

SENATE BILL NO. 750

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR MCCREERY.

2862S.01H

KRISTINA MARTIN, Secretary

AN ACT

To repeal sections 290.609, 290.612, 290.615, 290.621, 290.627, 290.630, 290.633, 290.636, and 290.639, RSMo, and to enact in lieu thereof ten new sections relating to leave from employment.

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

Section A. Sections 290.609, 290.612, 290.615, 290.621,
2 290.627, 290.630, 290.633, 290.636, and 290.639, RSMo, are
3 repealed and ten new sections enacted in lieu thereof, to be
4 known as sections 290.604, 290.609, 290.612, 290.615, 290.621,
5 290.627, 290.630, 290.633, 290.636, and 290.639, to read as
6 follows:

290.604. 1. For purposes of this section, the term
2 "earned paid bereavement time" means time that is
3 compensated at the same hourly rate and with the same
4 benefits, including health care benefits, as the employee
5 normally earns during hours worked and is provided by an
6 employer to an employee for the purposes described in
7 section 290.606, but in no case shall this hourly amount be
8 less than that provided under section 290.502, that is taken
9 in connection with the death of a family member or for the
10 grieving of a reproductive loss. "Reproductive loss"
11 includes a miscarriage, an unsuccessful round of
12 intrauterine insemination or of an assisted reproductive
13 technology procedure, a failed adoption match or an adoption
14 that is not finalized because it is contested by another

15 party, a failed surrogacy agreement, a diagnosis that
16 negatively impacts pregnancy or fertility, or a stillbirth.

17 2. Employees of an employer with fifteen or more
18 employees shall accrue a minimum of one hour of earned paid
19 bereavement time for every thirty hours worked, but such
20 employees shall not be entitled to use more than fifty-six
21 hours of earned paid bereavement time per year, unless the
22 employer selects a higher limit.

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

29 4. In determining the number of employees of an
30 employer, all employees performing work in the state for an
31 employer for compensation on a full-time, part-time, or
32 temporary basis shall be counted. In situations in which
33 the number of employees performing work in the state for an
34 employer for compensation per week fluctuates above and
35 below fifteen employees per week over the course of a year,
36 an employer is required to provide earned paid bereavement
37 time pursuant to subsection 2 of this section if it
38 maintained fifteen or more employees in the state on the
39 payroll for some portion of a working day in each of twenty
40 or more different calendar weeks, including any periods of
41 leave, and whether or not the weeks were consecutive, in
42 either the current or the preceding year, irrespective of
43 whether the same individuals were in employment in each
44 working day.

45 5. All employees shall accrue earned paid bereavement
46 time as follows:

47 (1) Earned paid bereavement time as provided in this
48 section shall begin to accrue at the commencement of
49 employment or May 1, 2026, whichever is later. An employee
50 shall be entitled to use earned paid bereavement time as it
51 is accrued. An employer may provide all earned paid
52 bereavement time that an employee is expected to accrue in a
53 year at the beginning of the year;

54 (2) Employees who are exempt from overtime
55 requirements under 29 U.S.C. Section 213(a)(1) of the
56 Federal Fair Labor Standards Act will be assumed to work
57 forty hours in each work week for purposes of earned paid
58 bereavement time accrual unless their normal work week is
59 less than forty hours, in which case earned paid bereavement
60 time accrues based upon that normal work week;

61 (3) Up to eighty hours of earned paid bereavement time
62 shall be carried over to the following year if the employee
63 has any unused accrued earned paid bereavement time at the
64 end of the year, but this section does not require an
65 employer to permit an employee to use more than the
66 applicable number of hours of earned paid bereavement time
67 per year as set forth in subsections 2 and 3 of this
68 section. Alternatively, in lieu of carryover of unused
69 earned paid bereavement time from one year to the next, an
70 employer may pay an employee for unused earned paid
71 bereavement time at the end of a year which could be carried
72 over and provide the employee with an amount of paid
73 bereavement time that meets or exceeds the requirements of
74 sections 290.600 through 290.642 that is available for the
75 employee's immediate use at the beginning of the subsequent
76 year;

