (2) Cost of Living Adjustment to Rate Each Year. In order to calculate the increase or decrease in the cost of living, on December 11, 2026, and thereafter on September 30, 2027, and on 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) Effect of Increase in Federal Minimum Wage. 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 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 sub-paragraph (2) of this subsection 3 for so long as it remains higher than the minimum wage required and increased pursuant to this subsection.
- (4) Gratuities and Goods and Services.
- (a) No employer of any employee who receives and retains compensation in the form of gratuities in addition to wages is required to pay wages in excess of fifty percent of the minimum wage rate specified in this subsection, however, total compensation for such employee shall total at least the minimum wage specified in this subsection, the difference being made up by the employer.
- (b) If an employee receives and retains compensation in the form of goods or services as an incident of his employment and if he is not required to exercise any discretion in order to receive the goods or services, the employer is required to pay only the difference between the fair market value of the goods and services and the minimum wage otherwise required to be paid by this subsection. The fair market value of the goods and services shall be computed on a weekly basis.
- (5) Employee Exemptions. The provisions of this subsection 3 shall not apply with respect to:
- (a) Any individual employed in a bona fide executive, administrative, or professional capacity;
- (b) 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;
- (c) Any individual standing in loco parentis to foster children in their care;

- (d) 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;
 - (e) 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;
 - (f) Any individual employed on or about a private residence on an occasional basis for six hours or less on each occasion;
 - (g) Any handicapped person employed in a sheltered workshop, certified by the department of elementary and secondary education;
 - (h) Any person employed on a casual basis to provide baby-sitting services;
 - (i) 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.;
 - (j) Any individual employed on a casual or intermittent basis as a golf caddy, newsboy, or in a similar occupation;
 - (k) Any individual whose earnings are derived in whole or in part from sales commissions and whose hours and places of employment are not substantially controlled by the employer;
 - (l) Any individual who is employed in any government position defined in 29 U.S.C. §§ 203(e)(2)(C)(i)-(ii);
 - (m) 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;
 - (n) Any individual who is an offender, as defined in section 217.010 or any successor statute, 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 or any successor statute; and
 - (o) Any individual described by the provisions of section 29 U.S.C. 213(a) (8).
- (6) Public Employer Exemption. The requirements of this subsection shall not apply to a public employer with respect to its employees.
- (7) Agricultural Exemption.
- (a) This subsection shall not apply to any employee or employer engaged in agriculture, as defined in this Section (A) if such employee is employed by an employer who did not, during any calendar quarter during the preceding calendar year, use more than five hundred person-days of agriculture labor, (B) if such employee is the parent, spouse, child, or other member of his employer's immediate family, (C) if such employee (i) is employed as a hand harvest laborer and is paid on a piece rate basis in an operation which has been, and is customarily and generally recognized as having been, paid on a piece rate basis in the region of employment, (ii) commutes daily from his permanent residence to the farm on which he is so employed, and (iii) has been employed in agriculture less than thirteen weeks during the preceding calendar year, (D) if such employee (other than an employee described in clause (C) of this sub-paragraph) (i) is sixteen years of age or under and is employed as a hand harvest laborer, is paid on a piece rate basis in an operation which has been, and is customarily and generally recognized as having been, paid on a piece rate basis in the region of employment, (ii) is employed on the same farm as his parent or person standing in the place of his parent, and (iii) is paid at the same piece rate as employees over age sixteen are paid on the same farm, or (E) if such employee is principally engaged in the range production of livestock.

- (b) For purposes of this sub-paragraph, "person-day" means any day during which an employee performs any agricultural labor for not less than one hour.
- (8) Power to Provide for a Higher Minimum Wage by State Statute.
- (a) The general assembly or the people by statutory initiative may enact a state minimum wage rate higher than the rate set forth in this subsection, including for employees covered or exempted under this subsection, and in such case that higher rate shall be increased or decreased per the method set forth in sub-paragraph (2) of this subsection 3 for so long as it remains higher than the minimum wage required and increased pursuant to this subsection.
- (b) No law passed by the general assembly or the people by statutory initiative shall set or permit a minimum wage rate lower than the any rate required by this subsection or expand or add to the exemptions set forth in this subsection.
- (9) Physically or Mentally Disabled Employees. After a public hearing at which any person may be heard, the director shall have the authority to provide by regulation for the employment in any occupation of individuals whose earning capacity is impaired by physical or mental disability at wages lower than the wage rate applicable under this subsection. The individuals shall be employed as the director finds appropriate to prevent curtailment of opportunities for employment, to avoid undue hardship, and to safeguard the wage rate applicable under this subsection, except that no individual who maintains a production level within the limits required of other employees shall be paid less than the wage rate applicable under this subsection. Employees affected or their guardians shall be given reasonable notice of this hearing.
- (10) Learners and Apprentices. After a public hearing of which individual employees affected must be given reasonable notice, the director shall have the authority to provide by regulation for the employment in any occupation, at wages lower than the wage rate applicable under this subsection, of such learners and apprentices as he finds appropriate to prevent curtailment of opportunities for employment. Such wage rate for learners and apprentices shall be not less than 90 cents less than the minimum wage established by this subsection. At no time may this provision be used for the purpose of evading the spirit and meaning of this subsection.

