

## RESOLUTION NO.

**WHEREAS**, voting is the tool with which Americans build a government that represents them and it is the mechanism by which they hold that government accountable; as such, the right to vote must not only be vigilantly guarded, its exercise must also be actively encouraged, and barriers to its exercise must be eliminated; and

**WHEREAS**, the Annette Strauss Institute for Civic Life reports in the 2018 Texas Civic Health Index that Texas ranked 47<sup>th</sup> of all 50 states and the District of Columbia in voter turnout in the 2016 presidential election, and has ranked as low as 51<sup>st</sup> in mid-term elections; and

**WHEREAS**, the 2018 Texas Civic Health Index shows that 1 in 5 Texans who did not vote in 2016 said they did not vote because they were too busy or their work schedules conflicted with polling hours; among the other reasons Texans cited for not voting were transportation issues, inconvenient hours, and feeling like their vote would not make a difference; and

**WHEREAS**, in her decision in *Veasey v. Perry*, 71 F.Supp.3d 627 (2014), United States District Court Judge Nelva Gonzales Ramos placed the 2011 Texas law requiring voters to present photo identification at the polls within the context of the state's long history of voter suppression, including white-only primaries, literacy tests, secret ballots, poll taxes, purging voter registration rolls, land ownership and registration requirements targeting Black students at Prairie View A&M University, and discriminatory redistricting; and

**WHEREAS**, President Lyndon Johnson signed the Voting Rights Act in 1965 to stop both institutional and informal suppression of the rights of voters of color,

which effectively included Texas in a special class of jurisdictions with a history of violating the constitutional rights of non-white residents, subjecting the state to additional federal oversight designed to ensure that all voters could exercise their rights without impediment or dilution of effect; notwithstanding the United States Supreme Court ruling in *Shelby County v. Holder*, 570 U.S. 529 (2013), the Voting Rights Act still guarantees unimpeded access to the constitutional right to vote; and

**WHEREAS**, Texas Election Code, Chapter 276, prohibits employers from docking the pay of workers who leave work to vote on Election Day if they do not have two consecutive hours to vote outside business hours; additional guidance from the Texas Attorney General and the Texas Workforce Commission affirms that employees may leave work to vote with pay and without retaliation from their employer; and

**WHEREAS**, the percentage of eligible residents registered to vote and who participate in City elections is one of the metrics for the strategic outcome that is referred to as “Government That Works for All of Us” and is included in the Strategic Direction 2023, which was adopted by the City Council on March 8, 2018; and

**WHEREAS**, to make voting a less confusing and less time-consuming experience for voters, Travis County participates in the Countywide Polling Place Program in which a voter registered in Travis County may vote at any polling place in the County that is open on Election Day or during the early voting period; and

**WHEREAS**, to remove transportation barriers to voting, the Capital Metro Board of Directors voted on September 28, 2018, to provide free rides on public transit on Election Day in even-numbered years; and

**WHEREAS**, to encourage City of Austin employees to vote, the City allows employees to take time off during the work day to vote in compliance with state law; and

**WHEREAS**, to ensure that employees have sufficient time to exercise their right to vote, many employers currently allow two or more hours of paid time off to vote on Election Day or during the early voting period; over 100 large employers have organized an effort to spread awareness and provide resources for companies to make voting easier for their employees, some of whom are organizing an effort to make Election Day a national holiday; and

**WHEREAS**, early voting for the 2018 November election begins on October 22, 2018, and Election Day is on November 6, 2018; **NOW, THEREFORE,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

The City of Austin encourages all employers to promote civic engagement and allow employees to take at least two hours during the work day, with regular compensation, to vote during every election cycle, including during the early voting period and on Election Day. Employers should make employees aware of such policies through on-boarding processes, through posted notices, through reminders ahead of elections, and through other methods of communications appropriate to inform every employee of company policies and state and local laws. Employers should consider additional ways to encourage employees to register and vote in every election and to promote civic engagement.

**BE IT FURTHER RESOLVED:**

The City Manager is directed to explore whether a company's efforts to promote civic engagement, including actively encouraging employees to register and vote and providing at least two hours off with compensation for employees to vote, may be considered by the City of Austin as evidence of the company providing a community benefit when awarding City program or economic development incentive funds.

**ADOPTED:** \_\_\_\_\_, 2018

**ATTEST:**

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Jannette S. Goodall  
City Clerk