

# **Update on Missouri’s Minimum Wage Increase and Paid Sick Leave Requirements, Lawsuits Challenging Proposition A, and Potential Missouri Legislative Changes to Proposition A**

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As we explained in our previous [client alert](#), on November 5, 2024, Missouri voters approved Proposition A by over 57%, which increased the Missouri Minimum Wage to \$13.75, effective January 1, 2025, which will then increase to \$15.00 per hour, effective January 1, 2026. Thereafter, the Missouri Minimum Wage will be adjusted annually based on the Consumer Price Index. Further, Proposition A requires that most Missouri non-governmental employers provide one hour of paid sick leave for every 30 hours worked. Proposition A requires employers to post and send employees a notice regarding paid sick leave by April 15, 2025, and start providing paid sick leave beginning May 1, 2025.

This client alert provides an update on Proposition A, the litigation now challenging Proposition A, potential legislative changes to Proposition A, and what this litigation and possible legislative changes mean for employers.

## **Missouri Department of Labor Guidance**

The Missouri Department of Labor (“MDOL”) has published on its website a required poster and some guidance regarding the Missouri minimum wage increase to \$13.75 that became effective January 1, 2025, which may be found [here](#). The poster and guidance do not address paid sick leave under Proposition A.

MDOL has also published on its website a list of Frequently Asked Questions to assist Missouri employers in complying with Proposition A’s paid sick leave requirements and intends to provide future guidance, including a model notice to employees and a model poster explaining rights and responsibilities under Proposition A. The Frequently Asked Questions can be found [here](#). MDOL hopes to have this additional guidance available prior to the April 15, 2025 deadline for Missouri employers to notify employees in writing of their paid sick leave rights under Proposition A.

We can assist employers with advice regarding required notice, poster, and policy changes to existing PTO and sick leave policies.

## **Lawsuit Overview**

On December 6, 2024, a Verified Petition for Election Contest (“Petition”) was filed in the Missouri Supreme Court by three registered Missouri voters and six non-profit industry groups, including: (1) the Missouri Grocers Association; (2) the Missouri Restaurant Association; (3) the Associated Industries of Missouri; (4) the National Federation of Independent Business, Inc.; (5) Missouri Forest Product Association; and (6) the Missouri Chamber of Commerce and Industry (“Plaintiffs”). The Amended Petition, filed on January 2, 2025, alleges that Proposition A is invalid and unconstitutional for several reasons:

1. The election results for Proposition A must be set aside because the Fiscal Note Summary for Proposition A is insufficient and unfair;
2. The election results for Proposition A must be set aside because the Summary Statement Proposition A is insufficient and unfair;
3. Proposition A is invalid because it contains multiple subjects in violation of the Single Subject Clause of the Missouri Constitution; and
4. Proposition A is invalid because it violates the Missouri Constitution's Clear Title requirement.

On March 12, 2025, the Missouri Supreme Court heard oral argument on the constitutionality of Proposition A. It is unclear how soon the Missouri Supreme Court will rule, but we hope to have a ruling by May 1, 2025, when Missouri Paid Sick Leave is scheduled to take effect.

We intend to prepare another client alert on this issue after the Missouri Supreme Court announces its ruling.

### **Missouri Legislative Developments**

On March 13, 2025, the Missouri House passed House Bill 567 which would repeal the Missouri paid sick leave requirements in Proposition A. However, HB 567 does not contain an emergency clause so it would not take effect until August 28, 2025, which is after the May 1, 2025 effective date of Missouri paid sick leave law.

In addition, while HB 567 would keep Missouri's minimum wage at \$13.75 in 2025 and increase it to \$15.00 on January 1, 2026, it would change Proposition A by removing the provision that would increase the Missouri minimum wage after 2026 to track increases in the Consumer Price Index.

House Bill 567 now goes to the Missouri Senate, which is in spring recess until March 24, 2025. It is unclear if the Missouri Senate will pass HB 567 and whether it will add an emergency clause so that HB 567 will take effect upon the Governor's signature if the House reconsiders the bill and agrees to add an emergency clause. A two-thirds vote is required to approve an emergency clause.

### **What This Means for Employers**

We recommend that employers monitor MDOL guidance and Missouri legislative developments and await the Missouri Supreme Court's ruling. In the meantime, we recommend that employers consult with legal counsel and be prepared by April 15, 2025, to notify employees working full or part-time in Missouri of their rights to Missouri paid leave effective May 1, 2025, unless the Missouri legislature repeals Missouri paid sick leave or Missouri Supreme Court finds Proposition A to be unconstitutional.

Almost every Missouri employer will be required to revise their leave policies if Missouri's paid leave law is not repealed or declared unconstitutional.

*This article is general in nature and does not constitute legal advice.* If you have any questions concerning this lawsuit or Proposition A, please do not hesitate to contact the authors, [John Vering](mailto:jvering@sb-kc.com) at 816.265.4109 ([jvering@sb-kc.com](mailto:jvering@sb-kc.com)) or [Katie Conklin](mailto:kconklin@sb-kc.com) at 816.265.4114 ([KConklin@sb-kc.com](mailto:kconklin@sb-kc.com)), or other attorneys in Seigfreid Bingham's [Employment Law](#) Group, including [John Neyens](mailto:johnn@sb-kc.com) at 816.265.4152 ([johnn@sb-kc.com](mailto:johnn@sb-kc.com)), [Mark Opara](mailto:mopara@sb-kc.com) at 816.265.4140 ([mopara@sb-kc.com](mailto:mopara@sb-kc.com)), [Shannon Cohorst Johnson](mailto:sjohnson@sb-kc.com) at 816.265.4139 ([sjohnson@sb-kc.com](mailto:sjohnson@sb-kc.com)), or your regular contact at [Seigfreid Bingham](#) at 816.421.4460. We will continue to monitor the latest developments, guidance, and legal requirements in this area of law.