

# EMPLOYMENT LAW SUMMARY

## Missouri: Employee Leave Laws - Overview



*Because You're Different*

Employers generally have some flexibility when it comes to establishing or negotiating employee leave policies. However, Missouri state law requires employers to provide their employees with certain types of paid and unpaid leave. Employers must also remember to comply with any federal leave laws that apply to them, such as the Family and Medical Leave Act.

Missouri state law includes the following employee leave mandates:

- Voting leave
- Jury duty leave
- Victim and witness leave
- Domestic violence victim leave

The chart below provides a high-level overview of Missouri state laws on employee leave.

### Overview of Missouri Employee Leave Laws

TYPE OF LEAVE	REQUIREMENTS
<b>Voting Leave</b>	Employers must allow employees <b>three hours of paid leave</b> to vote on an election day, if the employees applied for leave prior to election day. Leave is not available if an employee's work schedule provides three consecutive hours of non-working time when the polls are open. Employers may specify the hours employees may take leave to vote.
<b>Jury Duty Leave</b>	Employees are entitled to leave to respond to a jury summons, participate in the jury selection process and serve on a jury, without any retaliatory adverse action by their employers. Employers may not require employees to use annual, vacation, personal or sick leave for any time spent responding to a jury summons, including serving on a jury.
<b>Victim and Witness Leave</b>	Employers must permit victims of dangerous felonies, domestic assault and other crimes to take <b>unpaid</b> leave from work to: <ul style="list-style-type: none"><li>• Respond to a subpoena to testify in a criminal proceeding;</li><li>• Attend a criminal proceeding; or</li><li>• Participate in the preparation of a criminal proceeding.</li></ul> The same leave rights must be granted to a victim's immediate family member. Upon written request, unpaid leave rights must be provided to victims of all other crimes and witnesses of crimes. An employer may not discharge or discipline any witness, victim or member of a victim's immediate family for exercising these rights. Employers may <b>not</b> require an employee to use available paid leave to cover time missed for these purposes.

**TYPE  
OF  
LEAVE**

**REQUIREMENTS**

**Domestic  
Violence  
Victim  
Leave**

Employers with at least 20 employees must provide **unpaid** leave when workers or their family members are victims of domestic or sexual violence. Leave may be taken to:

- Seek medical attention for physical or psychological injuries;
- Obtain services from a victim services organization;
- Obtain psychological or other counseling;
- Participate in safety planning, relocate or take other actions to increase safety or economic security; or
- Seek legal assistance or remedies, including preparing for or participating in civil or criminal proceedings.

Employers with 20-49 employees must allow workers one week of unpaid leave per 12-month period. Employers with at least 50 employees must provide workers with two weeks of leave every 12 months. Leave may be intermittent or on a reduced schedule.

Employer [notice](#) requirements apply. Employees must provide 48 hours' advance notice of leave when practicable. Employers may require certification of the need for leave.

**SPECIAL NOTE:** Please note that the information in the above chart focuses on statewide laws. Employers must be aware that localities across the country have enacted ordinances requiring employers to provide paid sick leave to employees. An employer located in a city, county or town with a local paid sick leave law must comply with the local ordinance and statewide law.

**More Information**

Contact Heffernan Insurance Brokers for more information on wage payment and work hour laws in Missouri.

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