Attorneys Review Recent Supreme Court Arguments on Employment Arbitration

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In the *SHRM* article titled "High Court Cases Could Continue to Shape Employment Arbitration," San Diego Associate Megan E. Walker and Boston Associate Joshua D. Nadreau discuss the recent oral arguments in *Lamps Plus Inc. v. Varela* and *Henry Schein Inc. v. Archer and White Sales Inc.* before the U.S. Supreme Court.

Regarding *Lamps Plus*, Megan notes that the state-law interpretation rules that allowed for the case to be compelled to class arbitration "are standard contract interpretations that courts across the country apply to all types of contracts." She also says that "if employers work with their attorneys to draft arbitration agreements with enforceable class-action waivers, a finding for the employee in Lamps Plus will likely have little impact on future litigants."

Josh commented on Henry Schein, noting that the court's interpretation of the Federal Arbitration Agreement is applicable in the employment context, despite being a commercial arbitration case. Josh offers his thoughts on the Court's disposition: "My guess is that the court will continue to [rule in favor of expansive readings of the FAA] here and reject the 'wholly groundless' exception."

To read the full article, visit SHRM.

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