

Judge Rules Earned Sick Days Ordinance Must Appear on 2017 Ballot *Illegal “Advisory Question” Stricken*

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Albuquerque, NM -- Yesterday, in a victory for advocates of earned sick leave, the Honorable Judge Alan Malott reaffirmed his prior ruling that the Albuquerque Healthy Workforce Ordinance must appear on the 2017 municipal election ballot. He also struck an illegal “advisory question” related to sick leave from the ballot, ruling that it employs “semantically loaded terms” and “is an inappropriate attempt to inject political advocacy onto the ballot and into the election process.”

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.

Recently, advocates filed an emergency motion in district court asking Judge Malott to order the City to administer a fair election on the Healthy Workforce Ordinance after Mayor Berry and the City Council removed the summary from the ballot, added an illegal advisory question on sick leave to confuse voters, and insisted that the ballot be printed in difficult-to-read 7-point font.

Yesterday’s ruling handed a major victory to the advocates, by removing the illegal advisory question and ordering other protections to ensure voters can read their ballots. The City of Albuquerque must now provide samples of the Healthy Workforce Ordinance in at least 12-point type at polling places, and must provide a specific number of magnifying devices at each polling place so that voters can read their ballots.

Kiana Tavakoli, a member of OLE said, “Although we think the best solution is to print a summary of the Healthy Workforce Ordinance on the ballot, this ruling will at least force the City of Albuquerque to provide magnifying glasses and print the Healthy Workforce Ordinance in a voter supplement large enough that people can read it.”

The Healthy Workforce ABQ Ordinance can be read online here:

<https://healthyworkforceabq.org/full-language-of-ordinance/>

Voters living within the city limits of Albuquerque will have a chance to vote for the Healthy Workforce Ordinance on Tuesday, October 3, 2017. Its full text will appear on the back of the ballot under the heading “Proposed Ordinance.” Early voting starts September 13 and ends September 29.

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