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Santa Fe's Living Wage Law Survives First Legal Challenge

by Jessica Azulay ([bio](#))

Nov 30 - Minimum-wage workers at businesses contracted by the city of Santa Fe, New Mexico saw their city-mandated wage-hike reaffirmed by a state court yesterday, after a coalition of business interests attempted to take wages back down to \$5.15 per hour. Yesterday the New Mexico Court of Appeals said there was nothing illegal about a 2003 Santa Fe City Council decision to require all businesses over a certain size – in this case, more than 25 employees – to pay a minimum wage higher than that set by the state or federal governments.

In 2003, the Council passed a "living wage" law requiring businesses with 25 or more employees to incrementally raise wages to \$10.50 per hour by 2008. The law applies to less than 15 percent of companies in Santa Fe, but the city's Chamber of Commerce and other business interests challenged the ordinance in court, saying the city did not have the authority to mandate wages for private firms.

"We are absolutely thrilled about it," living-wage proponent Carol Oppenheimer told the *Albuquerque Journal* of the ruling. Oppenheimer is a member of the Santa Fe Living Wage Network, a group working to maintain and spread support for a living wage. "It is a tremendous win for Santa Fe, for everyone who made sure that the law was passed and that it was upheld in the courts," she said.

In a press statement hailing the court decision, Michael Waldman, executive director of the Brennan Center for Justice at NYU Law School said, "This is a ruling for basic fairness that will help stop technical legal arguments from being used to block community-based efforts to expand opportunity for working families." Waldman's organization represented the city in its legal fight to defend the living wage law.

Opponents of the wage law told the media they did not know yet if they would appeal to the state Supreme Court. Even if they do not appeal the decision, the wage law faces an upcoming challenge in the City Council, which is set to vote on a proposal to delay the next wage hike from the current \$8.50 to \$9.50 per hour.

Opponents of raising the living wage, aside from claiming the illegality of the City Council's ordinance, say that the rising cost for businesses has negatively impacted the job market in Santa Fe.

Online sources used in this news brief:

- ["Court Backs Living Wage, Santa Fe Foes Dealt A Setback"](#) 
Albuquerque Journal
- ["Appeals Court Upholds Santa Fe Wage Law, Says Brennan Center for Justice"](#) 
Brennan Center for Justice
- ["Appeals Court Decision"](#)  
New Mexico Court of Appeals
- ["Living Wage Ordinance"](#) 
Santa Fe City Council

Related reading elsewhere on the Web:

- ["Group Website"](#) 
Santa Fe Living Wage Network
 - ["Santa Fe's Living Wage and the Labor Market"](#) 
Economic Policies Institute
 - ["Comments on Aaron Yelowitz, 'Santa Fe's Living Wage Ordinance and the Labor Market'"](#) 
Political Economy Research Institute
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