

# County to consider single-use plastics ban, paid sick leave

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BY JESSICA DYER / JOURNAL STAFF WRITER

Published: Monday, May 13th, 2019 at 6:59pm

Updated: Monday, May 13th, 2019 at 10:27pm

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Amid vocal opposition from the restaurant industry, the Albuquerque City Council last month stopped short of outlawing foam carryout food containers the same way it barred plastic bags.

But one Bernalillo County official is making a push to banish those boxes.

County Commission Chair Maggie Hart Stebbins is introducing legislation today to ban both single-use plastic bags and single-use foam to-go containers at the point of sale. The law would apply to retailers and restaurants in the unincorporated areas of the county.

And it's not the only bill she's introducing at the County Commission meeting. She and Debbie O'Malley are cosponsoring a paid sick leave proposal that would require businesses with at least two employees to extend the benefit to their workforce.

The ban on some plastics, if passed, would take effect Jan. 1.

Hart Stebbins said foam is "an important contributor to the pollution problem," so she wants the county's ban to include it. Her bill would allow businesses to charge customers up to 5 cents each time they give customers a paper bag, recyclable container or other permitted alternative.

"I do believe this is the first step in what should be a much broader effort to look at how retail practices affect the environment," Hart Stebbins said.

Businesses inside city limits would be subject only to the plastic bag ban passed last month by the City Council and effective Jan. 1.

Four city councilors had initially proposed more sweeping legislation, but a last-minute amendment removed language that would have also banned nonrecyclable carryout containers and restricted distribution of plastic straws.

Many restaurateurs fought the city proposal, arguing that it presented a financial burden. The city's economic impact analysis found that switching to allowable alternative containers would cost between 5-12 cents more per unit.

Not only did restaurants successfully lobby against Albuquerque's proposed ban on foam containers, they also were granted an exemption from the city's plastic bag ban. They contend paper bags are impractical or weak options to transport potentially leaky food orders.

New Mexico Restaurant Association CEO Carol Wight said Monday she is hoping for a similar result with the county, which can vote on the proposal 30 days after its introduction. There are about 500 restaurants in the unincorporated areas of Bernalillo County, according to a county spokesman.

### **Sick leave**

Hart Stebbins is introducing another business-related bill this week, joining Commissioner O'Malley on a proposal requiring employers to offer paid sick leave in the unincorporated areas of the county.

There are about 1,350 active commercial business licenses in the county currently. "It has been a very important issue for many working families here in Bernalillo County," Hart Stebbins said.

A similar bill is currently pending in the city of Albuquerque, a place where 36% of private-sector workers have no paid sick leave, according to a study by the University of New Mexico Bureau of Business and Economic Research.

Hart Stebbins said she has worked with that bill's sponsor, City Councilor Pat Davis, in an effort to ensure consistency across jurisdictions.

Both proposals would require employers to grant sick leave to all employees, including part-timers and seasonal employees – at least 1 hour for every 30 hours worked. But the county ordinance would apply only to businesses with at least two employees and grants exemptions to businesses in their first year.

The bills both would allow workers to miss time to tend to their own health care needs or those of a family member. They have broad definitions of family, and would allow the employee to use it to care for spouses/domestic partners, children, parents, siblings, grandparents and others with whom they have close ties.

Davis introduced his proposal last December following a series of failed attempts by others to implement paid sick leave. He said he hopes the City Council's Finance and Government Operations Committee will hear it next month. Should it pass committee, it would go to the full City Council. Some business groups have denounced Davis' proposal, saying it too closely resembles the Healthy Workforce Ordinance that city voters narrowly voted down in 2017.

A coalition of about 30 business organizations actively campaigned against Healthy Workforce, including NAIOP, a commercial real estate development association. NAIOP President Lynne Anderson said she felt “blind-sided” by the county’s proposal and did not see a copy of the legislation until Monday. She said she was not prepared to weigh in on the specifics and could not speak for the coalition.

“We’re going to have to scramble and try to get this out to the people that will be paying for it,” she said.

But several groups Monday expressed support for the proposal, including AARP, the Center for Civic Policy, the New Mexico Center on Law & Poverty and the United Food & Commercial Workers.

BBER’s research found that Albuquerque’s lowest-paid workers were the least likely to have paid sick leave – 90% of those with household incomes less than \$15,000 presently do not have that benefit.

Hart Stebbins said the plastic/foam proposal and paid sick leave bill would likely inspire debate in the weeks to come.

“We expect to have a dialogue with both individuals and organizations that are in favor and those that are opposed and make sure we come to an acceptable ordinance that works for as many as possible,” she said.