

## Legislation Text

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Calling on the Pennsylvania General Assembly to amend Section 412.2 of the Pennsylvania Election Code to increase the minimum compensation provided to election officers and workers, which has not been increased in decades.

WHEREAS, Election officers and workers, including Judges of Election, Inspectors of Election, Clerks and Machine Operators, play an integral role in the democratic process in elections in Philadelphia and across the state. The duties of these positions are governed by the Pennsylvania Election Code; and

WHEREAS, Judges of Elections are charged and assigned to a division of the City and accountable for overseeing the entire Election Day process. The Judge of Elections retrieves the ballot box from the county and is responsible for swearing in all other election officers; and

WHEREAS, Majority and Minority Inspectors assist the Judge of Elections in the conduct of the election. The election inspectors verify and sign-in voters, and they facilitate with voter questions as they arise; and

WHEREAS, Clerks are supervised by the Judge of Elections and are expected to assure the organization of the polling place before voting begins. Once the voters have been processed, then the clerk distributes the ballot or directs the voter to a voting machine; and

WHEREAS, Machine Operators assemble and prepare voting machines and reset the machines after each voter. Also, the appointed machine operator will instruct voters on operating the voting machines; and

WHEREAS, The minimum compensation allowed to be paid to these workers is fixed by Section 412.2 of the Pennsylvania Election Code. Under this section, the minimum compensation provided to Judges of Election and Inspectors of Election is \$75. For Clerks and Machine Operators, the minimum compensation is \$70; and

WHEREAS, The City Commissioners oversee these employees, and pay election officers and workers on a per-diem basis, regardless of the hours they serve on election day. The City Commissioners can authorize these workers to receive an additional \$30 in compensation if the workers attend additional training; and

WHEREAS, The Commonwealth Court of Pennsylvania has ruled that election officers and workers are not entitled to minimum wage, as the General Assembly has excluded all other methods of compensation by specifying in the Election Code specific per diem compensation. As such, it is incumbent upon the General Assembly to take the initiative to raise the minimum compensation allowable for election officers and workers; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That it hereby calls on the Pennsylvania General Assembly to amend Section 412.2 of the Pennsylvania Election Code to increase the minimum compensation provided to election officers and workers, which has not been increased in decades.

Curtis Jones, Jr.  
Councilman, 4<sup>th</sup> District

October 26, 2017