

Birmingham, Alabama, City Council Attempts to Implement Immediate Minimum Wage Increase for All Employers

By David T. Wiley and Thomas A. Davis

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The Birmingham City Council has voted to implement a new ordinance increasing the minimum wage to \$10.10 beginning February 24, 2016, for *all employers within the city limits*.

Administrative requirements, however, may delay implementation of the new ordinance. The ordinance must be signed by the mayor, published in the newspaper, and must meet other administrative requirements, actions that may not be completed before the Alabama legislature's bill barring city and local government wage laws is signed by the Governor. Alabama has no state minimum wage law.

The Birmingham ordinance originally sought to increase the minimum wage to \$8.50 in July 2016, then to \$10.10 in July 2017. However, in an apparent effort to circumvent anticipated contrary state law, the Council voted on February 23rd to implement the increase immediately.

The Alabama state legislature is considering a bill that would prohibit city or other local governments from enacting such patchwork wage laws. The state bill already has passed the House of Representatives and is before the Senate. The bill is expected to be passed by the Senate and signed by the Governor before the end of February.

Jackson Lewis encourages all employers with operations in the City of Birmingham to prepare a contingency plan should the City or private litigants attempt to immediately enforce this ordinance. We will continue to keep you apprised of developments. Please contact the attorneys in our [Birmingham](#) office or the attorney with whom you regularly work if you have any questions about this or other workplace law development.

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