

US corporate law weekly news: DOJ reverses stance in supreme court class-action waiver lawsuit as a result of change to Trump administration

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CATEGORY:
BLOG



The Supreme Court has agreed to address the legality of collective bargaining agreements that require employees to waive their rights to bring a class-action lawsuit and instead rely on individual arbitration to resolve employer-employee disputes. In 2016, under the Obama administration, the U.S. Department of Justice supported the position taken by the National Labor Relations Board, arguing that such waivers violate the Federal Arbitration Act.

Now, under the Trump administration, the Department of Justice filed an amicus brief arguing in favor of the legality of arbitration agreements. It is highly unusual for the Department of Justice to reverse its position in a current Supreme Court case even after a change in administration.

For more information on the NLRB v. Murphy Oil case, see <https://assets.documentcloud.org/documents/3867140/Revised-16-285-16-300-16-307-Tsac-Bsac.txt>.