File #: 24-1665, **Version:** 2

Resolution in Support of Ordinance to Add a New Section 9.155.1 to Chapter 112 (Non-Discrimination) (Right to Sit)
Reviewed by: Margaret Radabaugh, Deputy City Attorney
Atleen Kaur, City Attorney
Milton Dohoney Jr., City Administrator

Whereas, The Right to Sit at work is a fundamental human right, included as a provision in the International Labour Organization's "Hygiene (Commerce and Offices) Convention," 1964, an international treaty being ratified by 52 countries, not including the U.S., as of 2023;

Whereas, The Right to Sit was historically protected in the U.S. under labor regulations in almost all states, and ensured employees could sit during their work hours when it did not interfere with their job duties; and

Whereas, This right was intended to protect the health and well-being of workers, particularly women and those in physically demanding and low-wage jobs;

Whereas, The Right to Sit was diminished with the weakening of labor standards over time, resulting in inconsistent protections across states;

Whereas, The State of Michigan repealed its Right to Sit law in 1975, leaving many workers vulnerable to unhealthy and unjust working conditions where they are denied the ability to sit during their work hours;

Whereas, The denial of the Right to Sit is not only a labor rights issue but also a human rights issue, as it impacts the dignity, health, and well-being of workers;

Whereas, The Right to Sit is also a disability rights issue, as standing for prolonged periods can exacerbate or lead to disabilities, disproportionately affecting those with existing conditions;

Whereas, Protecting the Right to Sit is a crucial step towards ensuring equitable, fair, and humane working conditions for all employees in the City of Ann Arbor;

Whereas, The passage of the Right to Sit ordinance is strongly supported by labor unions, including the Huron Valley AFL-CIO and Laborers Local 499;

Whereas, The Ann Arbor City Council’s adoption of the Right to Sit ordinance ensures that the Right to Sit is explicitly protected under Ann Arbor’s Non-Discrimination Ordinance, safeguarding workers' health, dignity, and well-being;

RESOLVED, That all employers operating within the City of Ann Arbor, including but not limited to those in manufacturing, healthcare, retail, department stores, laundries, hotels, restaurants, fast food

and drive-thru establishments, hairdressers, barbers, and estheticians, shall provide seating for employees, regardless of any disability or lack thereof, and permit employees to use such seats when sitting does not interfere with the duties of their employment;

RESOLVED, That the burden of proof shall rest on the employer to demonstrate that providing seating is infeasible due to the specific nature of the duties required by the employment;

RESOLVED, The City of Ann Arbor shall work diligently to implement these protections in collaboration with local businesses and workers and with the Ann Arbor Human Rights Commission which shall be responsible for reviewing any complaints of violations to ensure compliance with this ordinance; and

RESOLVED, The Ann Arbor City Council directs the Ann Arbor City Administrator to engage with the Michigan State Legislature to advocate for statewide legislation that would allow all workers the Right to Sit.

Sponsored by: Councilmembers Ghazi Edwin, Watson, Radina, and Harrison

As Amended and Approved by Ann Arbor City Council on October 7, 2024

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