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Jill Pedigo Hall, Esq.

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Milwaukee Court Enjoins Implementation of Mandatory Paid Leave Ordinance

By: Jill Pedigo Hall, Esq.

Today Milwaukee County Circuit Court Judge Thomas Cooper issued a temporary injunction staying the Milwaukee Paid Sick Leave Ordinance, which otherwise was to have been implemented on Tuesday, February 10, 2009. "This is such an important thing; we better do it right from the start," Judge Cooper stated at today's hearing. Judge Cooper also noted, "Irreparable injury is a major issue."

The City of Milwaukee joined with the Metropolitan Milwaukee Association of Commerce ("MMAC") in arguing in support of the injunction. Linda Burke, Deputy City Attorney of Milwaukee, stated that the City is not yet ready to move forward with the Ordinance's implementation and that the City has no monetary budget for enforcement of the Ordinance. She also noted that the City had not yet seated its enforcement body, the Equal Rights Commission, and that it has no staff, administrative law judges or mediators to handle complaints by employees.

As a result of the injunction, employers for the time being will be spared the unrecoverable expense of implementation. It is

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anticipated that the MMAC and the City of Milwaukee, together with 9to5, will now marshal their respective resources and positions to seek a permanent injunction and an ultimate determination regarding the Ordinance's validity.

Judge Cooper noted that he was 'dead certain' that his decision would be appealed. GSH will provide ongoing updates and information as the litigation goes forward.

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