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Arizona Has a Plan to Get Revenge on Its Pro-Worker Cities.

Inspired by decisions in cities like Tacoma, Wash., and Elizabeth, N.J., to require companies to offer paid sick leave, Lauren Kuby, a City Council member in Tempe, Ariz., began pushing a year ago for her city to do the same. By September, Kuby had secured enough support from her colleagues to have the city formally explore the issue. "I really took seriously Obama's call to take local action," says Kuby. "I saw cities as the place to make a difference."

Then Kuby and her colleagues heard that Arizona's Republican-controlled state legislature was considering punishing cities that tried to set their own codes for worker benefits. Arizona's House passed a bill on March 1 specifying that cities aren't allowed to require private employers to provide paid sick leave or vacation. The state Senate has passed companion legislation that would cut state funds, used to pay for services like police and firefighting, for cities that try to supersede state laws. "They actually decided to dissolve our study group because they were so chilled by the state threat," says Kuby.

Lawmakers in Phoenix, Arizona's capital, say they were inspired to act after the state's Republican Governor, Doug Ducey, called in his January State of the State address for cities "to put the brakes on ill-advised plans to create a patchwork of different wage and employment laws." He vowed to do everything in his power to block them, "up to and including changing the distribution of state-shared revenue." (Arizona municipalities are prohibited from collecting income taxes and rely on distributions from state coffers.)

Cities "think that they're an independent and sovereign entity from the state, which is not true—they're a creature of the state," says Arizona Senate President Andy Biggs, who spearheaded one of the bills. "You can't put a municipality in jail, nor would we. What we're really seeking to do is provide a deterrent effect."

Arizona is one of several states where legislators have moved to stop local officials from trying to pass minimum wage increases or paid leave policies that have no chance in the statehouse. In Alabama, state lawmakers invalidated a Birmingham minimum wage increase to \$10.10, from \$7.25, in February by passing a law denying cities such authority. Idaho's legislature passed a similar law in March.

Paid sick leave supporters scored their first win in San Francisco in 2006. Twenty-three cities and five states have enacted sick leave since, most recently on March 9 in Vermont. But such laws have been squashed in Republican-dominated states. Milwaukee voters passed a paid-leave law by referendum in 2008. Following a strategy previously used to block local regulations on smoking or guns, Wisconsin Governor Scott Walker invalidated it in 2011. "Most of us hadn't paid attention to what had happened in the tobacco world and in the gun world," says Ellen Bravo, executive director of the nonprofit advocacy group Family Values @ Work. "We should have paid attention in Milwaukee."

Restaurant owners have led the opposition to city sick-leave ordinances in Arizona. "We just ask that they have the ability to choose what regulations are put on their business," says Arizona Restaurant

Association lobbyist Chianne Hewer. “At the state level, while it’s still crazy there as well, you’re able to have one discussion.”

The current fracas is the latest round in a two-decade tug of war between Arizona’s cities and its legislature over labor rules. Legislators first banned cities from passing their own minimum wage increases in 1997. Voters overrode that law with a 2006 referendum authorizing cities to pass minimum wage and benefits laws of their own. Legislators passed another law in 2013 banning cities from regulating wages and employee benefits, which activists successfully challenged in court, citing the 2006 referendum.

If legislators’ latest proposals become law, Democrats including Phoenix Mayor Greg Stanton are already promising more lawsuits. “My message to members of the legislature that do want to micromanage cities and to preempt cities on ordinances and laws that reflect the values of our community,” he says, “is, if you really feel that strongly, run for mayor. It’s a great job.”

The bottom line: *Arizona cities that raise wages or mandate sick pay would lose state funding under legislation being considered by state lawmakers.*

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by Josh Eidelson

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