

## **Bernalillo County Commission Makes End Run Around the Voters**

The County Commission undermines democracy when it ignores the will of the voters. In a representative democracy, our elected officials are supposed to represent us. However, when the voters speak directly through a ballot measure, they have taken democracy in their own hands. Now a few members of the county commission have decided to undermine the voters who recently voted down a job killing sick leave ordinance and instead are trying to ram the measure through at the county level without even reaching out to impacted businesses or conducting a bona fide economic impact analysis.

While the proponents have made amendments from the original ballot measure, there are still very serious problems. The measure's language is unclear, but appears to cover all businesses in Bernalillo County that require a county permit to operate, and would mandate that the employer provide paid sick leave to all employees, even if that business only has two employees, and the workers only work two to three hours per week. The proposal would add costs and expensive record keeping for small local businesses.

But the worst part is that the legislation creates an incentive to file frivolous claims and lawsuits to exploit and extort our most vulnerable small and minority-owned businesses without risk of repercussions. Lawyers, working with advocacy groups, could sue businesses in court for triple damages, court costs and attorneys' fees, without the involvement, knowledge or permission of the employees of the business. If the small business can't afford an attorney, they could be forced to settle or go out of business. And if a business doesn't respond within a week of an inspection demand, the County will cancel the business's registration, effectively closing the business without a right to appeal.

The proposal will add significant expenses, compliance costs and legal liability to our local businesses, making Bernalillo County un-competitive with the surrounding counties.

Please contact your County Commissioner and tell them to reconsider this proposed ordinance and ask them to listen to the small business community and consider how this proposal would affect their livelihood.

Albuquerque Coalition for a Healthy Economy (A.C.H.E.)

AANM- Apartment Association of New Mexico  
ABC NM- Associated Builders & Contractors Inc. NM  
ACI – Association of Commerce and Industry  
AGC NM – Associated General Contractors NM  
AHCC - Albuquerque Hispano Chamber of Commerce  
CARNM - Commercial Association of Realtors  
CCIM NM- Certified commercial Investment Member NM  
GAAR – Greater Albuquerque Association of REALTORS  
GACC – GREATER ALBUQUERQUE CHAMBER of COMMERCE  
HBCNM- Home Builders of Central New Mexico  
IREM NM- Institute of Real Estate Management NM  
MCA- Mechanical contractors Association NM  
NAIOP Commercial Real Estate Development Association  
NMBC- New Mexico Business Coalition  
NNMIEC- Northern NM Independent Electrical Contractors  
NMRA- New Mexico Restaurant Association  
NMUCA-New Mexico Utility Contractors Association  
Rio Grande Foundation  
SIOR NM- Society of Industrial & Office REALTORS NM  
SMACNA-NM – Sheet Metal and Air-conditioning Contractors  
Association NM