

SECOND REGULAR SESSION

# SENATE BILL NO. 803

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SIFTON.

Pre-filed December 10, 2015, and ordered printed.

ADRIANE D. CROUSE, Secretary.

4179S.02I

## AN ACT

To amend chapter 285, RSMo, by adding thereto one new section relating to leave from employment.

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

Section A. Chapter 285, RSMo, is amended by adding thereto one new section, to be known as section 285.350, to read as follows:

**285.350. 1. As used in this section, the following terms shall mean:**

(1) "Bereaved employee", any person performing work or service of any kind or character for hire within the state of Missouri who has incurred the death of a child, grandparent, parent, sibling, or spouse within the preceding fifteen calendar days;

(2) "Bereavement leave", leave from employment following the death of a child, grandparent, parent, sibling, or spouse of a bereaved employee;

(3) "Child", a biological, adopted, or foster son or daughter, a stepson or stepdaughter, a legal ward, a son or daughter of a domestic or civil union partner, or the person to whom a bereaved employee stands in loco parentis who is under nineteen years of age;

(4) "Employer", any person acting directly or indirectly in the interest of an employer in relation to a bereaved employee;

(5) "Grandparent", a parent of a bereaved employee's parent;

(6) "Parent", a biological, foster, or adoptive parent, a stepparent, or any other person who stood in loco parentis to the bereaved employee when the bereaved employee was a child;

(7) "Sibling", a person related to a bereaved employee by blood, adoption, or affinity through a common legal or biological parent;

22           **(8) "Spouse", a partner to a lawful marriage with a bereaved**  
23 **employee.**

24           **2. In the event of the death of a bereaved employee's child,**  
25 **grandparent, parent, sibling, or spouse, every employer of a bereaved**  
26 **employee shall provide three days of bereavement leave to such**  
27 **bereaved employee.**

28           **3. In accordance with the employer's leave policy, an employer**  
29 **of a bereaved employee may require verification of the bereaved**  
30 **employee's child, grandparent, parent, sibling, or spouse's death.**

31           **4. Any employer of a bereaved employee who fails to comply with**  
32 **the provisions of this section shall be liable to the bereaved employee**  
33 **affected for the full amount of the employee's wage rate for the three**  
34 **days bereavement leave, plus an additional equal amount as liquidated**  
35 **damages, less any amount actually paid to the employee by the**  
36 **employer and for costs and such reasonable attorney fees as may be**  
37 **allowed by the court. The bereaved employee may bring any legal**  
38 **action necessary to collect the claim. All actions brought under this**  
39 **section shall be commenced within two years of the accrual of the cause**  
40 **of action.**

✓

Copy