77 (4) If an employee is transferred to a separate
78 division, entity, or location, but remains employed by the

79 same employer, the employee is entitled to all earned paid
80 bereavement time accrued at the prior division, entity, or
81 location and is entitled to use all earned paid bereavement
82 time as provided in this section. When there is a
83 separation from employment and the employee is rehired
84 within nine months of separation by the same employer,
85 previously accrued earned paid bereavement time that had not
86 been used shall be reinstated. Further, the employee shall
87 be entitled to use accrued earned paid bereavement time and
88 accrue additional earned paid bereavement time at the
89 recommencement of employment;

90 (5) When a different employer succeeds or takes the
91 place of an existing employer, all employees of the original
92 employer who remain employed by the successor employer are
93 entitled to all earned paid bereavement time they accrued
94 when employed by the original employer, and are entitled to
95 use earned paid bereavement time previously accrued;

96 (6) At its discretion, an employer may loan earned
97 paid bereavement time to an employee in advance of accrual
98 by such employee;

99 (7) Earned paid bereavement leave shall be taken
100 within ninety calendar days of the family member's death or
101 of the event resulting in reproductive loss.

102 6. Any employer with a bereavement policy who makes
103 available an amount of paid bereavement leave sufficient to
104 meet the accrual requirements of this section that may be
105 used for the same purposes and under the same conditions as
106 under this section is not required to provide additional
107 paid bereavement time under this section.

108 7. Except as specifically provided in this section,
109 nothing in this section shall be construed as requiring
110 financial or other reimbursement to an employee from an

111 employer upon the employee's termination, resignation,
112 retirement, or other separation from employment for accrued
113 earned bereavement paid sick time that has not been used.

114 8. Employees shall not accrue earned bereavement paid
115 sick time before May 1, 2026. Employees who are employed or
116 who commence employment on or after May 1, 2026 shall accrue
117 earned bereavement paid sick time and be entitled to use
118 earned bereavement paid sick time as it is accrued in
119 accordance with sections 290.600 through 290.642.

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

5 2. An employer shall not take retaliatory personnel
6 action or discriminate against an employee or former
7 employee because the individual has exercised rights
8 protected under sections 290.600 through 290.642. Such
9 rights include, but are not limited to, the right to request
10 or use earned paid sick time **or earned bereavement time**
11 pursuant to sections 290.600 through 290.642; the right to
12 file a complaint or inform any person about any employer's
13 alleged violation of sections 290.600 through 290.642; the
14 right to participate in any investigation, hearing, or
15 proceeding or cooperate with or assist the department in any
16 investigations of alleged violations of sections 290.600
17 through 290.642; and the right to inform any person of his
18 or her potential rights under sections 290.600 through
19 290.642.

20 3. It shall be unlawful for an employer's absence
21 control policy to count earned paid sick time **or earned**
22 **bereavement time** taken under sections 290.600 through
23 290.642 as an absence that may lead to or result in

24 discipline, discharge, demotion, suspension, or any other
25 adverse action.

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

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

24 2. Beginning April 15, 2025, employers shall display a
25 poster that contains the information required in subsection
26 1 of this section in a conspicuous and accessible place in
27 each establishment where such employees are employed,

28 provided that such poster has been made available by the
29 department.

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

290.615. 1. Employers shall retain records
2 documenting hours worked by employees and earned paid sick
3 time **and earned paid bereavement time** taken by employees,
4 for a period of not less than three years, and shall allow
5 the department access to such records, with appropriate
6 notice and at a mutually agreeable time, to monitor
7 compliance with the requirements of sections 290.600 through
8 290.642.

