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Poke v. Independence School District

Supreme Court of Missouri, en banc - July 12, 2022 - S.W.3d - 2022 WL 2707806

School-district employee brought action against district, asserting violation of state statute through alleged retaliation for filing workers' compensation claim.

The Circuit Court granted summary judgment to district. Employee appealed.

On transfer from the Court of Appeals, the Supreme Court held that statute creating private right of action for employees who are discharged, or discriminated against, by employer for exercising workers' compensation rights, read in conjunction with statute defining an "employer" for purposes of Workers' Compensation Law to include governmental entities, waived any sovereign immunity that school district had to employee's action; overruling *Krasney v. Curators of University of Missouri*, 765 S.W.2d 646; and *King v. Probate Division*, Circuit Court of County of St. Louis, 21st Judicial Circuit, 958 S.W.2d 92.

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