SETTLEMENT AGREEMENT
Boles, et al. v. City of St. Louis, et al.
Case Nos. 2122-CC00713/ED111495

The Parties agree not to seek any further review of the decision of the trial or appellate courts on any issue in the case referenced above, including any review in the trial or appellate courts.

The plaintiffs in the Boles case will receive a refund in the amount stipulated in the Parties' pleadings plus interest pursuant to RSMO §§ 32.068 and 32.069. The payments will be processed on or before June 30, 2024, with interest calculated pursuant to those statutes through that date.

The Collector will change its earnings tax refund form to delete the reference to remote work not being subject to a refund and will revert to the pre-2020 E-1R Form without requiring the E-1RV Form.

The Collector will publicize the claim procedures below through its website, news outlets and social media.

A. Earnings Tax: The Collector will establish a claim process, as set forth below, for refunding earnings taxes paid on earnings from "remote work" which is defined as salary, wages, commission or other compensation paid for work done for a St. Louis-based employer where the employee was not physically present for any part of a day within the City limits of the City of St. Louis.

The process is as follows:

1. For any taxpayer who has already filed a properly documented request, in any form, for a remote work refund for tax years 2020, 2021 and 2022, the Collector will process that request promptly. The Collector will pay interest on the refund pursuant to RSMO §§ 32.068 and 32.069 with interest accruing pursuant to those statutes from the tax due date of the year following the tax year (*e.g.*, May 17, 2021 for the tax year 2020, April 15, 2022 for the tax year 2021, etc.).

2. Regardless of any otherwise applicable statute of limitations or other deadlines, the Collector will honor any properly documented request for a remote work refund for earnings tax paid in the tax years 2020, 2021 and 2022, plus interest pursuant to RSMO 32.068 and 32.069, ***as long as the refund request is filed between July 1, 2024 and October 1, 2024.*** This applies only to requests for refunds for remote work.

3. Requests for refunds for remote work for the tax years 2020, 2021 and 2022 filed after October 1, 2024 will be subject to all applicable deadlines and statutes of limitations.

4. Requests for refunds for remote work for the tax year 2023 shall be due by April 15, 2025. Requests for refunds for 2023 that have already been submitted do not need to be resubmitted.

5. Requests for refunds from any business, partnership, association or other entity for the tax years 2020, 2021 and 2022 filed after October 1, 2024 will be subject to all applicable deadlines and statutes of limitations.

6. The Collector will establish an appeals process under which taxpayers who believe that their earnings tax refund request for remote work was not properly honored, or was not honored in the correct amount, will be processed.

B. Payroll Tax: The Collector will establish a claim process, as set forth below, for refunding payroll taxes paid on payroll for "remote work" which is defined as salary, wages, commission or other compensation paid for work done for a St. Louis-based employer where the employee was not physically present for any part of a day within the City limits of the City of St. Louis.

The process is as follows:

1. For any employer who has already filed a properly documented request for a remote work payroll tax refund for tax years 2020, 2021, 2022, and 2023, the Collector will process that request promptly. The Collector will pay interest on the refund pursuant to RSMO §§ 32.068 and 32.069 with interest accruing pursuant to those statutes from the tax due date of the year following the tax year (*e.g.*, May 17, 2021 for the tax year 2020, April 15, 2022 for the tax year 2021, etc.).

2. Regardless of any otherwise applicable statute of limitations or other deadlines, the Collector will honor any properly documented request for a remote work refund for payroll tax paid in the tax years 2020, 2021 and 2022, plus interest pursuant to RSMO 32.068 and 32.069 ***as long as the refund request is filed between July 1, 2024 and October 1, 2024***. This applies only to requests for refunds for remote work.

3. Requests for payroll tax refunds for remote work for the tax years 2020, 2021 and 2022 filed after October 1, 2024 will be subject to all applicable deadlines and statutes of limitations.

4. Requests for refunds from any business, partnership, association or other entity for the tax years 2020, 2021 and 2022 filed after October 1, 2024 will be subject to all applicable deadlines and statutes of limitations.

5. The Collector will establish an appeals process under which employers who believe that their payroll tax refund request for remote work was not properly honored, or was not honored in the correct amount, will be processed.

AGREED TO BY THE PARTIES THIS 12TH DAY OF JUNE, 2024, THROUGH UNDERSIGNED COUNSEL:

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Dated: June 12, 2024

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Dated June 12, 2024

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Dated: June 12, 2024

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CITY OF ST. LOUIS, MISSOURI

Dated: June 12, 2024

By:
Sheena Hamilton
City Counselor