9 2. To the extent permitted by law, the director may
10 inspect such records, and the records shall be open for
11 inspection by the director by appointment. Where the
12 records required under this section are kept outside the
13 state, the records shall be made available to the director
14 upon demand. Every such employer shall furnish to the
15 director on demand a sworn statement of time records and
16 information upon forms prescribed or approved by the
17 director. All the records and information obtained by the
18 department are confidential and shall be disclosed only on
19 order of a court of competent jurisdiction.

20 3. Nothing in this section shall be interpreted or
21 applied, either expressly or through practical necessity, to

22 require the department or director to access or inspect
23 records or to create forms relating to the inspection of
24 records if it requires the appropriation of funds to cover
25 the costs of such acts.

290.621. 1. The department may investigate and
2 ascertain compliance with sections 290.600 through 290.642,
3 establish and implement a system to receive complaints
4 regarding noncompliance with sections 290.600 through
5 290.642 and to investigate and attempt to resolve complaints
6 between the complainant and the subject of the complaint,
7 and establish additional means of enforcement, including
8 requiring by subpoena the testimony of witnesses and
9 production of books, records, and other evidence relative to
10 any matter under investigation or hearing, issuing notices
11 of violation, holding hearings on notices of violation,
12 making determinations, recovering unpaid earned sick time,
13 **recovering unpaid earned bereavement time**, and imposing
14 fines for willful violations of up to five hundred dollars
15 per day of each day of a continuing violation. A final
16 decision of the department is subject to review in
17 accordance with the provisions of chapter 536.

18 2. The department may develop and implement an
19 outreach program to inform employees, parents, and persons
20 who are under the care of a health care provider about the
21 availability of earned paid sick time **and earned paid**
22 **bereavement time** under sections 290.600 through 290.642.
23 This program may include the distribution of notices and
24 other written materials to child care and elder care
25 providers, domestic violence shelters, schools, hospitals,
26 community health centers and other health care providers in
27 Missouri.

28 3. A municipality, county, city, town, or village may
29 adopt ordinances, rules, and regulations to investigate and
30 ascertain compliance with sections 290.600 through 290.642,
31 establish and implement a system to receive complaints
32 regarding noncompliance with sections 290.600 through
33 290.642 and to investigate and attempt to resolve complaints
34 between the complainant and the subject of the complaint,
35 and establish additional means of enforcement, with respect
36 to employers within, or employees performing work while
37 physically present in, the geographic boundaries of the
38 municipality, county, city, town, or village. Any such
39 ordinance, rule, or regulation shall be consistent with this
40 law and any department rules or regulations and system for
41 compliance and enforcement. The municipality, county, city,
42 town, or village may exercise such powers as allowed by any
43 applicable charter or ordinance, including requiring by
44 subpoena the testimony of witnesses and production of books,
45 records, and other evidence relative to any matter under
46 investigation or hearing, issuing notices of violation,
47 holding hearings on notices of violation, making
48 determinations, recovering unpaid earned sick time,
49 **recovering unpaid earned bereavement time**, and imposing
50 fines for willful violations of up to the maximum allowed
51 for an ordinance violation. Before investigating or seeking
52 to resolve any complaint between the complainant and the
53 subject of the complaint, the municipality, county, city,
54 town, or village shall give notice to the department with a
55 copy of the complaint and, within fourteen days of such
56 notice, the department may intervene as of right and
57 participate in the matter to ensure that the complaint is
58 being investigated and resolved in the interest of effective
59 enforcement of sections 290.600 through 290.642 or,

60 alternatively, the department may institute its own
61 proceedings in which case the municipality, county, city,
62 town, or village shall refrain from acting on the matter so
63 long as the complaint is being investigated and resolved in
64 the interest of effective enforcement of sections 290.600
65 through 290.642. If the department does not, within
66 fourteen days, intervene or instigate its own proceedings,
67 the municipality, county, city, town, or village may,
68 without the department, investigate and attempt to resolve
69 the complaint and take other additional means within its
70 power to enforce sections 290.600 through 290.642 against
71 the subject of the complaint. In no event shall an employer
72 be subject to compliance proceedings arising out of a single
73 set of facts after having already been subjected to a final
74 compliance order by another governmental entity.

