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PRESS RELEASE

FOR IMMEDIATE RELEASE

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Florida Supreme Court Accepts Miami Beach's Appeal on Citywide Living Wage Ordinance

— *A Win for the Everyday Miami Beach Worker* —

Miami Beach, FL – On Wednesday, the Florida Supreme Court granted the City's petition for review of a lower court ruling that struck down the City's minimum wage ordinance – now allowing the Supreme Court to hear the case and decide on the merits.

With the cost of living on the rise, the City of Miami Beach sought to protect low-wage employees and boost the economy by passing the Citywide Minimum Wage Ordinance in 2015 – requiring the minimum payment of employees to \$10.31 per hour and indexing up to \$13.31 per hour by 2021.

Since enacting the groundbreaking legislation, Miami Beach has been in the middle of a heated battle over the validity of the ordinance. In 2016, the Florida Retail Federation (FRF) and Attorney General Pam Bondi sued the City in Circuit Court arguing that the 2003 Florida state preemption law bars local governments from establishing minimum wages.

Though two lower courts sided with the attorney general, the Florida Supreme Court has agreed to hear the case and make a decision on the merits.

"We look forward to our day in court to defend our right to support a living wage," expressed Mayor Dan Gelber.

The City's stance on the ordinance rests upon the 2004 Minimum Wage Amendment to the Florida Constitution, which expressly states that it does not prohibit local minimum wage ordinances.

"We are thrilled to hear that the Florida Supreme Court has accepted the case," noted First Assistant City Attorney Rob Rosenwald, lead counsel for the City on the case. "In 2003, the legislature enacted its ban on local minimum wages; and in 2004, the people responded with the Minimum Wage Amendment that says the opposite. A long line of Supreme Court jurisprudence makes clear that when the power of the people clashes with the power of the legislature, the people win every time."

All legal work on the case is being performed in-house at no additional expense to the City. To read the full Supreme Court of Florida order, please [click here](#). The date for Oral Argument has not yet been set.

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