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EMPLOYMENT - MISSOURI

State v. Rhoads

Missouri Court of Appeals, Western District - June 4, 2013 - S.W.3d - 2013 WL 2395982

State brought petition in quo warranto to oust mayor from office after mayor hired her son-in-law to repair a city sign.

The Missouri Court of Appeals held that mayor's hiring of son-in-law constituted an appointment to "employment," as would fall within nepotism ban of state constitution, supporting state's quo warranto petition to remove mayor from office, despite argument that son-in-law was acting as independent contractor and thus had not been appointed to employment. Work of repairing sign engaged and occupied son-in-law, even if only temporarily, and at time of adoption of constitution's nepotism ban, "employment" was not commonly understood to exclude work of independent contractors.

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