

Supreme Court Rules Class Action Waivers in Employment Arbitration Agreements Valid

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Class action waivers in employment arbitration agreements do not violate federal law, the U.S. Supreme Court has ruled in a much-anticipated decision in three critical cases. *Epic Systems Corp. v. Lewis*, No. 16-285; *Ernst & Young LLP et al. v. Morris et al.*, No. 16-300; *National Labor Relations Board v. Murphy Oil USA, Inc., et al.*, No. 16-307 (May 21, 2018).

The Supreme Court's decision resolves the circuit split on whether class or collective action waivers contained in employment arbitration agreements violate the National Labor Relations Act (NLRA). They do not, the Court ruled in a 5-4 decision. Justice Neil Gorsuch wrote for the majority of the Court. Justice Ruth Bader Ginsburg dissented, describing the majority holding as "egregiously wrong."

Jackson Lewis has represented Murphy Oil since the inception of the company's case and, at the *certiorari* stage, Jackson Lewis attorneys Jeffrey Schwartz, Daniel Schudroff, and Collin O'Connor Udell filed the brief for Respondent Murphy Oil in support of granting the petition for a *writ of certiorari*, an unusual procedural posture. Jackson Lewis also assisted on the briefs and in oral argument preparation and was present at the argument.

We will provide a more detailed analysis of this critical opinion shortly. Please contact a Jackson Lewis attorney if you have any questions.

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