

# MISSOURI PROPOSITION A REPEALED—WHAT EMPLOYERS NEED TO KNOW

## KEY TAKEAWAYS:

- A bill repealing Proposition A passed the Missouri Senate on Wednesday evening and will be sent to Gov. Mike Kehoe for signature in the coming days.
- Many employers have spent the last several months preparing to comply with the requirements of Proposition A, which raised Missouri's minimum wage and mandated employers to provide paid sick leave to employees. Both changes forced businesses to revise their employment and leave policies.
- With Proposition A's repeal imminent, many employers face practical and legal questions about how to address the changing requirements of Missouri law.

## WHAT WAS PROPOSITION A, AND WHEN DID IT GO INTO EFFECT?

Proposition A, which required private employers employing individuals within the state of Missouri to provide paid sick leave benefits to workers at a rate of one hour for every thirty hours worked, was approved by 58% of Missouri voters last November. The law also included incremental increases to Missouri's minimum wage rates. The law faced an unsuccessful constitutional challenge in the Missouri Supreme Court before fully going into effect on May 1.

## WHAT HAPPENED?

On Wednesday, May 14, the Missouri Senate forced a vote on HB 567, which removes automatic increases or decreases to minimum wage beginning Jan. 1, 2027, and the paid sick leave benefits previously provided in Proposition A. The Missouri Senate used a mechanism called the "previous question" to end a filibuster and force a vote on HB 567. A two-thirds vote of the Senate is required to approve the "previous question," and then a vote is forced on the piece of legislation. A separate two-thirds vote of the Senate is required to approve the emergency clause. The Senate did not vote on or approve the emergency clause. Altogether, the votes pave the way for repealing most of Proposition A's changes. The bill passed through the Missouri House of

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## SERVICES AND INDUSTRIES

Employment and Labor

Representatives last month.

#### **WHEN DOES HB 567 GO TO GOV. KEHOE FOR SIGNATURE?**

It depends on when HB 567 is presented to the governor. The governor cannot sign the bill until the General Assembly presents the bill to him (a process known as “presentment”). Typically, the General Assembly waits until after adjournment of the legislative session, which will occur on Friday, May 16. In that instance, the governor would have 45 days to sign the bill. *See Mo. Const. art. III, § 31.* However, if the General Assembly presents the bill to Gov. Kehoe before Friday’s adjournment, the governor will have 15 days to sign. Either way, local media reports indicate that Gov. Kehoe is expected to sign the bill. However, regardless of when signed, the law will remain in effect until Aug. 28, 2025, including the paid sick leave portion.

#### **WILL PROPOSITION A BE REPEALED IMMEDIATELY UPON GOV. KEHOE’S SIGNATURE?**

No. HB 567 had an emergency clause, but the final bill does not include that portion. As a result, HB 567’s repeal of most of Proposition A would be effective on Aug. 28, 2025, assuming Gov. Kehoe signs the bill.

#### **HOW DOES THE REPEAL OF PROPOSITION A AFFECT MINIMUM WAGE?**

HB 567 repeals the portions of Proposition A that required mandatory increases or decreases to minimum wage based on the Consumer Price Index. Those adjustments were set to begin on Jan. 1, 2027, and occur yearly. The minimum wage increase to \$13.75 per hour that became effective Jan. 1, 2025, and the next increase to \$15 effective Jan. 1, 2026, are still required under the revised law.

#### **WHAT DOES THIS MEAN IF YOU’RE AN EMPLOYER WHO HAS ALREADY MADE CHANGES TO A SICK LEAVE OR PTO POLICY TO COMPLY WITH PROPOSITION A?**

Employers should consider whether their employee handbook reserves the right to amend or modify its provisions, and should consult with legal counsel about the best way to adjust their policy to fit the needs of their business and demands of their workforce. Employers are encouraged to consult with counsel before modifying any existing workplace policies related to the repeal of Proposition A.

#### **WHAT DOES THIS MEAN IF YOU’RE AN EMPLOYER WHO IS A SIGNATORY TO A COLLECTIVE BARGAINING AGREEMENT WITH A UNION?**

Employers who are signatories to collective bargaining agreements which have



been revised to comply with Proposition A should consult the terms of those agreements.

If you have questions specific to your organization, please contact your regular Armstrong Teasdale lawyer or one of the authors listed below.