

FIRST REGULAR SESSION

HOUSE BILL NO. 567

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GALLICK.

1616H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 290.603 and 290.612, RSMo, and to enact in lieu thereof two new sections relating to paid sick leave for certain employees.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 290.603 and 290.612, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 290.603 and 290.612, to read as follows:

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

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

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

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 consecutive, in either the current or the preceding year (irrespective of whether the same
18 individuals were in employment in each working day).

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

20 (1) Earned paid sick time as provided in this section shall begin to accrue at the
21 commencement of employment or ~~[May 1, 2025]~~ **January 1, 2026**, whichever is later. An
22 employee shall be entitled to use earned paid sick time as it is accrued. An employer may
23 provide all earned paid sick time that an employee is expected to accrue in a year at the
24 beginning of the year;

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

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

38 (4) If an employee is transferred to a separate division, entity, or location, but remains
39 employed by the same employer, the employee is entitled to all earned paid sick time accrued
40 at the prior division, entity, or location and is entitled to use all earned paid sick time as
41 provided in this section. When there is a separation from employment and the employee is
42 rehired within nine months of separation by the same employer, previously accrued earned
43 paid sick time that had not been used shall be reinstated. Further, the employee shall be
44 entitled to use accrued earned paid sick time and accrue additional earned paid sick time at the
45 recommencement of employment;

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

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

52 5. Any employer with a paid leave policy, such as a paid time off policy, who makes
53 available an amount of paid leave sufficient to meet the accrual requirements of this section

54 that may be used for the same purposes and under the same conditions as earned paid sick
55 time under sections 290.600 through 290.642 is not required to provide additional paid sick
56 time under this section.

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

61 7. Employees shall not accrue earned paid sick time before ~~[May 1, 2025]~~ **January 1,**
62 **2026.** Employees who are employed or who commence employment on or after ~~[May 1,~~
63 ~~2025]~~ **January 1, 2026,** shall accrue earned paid sick time and be entitled to use earned paid
64 sick time as it is accrued in accordance with sections 290.600 through 290.642. The
65 department may develop model posters and notices, engage in rulemaking, initiate outreach
66 programs, and engage in other activities for implementation of the provisions of sections
67 290.600 through 290.642 as authorized by those sections before ~~[May 1, 2025]~~ **January 1,**
68 **2026.**

290.612. 1. Employers shall give employees a written notice about earned paid sick
2 time within fourteen calendar days of the commencement of employment or on ~~[April 15,~~
3 ~~2025]~~ **December 15, 2025,** whichever is later, which must include the following information:
4 (1) beginning ~~[May 1, 2025]~~ **January 1, 2026,** employees accrue and are entitled to earned
5 paid sick time at the rate one hour of earned paid sick time for every thirty hours of work, and
6 may use earned paid sick time, subject to the limits and terms under sections 290.600 through
7 290.642 of Missouri law, (2) it is prohibited for an employer to take retaliatory personnel
8 action against employees who request or use earned paid sick time as allowed by law, (3) each
9 employee has the right to bring a civil action if earned paid sick time as required by sections
10 290.600 through 290.642 is denied by the employer or the employee is subjected to retaliatory
11 personnel action by the employer for exercising the employee's rights under sections 290.600
12 through 290.642; and, (4) the contact information for the department. Notice shall be
13 provided by the employer to the employee on a single piece of paper, at least 8.5 x 11, in no
14 less than 14-point font.

15 2. Beginning ~~[April 15, 2025]~~ **December 15, 2025,** employers shall display a poster
16 that contains the information required in subsection 1 of this section in a conspicuous and
17 accessible place in each establishment where such employees are employed, provided that
18 such poster has been made available by the department.

19 3. The department may create and make available to employers, model notices and
20 posters that contain the information required under subsection 1 of this section for employers'
21 use in complying with subsections 1 and 2 of this section. Nothing in this subsection shall be
22 interpreted or applied, either expressly or through practical necessity, to require the

23 department to create or make available notices or posters if it requires the appropriation of
24 funds to cover the costs of such acts.

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