

# **Coalition Sues to End St. Louis Mayor's Opposition to "Living Wage" Law Embraced by City**

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**For Immediate Release**

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## **Coalition Sues to End St. Louis Mayor's Opposition to "Living Wage" Law Embraced by City**

Brennan Center for Justice at NYU School of Law Represents Diverse Coalition of Community Groups, Labor Organizations and Workers

A coalition of St. Louis community groups, labor organizations and workers (the "St. Louis Living Wage Campaign") today filed suit in Missouri Circuit Court against the City of St. Louis and Mayor Clarence Harmon to enforce an ordinance that guarantees a wage equal to 130% of the poverty level for certain designated employees.

In an August 8, 2000 referendum, more than 77% of St. Louis voters embraced this "living wage" law, joining scores of other municipalities around the nation. Notwithstanding the overwhelming popular support, Mayor Harmon has declined to enforce the living wage law, citing state law that he says is in conflict. The Brennan Center for Justice at NYU School of Law, on behalf of the St. Louis Living Wage Campaign and

other petitioners asserts in the lawsuit filed today that the Mayor's position is without merit and that he should end his opposition to the clearly expressed will of the people of St. Louis.

The St. Louis Living Wage Campaign—a group that includes Missouri ACORN, SEIU Local 880, SEIU Local 1001, numerous other unions, as well as religious coalitions and community groups, is the same organization that campaigned to put the initiative on the ballot. "We came together across boundaries to offer St. Louis voters the opportunity to insist that their tax dollars go to jobs that pay a living wage, and the voters showed their overwhelming support for this idea," says ACORN head organizer Craig Robbins. "It is a disgrace that we now have to get the courts involved in order to make the city honor this popular law."

The living wage law applies to employees of businesses receiving service contracts from the City of \$50,000 or more, or receiving financial assistance from the City valued at \$100,000 or more. These city contractors and other businesses who benefit from tax payer supported municipal expenditures must pay wages that, for a full-time worker, would yield 130% of the federal poverty level for a family of three currently, \$8.84/hour plus health insurance or \$10.76/hour without.

One such worker is petitioner Barbara Jones, a 55-year-old grandmother of seven who works in the St. Louis Municipal Courts Building as a janitor for a firm that has a contract with the City of St. Louis. For her work cleaning the courthouse she earns \$9.26/hour with no health insurance. Though she earns more than the minimum wage, she still struggles to make ends meet, working a second part time job at a nursing home. She has no health benefits and relies on public health services, and she occasionally has had to borrow against her paycheck to pay for clinic visits or buy medicine. The almost \$1.50 an hour increase in her wages that Ms. Jones is being denied by the City's

failure to enforce this law would have a real impact on her standard of living. "Everyone talks about how people should work for a living and not be on public support. Well I do work, every day and every hour they will schedule me, but I don't earn enough to support myself," says Ms. Jones. "If we believe in work as a society, we have to make sure that workers can earn enough to live."

Despite the needs of his constituents, Mayor Harmon has stated that he will not enforce the law in the City's Community Improvement District (CID), a broad area in the center of the City that includes the courthouses where Ms. Jones works. He erroneously asserts that the ordinance conflicts with state law by creating a new mandatory minimum wage, which is prohibited in the state law that created CIDs.

The Mayor's position is a misreading of both the state law and the living wage law. Unlike minimum wage legislation, which applies across the board to all employers, the St. Louis living wage law covers only certain businesses that chose to do business with the City. "Cities in Missouri and elsewhere have always been permitted to decide the terms under which they will make taxpayer funded benefits available to businesses through contracts and subsidies. This new living wage law is like the prevailing wage laws for employees of city contractors that have been in place and supported by Missouri courts for years," says Brennan Center attorney Paul Sonn. "The Mayor's resistance to enforcing this law is not legal, it's political."

It is suspected that the Mayor is willing to ignore the will of his constituents because of strong ties he has to hotel developers who have agreed to invest in the St. Louis CID, and who would be resistant to paying their workers a living wage.

Other business interests in the City have clearly signaled their unwillingness to pay a living wage; they filed suit to oppose the ordinance on November 16. They have obtained a temporary

restraining order against enforcement of the law that will be in effect until a hearing on January 4, 2001.

The City of St. Louis is one of more than 50 localities that has passed living wage legislation since 1994. Campaigns for living wage laws are also underway in more than 75 other areas. St. Louis's law is only the second to be challenged in court. Like the St. Louis measure, living wage laws typically call for the municipal government to include a living wage requirement as a condition of any large service contract or subsidy agreement. These laws reflect the conviction of lawmakers and taxpayers alike that local government receives better quality services when its contractors' employees are earning wages that keep them out of poverty. Equally importantly, lawmakers and taxpayers recognize that it is wasteful to spend scarce taxpayer funded municipal revenues on jobs that pay minimum wages and do not sustain local workers.

"In this economy, minimum wage jobs are plentiful, so it makes sense for cities to use their tax revenues to support employers who will commit to providing better jobs," says Mr. Sonn. "The business that oppose living wages laws are trying to have their cake and eat it too—they want to receive taxpayer money, but they don't want to be held accountable for how they compensate their workers."

To see a copy of the complaint, [click here](#).

For more information, please contact Amanda Cooper at 212.998.6736