

Missouri Supreme Court Upholds State's Paid Sick Leave Law (Proposition A)

Labor & Employment Law Update

By Kevin Kleine and Timm Schowalter on May 6, 2025

The ongoing battle over Missouri's paid sick time law and significant increase in minimum wage, known as Proposition A, continues. On Tuesday, April 29, 2025, the Missouri Supreme Court issued an opinion upholding Proposition A in the case of *Raymond McCarty, et al. v. Missouri Secretary of State, et al.* Consequently, without legislation to repeal the paid sick time mandate, Proposition A went into full effect for most Missouri employers on May 1, 2025. Accordingly, Missouri employers must ensure they are compliant with Proposition A's minimum wage increase and paid sick time requirements.

Overview of the Court's Decision

The Missouri Supreme Court did not address or consider the merits of Proposition A or the policy behind it. Rather, it had to resolve and determine whether Proposition A's summary statement and fiscal note summary were misleading enough to constitute "an irregularity of sufficient magnitude to cast doubt on the fairness of the November 2024 election and validity of its results."

The ballot presented to Missouri voters in the November 2024 election included a summary statement describing Proposition A's key provisions and a fiscal note summary stating estimated costs to state governmental entities. The Court held, among other things, that:

- The summary statement for Proposition A was sufficient and fair and did not amount to an election irregularity; and
- The fiscal note summary for Proposition A was not materially inaccurate or misleading and did not constitute an election irregularity.

The plaintiffs also challenged the constitutionality of Proposition A under the single subject and clear title requirements of the Missouri Constitution, since Proposition A provides for increases to Missouri's minimum wage and established a paid sick time mandate for most private employers. But, the Court held that it lacks original jurisdiction over challenges to Proposition A's validity under the single subject and clear title requirements of the Missouri Constitution.

What Happens Next?

Legislation to repeal the paid sick time mandate, House Bill 567 (H.B. 567), was passed by the Missouri House of Representatives on March 13, 2025 and is currently being considered by the state senate. However, senate democrats are currently filibustering the bill in an effort to prevent H.B. 567 from passing before the end of the current legislative session, which ends on May 16, 2025. Republicans and democrats are trying to reach a deal, but questions abound, at least until the end of next week, on whether Proposition A's paid sick time requirements will remain in place. At this time, it is uncertain if Governor Mike Kehoe will call a special legislative session to try to pass the bill again if a final bill is not passed.

How Should Employers Proceed?

Without legislation to repeal Proposition A, Missouri employers must ensure they are prepared for all outcomes. We strongly recommend Missouri employers to consult with experienced labor and employment law counsel to navigate this process and ensure they are in compliance with the statute.

Be assured, Amundsen Davis's labor and employment team will provide all necessary guidance to ensure compliance with the new law and continue to provide timely updates as they develop.

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