75 4. Nothing in this section shall be interpreted or
76 applied, either expressly or through practical necessity, to
77 require the department, a municipality, county, city, town,
78 or village to conduct investigations and ascertain
79 compliance with sections 290.600 through 290.642, to
80 establish and implement a system to receive or resolve
81 complaints, to establish additional means of enforcement, or
82 to conduct outreach and education, including the creation of
83 notices and other written materials, concerning sections
84 290.600 through 290.642, if it requires the appropriation of
85 funds to cover the costs of such acts.

290.627. 1. Any individual who claims to have been
2 aggrieved by a failure of an employer to comply with any
3 portion of sections 290.600 through 290.642, including but
4 not limited to the failure to provide earned paid sick time
5 **or earned paid bereavement time** or to allow employees to use
6 such time consistent with sections 290.600 through 290.642,

7 or who claims to have suffered a retaliatory personnel
8 action, shall have a right of action and may commence a
9 civil action in the appropriate court of jurisdiction within
10 three years of the accrual of the cause of action, to obtain
11 appropriate relief with respect to such unlawful violation.
12 Such action may be brought without first filing an
13 administrative complaint.

14 2. In a civil action under this section, if the court
15 finds a violation has occurred, the court may grant as
16 relief, as it deems appropriate and to the extent permitted
17 by law, any permanent or temporary injunction, the full
18 amount of any unpaid earned sick time **or unpaid bereavement**
19 **time** plus any actual damages suffered as the result of the
20 employer's violation of sections 290.600 through 290.642, an
21 additional amount equal to twice any unpaid earned sick time
22 as liquidated damages, costs, and reasonable attorney's fees
23 as may be allowed by the court, and other legal or equitable
24 relief as may be appropriate to remedy the violation,
25 including, without limitation, reinstatement to employment
26 and back pay.

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

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

10 (1) Be maintained on a separate form and in a separate
11 file from other personnel information;

12 (2) Be treated as confidential medical records; and

13 (3) Not be disclosed except to the affected employee
14 or with the express written permission of the affected
15 employee.

 290.633. 1. With respect to employees covered by a
2 valid collective bargaining agreement in effect on November
3 5, 2024, no provisions of sections 290.600 through 290.642
4 shall apply until the stated expiration date in the
5 collective bargaining agreement; however, further the
6 provisions of sections 290.600 through 290.642 shall apply
7 upon any such agreement's renewal, extension, amendment, or
8 modification in any respect after November 5, 2024.

 2. Nothing in sections 290.600 through 290.642 shall
10 be deemed to interfere, impede, or otherwise diminish the
11 right of employees to bargain collectively through
12 representatives of their own choosing in order to establish
13 earned paid sick time, **earned paid bereavement time**, or
14 other conditions of work in excess of the applicable minimum
15 standards under the provisions of sections 290.600 through
16 290.642.

 3. Any waiver by an employee of rights under sections
18 290.600 through 290.642 shall be deemed contrary to public
19 policy and shall be void.

 290.636. 1. Nothing in sections 290.600 through
2 290.642 shall be construed to discourage or prohibit an
3 employer from the adoption or retention of an earned paid
4 sick time policy, **or earned paid bereavement time policy, or**
5 **both, that is** more generous than the one required herein.

 2. Nothing in sections 290.600 through 290.642 shall
7 be construed as diminishing the obligation of an employer to
8 comply with any contract, collective bargaining agreement,
9 employment benefit plan, or other agreement providing more
10 generous paid sick time **or earned paid bereavement time** to

11 an employee than required herein. Nothing in sections
12 290.600 through 290.642 shall be construed as diminishing
13 the rights of public employees regarding paid sick time **or**
14 **earned paid bereavement time** or use of paid sick time **or**
15 **earned paid bereavement time** as provided in the laws of
16 Missouri and ordinances of political subdivisions pertaining
17 to public employees.

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

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

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