

Court Rejects Challenge to Earned Sick Leave Law

Ruling Ensures Healthy Workforce Ordinance Will Appear on October 3 Municipal Ballot

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Albuquerque, NM -- Today, in a victory for Albuquerque's working families, Honorable Judge Shannon Bacon threw out a challenge by business lobbyists to the Albuquerque Healthy Workforce Ordinance. Today's ruling ensures that voters will have an opportunity to vote on earned sick days this fall at the October 3, 2017 municipal election.

"Low wage and immigrant workers play a critical role in Albuquerque's economy, yet they are disproportionately impacted by attacks on minimum wage and efforts to undermine the proposed paid sick leave ordinance. This victory sends a clear message to corporate interests that prioritize profit over the well-being of our families that our communities will not stand by idly as they attack and chip away at workers' rights." Marco Nunez, Worker Justice Coordinator, EL CENTRO de Igualdad y Derechos.

Judge Bacon also upheld voters' right to vote on citizen-initiated ballot initiatives, rejecting the business interests' attempt to strike the voters' democratic rights from the Albuquerque City Charter.

"Albuquerque residents' right to directly participate in the lawmaking process is a cornerstone of our local democracy," said Tim Davis, an attorney with the New Mexico Center in Law and Poverty, who argued the case for the community organizations. "Today's ruling protects this right from attacks by well-connected business interests."

The ruling arose out of a lawsuit filed against the city by business lobbyists who wanted to remove the earned sick ordinance from the October 2017 ballot. They also sought to cut the minimum wage, which was overwhelmingly passed by voters in 2012, from \$8.80 to \$7.50. Community organizations and voters who support both laws intervened in the case to defend them.

The judge also tossed out the challenge to the Albuquerque minimum wage in an oral ruling from the bench yesterday, ruling that the results of the 2012 general election are final and cannot be challenged now. She issued a written opinion today reaffirming her oral ruling. Together with her ruling on the Healthy Workforce Ordinance, today's rulings dismiss all claims in the lawsuit on both ordinances.

The earned sick leave ballot initiative, if passed, would give workers the right to earn sick leave to recover from illness or care for ill family members. Local community organizations have been working to educate the public on the earned sick leave initiative since last summer, when over 24,000 voters in Albuquerque signed the petition in support of it.

The Healthy Workforce ABQ Ordinance can be read online here: <https://healthyworkforceabq.org/full-language-of-ordinance/>

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