4. Paid Sick Leave

(1) Accrual of Earned Paid Sick Time

- (a) 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. As an alternative to the accrual of paid earned sick leave, an employer may provide an employee not less than fifty-six hours of earned paid sick time at the beginning of a year, including at the commencement of employment, for immediate use during the year, and such employer if and only if it uses this alternative is not required by this subsection to provide more than fifty-six hours of earned paid sick time for the year regardless of the number of hours worked by the employee.
- (b) 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. As an alternative to the accrual of paid earned sick leave, an employer may provide an employee not less than forty hours of earned paid sick time at the beginning of a year, including at the commencement of employment, for immediate use during the year, and such employer if and only if it uses this alternative is not required by this subsection to provide more than 40 hours of earned paid sick time for the year regardless of the number of hours worked by the employee.

- (c) In determining the number of employees of an employer for sub-paragraphs (1)(a) and (b) of this subsection 4, 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 sub-paragraph (1)(a) of this subsection 4 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).
- (d) All employees shall accrue earned paid sick time as follows:
- i. Earned paid sick time as provided in this subsection shall begin to accrue at the commencement of employment or February 1, 2027, 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 in a year at the beginning of the year pursuant to sub-paragraphs (1)(a) and (1)(b).
 - ii. 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.
 - iii. 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 sub-paragraphs (1)(a) and (1)(b) of this subsection 4. 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 this subsection that is available for the employee's immediate use at the beginning of the subsequent year. For an employer that provides earned paid sick time at the beginning of a year as described in sub-paragraphs (1)(a) and (1)(b) of this subsection 4, the employer is not required to allow the employee to carry over any unused accrued earned paid sick time and the employer is not required to pay the employee for unused earned paid sick time at the end of the year which could be carried over so long as the employer provides the employee not less than the required number of hours of earned paid sick time as set forth in sub-paragraphs (1)(a) and (1)(b) of this subsection 4 at the beginning of the subsequent year for immediate use.
 - iv. 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 subsection. 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.
 - v. 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.
 - vi. At its discretion, an employer may loan earned paid sick time to an employee in advance of accrual by such employee.

- (e) Employer's Paid Leave Policy. 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 sub-paragraphs (1)(a) and (1)(b) of this subsection 4 that may be used for the same purposes and under the same conditions as earned paid sick time under this subsection is not required to provide additional paid sick time under this section.
- (f) Employee Termination and Separation. Except as specifically provided in this subsection, nothing in this subsection 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.
- (g) Commencement. Employees shall not accrue earned paid sick time before February 1, 2027. Employees who are employed or who commence employment on or after February 1, 2027 shall accrue earned paid sick time and be entitled to use earned paid sick time as it is accrued in accordance with this subsection.

(2) Use of Earned Paid Sick Time

- (a) Earned paid sick time shall be provided to an employee by an employer for:
 - i. 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;
 - ii. 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;
 - iii. 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
 - iv. 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:
 - 1. Medical attention needed to recover from physical or psychological injury or disability caused by domestic violence, sexual assault, or stalking;
 - 2. Services from a victim services organization;
 - 3. Psychological or other counseling;
 - 4. Relocation or taking steps to secure an existing home due to the domestic violence, sexual assault, or stalking; or
 - 5. 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.
- (b) 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.
- (c) 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.

- (d) 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.
- (e) 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.
- (f) 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.
- (g) 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 sub-paragraph (2)(a) of this subsection 4.

 - i. Documentation signed by a health care professional indicating that earned paid sick time is necessary shall be considered reasonable documentation for purposes of this subsection.
 - ii. 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 sub-paragraph (2)(a).
 - iii. 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.
- (3) Absence and Use of Earned Paid Sick Time. It shall be unlawful for an employer's absence control policy to count earned paid sick time taken under this subsection 4 as an absence that may lead to or result in discipline, discharge, demotion, suspension, or any other adverse action.
- (4) Confidentiality of Health Information.

 - (a) 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 this subsection.
 - (b) Unless as otherwise required by law, any health or safety information possessed by an employer regarding an employee or employee's family member must:

 - i. be maintained on a separate form and in a separate file from other personnel information;

- ii. be treated as confidential medical records; and
- iii. not be disclosed except to the affected employee or with the express written permission of the affected employee.

(5) Employee Exemptions. The provisions of this subsection 4 shall not apply with respect to:

- (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 employee of an employer while engaged in the operation of a vessel that is documented by the United States under 46 U.S.C. Section 12105;
- (l) Any individual who is an offender, as defined in section 217.010 or successor statute, 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 or successor statute; or,
- (m) Any individual described by the provisions of section 29 U.S.C. 213(a)(8).

(6) Public Employer Exemption. The requirements of this subsection shall not apply to a public employer with respect to its employees.

