



**Attorney General Steve Marshall Announces 11th U.S. Circuit Court of Appeals
Victory for State of Alabama in Minimum-Wage Lawsuit**

(MONTGOMERY) – Attorney General Steve Marshall announced Friday that the 11th U.S. Circuit Court of Appeals has ruled in favor of the State of Alabama, deciding that plaintiffs challenging the Alabama Uniform Minimum Wage and Right-to-Work Act lacked standing to file their racial discrimination claim against the Attorney General.

“I am pleased with the 11th Circuit’s ruling today, which agreed with the State of Alabama that the plaintiffs had no standing to sue the Attorney General over their complaints about Alabama’s minimum wage law,” said Attorney General Marshall. “I also think the substance of the plaintiffs’ challenge lacked merit, but the court withheld judgment on that question because the plaintiffs failed to show that the Attorney General ever harmed them.”

In 2016, the Alabama Legislature passed a law that sets a uniform minimum wage for the state, which means that any local law setting a higher wage is preempted. At least 22 other states have enacted similar laws. But Alabama’s law became the first to be attacked in court as racist. Plaintiffs argued that this legislation was an attempt to “perpetuate ... political white supremacy” because (1) it preempted a Birmingham ordinance that had set a higher minimum wage, (2) Birmingham is majority-black, and (3) white legislators voted for the law while black legislators opposed it.

The federal district court dismissed the suit, but a three-judge panel of the 11th Circuit reversed, holding that plaintiffs’ racial discrimination claims could move forward. The Attorney General then asked the entire twelve-judge 11th Circuit to rehear the case, and the court agreed.

The Attorney General further argued that the case should be dismissed because plaintiffs sued the wrong defendants. Plaintiffs alleged that they had been harmed because their employers are not paying what they are entitled to under the Birmingham ordinance. But as the Attorney General argued, that dispute should be litigated between employees and employers, not between employees and the Attorney General, who cannot force employers to boost wages.

The federal appeals court decision today agreed with the State of Alabama and concluded that the plaintiffs lacked standing to sue the Attorney General as a way to challenge the Act. Because the court held that the plaintiffs lacked standing, the court did not address the merits of their claim.

Attorney General Marshall commended members of his staff, including Alabama Solicitor General Edmund LaCour and Deputy Attorney General Jim Davis, as well as former Assistant Attorney General Will Parker, for their hard work in handling this important case.

A copy of the 11th Circuit Court ruling is linked [here](#).

