



Arbitration Agreements

NLRB Rules Employers May Require Class Action Waivers

On August 14, the National Labor Relations Board ([NLRB](#)) issued a [ruling](#), which interpreted broadly the US Supreme Court's decision in Epic Systems, that employers may require employees to accept arbitration agreements that contain class action waivers.

This decision means that an employer may require employment disputes to be resolved through individualized binding arbitration proceedings. Further, an employer may require current or potential employees to agree to class action waivers as a condition of employment, and state that they may be discharged if they refuse to sign. However, the NLRB also reiterated that employees may not be disciplined or terminated for engaging in protected concerted activity under the National Labor Relations Act ([NLRA](#)), such as discussing wage issues or filing wage and hour claims.

To discuss the impact of this ruling on your business, please contact [Michael Weiner](#).

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