(7) Power to Provide for More Paid Sick Leave by State Statute.

- (a) The general assembly or the people by statutory initiative may enact earned paid sick time that accrues faster or to higher amounts than the rates and amounts set forth in this subsection or that may be used for additional purposes or under more generous circumstances than under this subsection, including for employees covered or exempted by this subsection, and in addition may enact unpaid sick leave in addition to and that supplements the earned paid sick time under this subsection.

(b) No law passed by the general assembly or the people by statutory initiative shall reduce the earned paid sick leave under this subsection, or limit the purposes or conditions of use as allowed by this subsection, or expand or add to the exemptions set forth in this subsection.

(8) Effect of Any Federal Law on Paid Sick Leave. In the event Congress passes earned paid sick leave, the requirements of the subsection shall continue to apply, except to the extent the earned paid sick leave under federal law is greater or more generous, in which case to that extent federal law shall apply.

5. Non-Retaliation.

(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 this Section.

(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 this Section. Such rights include, but are not limited to, the right to be paid the minimum wage under subsection 3, the right to request or use earned paid sick time pursuant to subsection 4, the right to file a complaint or inform any person about any employer's alleged violation of subsections 3 and 4; the right to participate in any investigation, hearing, or proceeding or cooperate with or assist the Department in any investigations of alleged violations of this Section; and the right to inform any person of his or her potential rights under this Section.

(3) Protections of this Section shall apply to any individual who mistakenly but in good faith alleges violations of this Section.

6. Enforcement by the Department of Labor. The Department may investigate and ascertain compliance with this Section, establish and implement a system to receive complaints regarding non-compliance with this Section 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 wages and 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 or successor law.

7. Right of Action

(1) Any individual who claims to have been aggrieved by a failure of an employer to comply with any portion of this Section, including but not limited to the failure to pay the minimum wage required by subsection 3, the failure to provide earned paid sick time or to allow employees to use such time consistent with subsection 4, 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. Any agreement between the employee and the employer to work for less than the wage rate or to receive less than the earned paid sick time under this Section shall be no defense to the action.

(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 wages, any unpaid earned sick time, plus any actual damages suffered as the result of the employer's violation of this Section, an additional amount equal to twice any unpaid wages and 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.

8. Rule-Making. In carrying out this Section, the Department shall have the authority and may, in accordance with chapter 536, promulgate rules for the implementation, enforcement, and administration of this Section.

9. Effect of Collective Bargaining Agreements.

(1) Nothing in this Section 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 wages, paid sick leave, or other conditions of work in excess of the applicable minimum standards under the provisions of this Section.

(2) With respect to employees covered by a valid collective bargaining agreement in effect on November 3, 2026, no provisions of subsection 4 on earned paid sick time shall apply until the stated expiration date in the collective bargaining agreement; however, further the provisions of that subsection shall apply upon any such agreement's renewal, extension, amendment, or modification in any respect after November 3, 2026.

10. Waivers are Void. Any waiver by an employee of standards or rights under this Section shall be deemed contrary to public policy and shall be void.

11. More Generous Standards.

(1) Nothing in this Section shall be construed to discourage or prohibit an employer from the adoption or retention of terms and conditions more generous than the ones required herein.

(2) Nothing in this Section 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 standards to an employee than required herein.

12. Consistency with Federal Law. Nothing in this Section shall be interpreted or applied to create a power or obligation contrary to any federal law, rule, or regulation.

13. Local Control.

(1) Notwithstanding any provision of this Constitution or state law to the contrary, any county of any population and any city, municipality, town, or village with over 10,000 persons in population, whether or not a charter county or charter city, shall have the power to enact and enforce ordinances and regulations which establish and enforce standards or requirements within its geographic boundaries for:

(a) provision of a minimum wage or living wage at the same rate or higher than, but not less than, any in this Constitution, state law or regulation, including for employees covered or exempted under subsection 3; or

(b) provision of minimum paid or unpaid days off or leave from work for sickness or illness, vacation, or personal or familial necessity that are equal to or exceed, but are not less generous than, any in this Constitution, state law or regulation, including for employees covered or exempted under subsection 4;

provided, however, such an ordinance and regulation enacted under the grant of power of this subsection shall not apply to employees of the United States, this state, or another political subdivision.

(2) No provision of this Section of the Constitution, and no state law or state regulation currently in effect or later enacted or promulgated shall, either expressly or impliedly, restrict or prohibit any county of any population and any city, municipality, town, or village with over 10,000 persons in population, whether or not a charter county or city, from enacting and enforcing ordinances and regulations authorized by this subsection or act to preempt or nullify such ordinances and regulations relating to the establishment or enforcement of standards or requirements as permitted in this subsection.

14. Severability. All of the provisions of this Section are severable, and if any provision, including any subsection, sub-paragraph, subdivision, 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 this Section that can be given effect without the invalid, unconstitutional, or unconstitutionally enacted provision or application, and to this end the provisions of this Section are declared severable.