



## Arguments Note Benefits of Bilateral Arbitration

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In the article, "Arguments Note Benefits of Bilateral Arbitration," featured in the Daily Journal, Wendy McGuire Coats and Megan Walker discuss the oral arguments for the following cases: Epic Systems Corporation v. Lewis; Ernst & Young, LLP v. Morris; and NLRB v. Murphy Oil USA, Inc.

"Pitting the National Labor Relations Act against the Federal Arbitration Act, three consolidated cases involving class waivers in employment arbitration agreements - Epic Systems Corporation v. Lewis; Ernst & Young, LLP v. Morris; and NLRB v. Murphy Oil USA, Inc. - stand to reshape the future of employment litigation. At oral argument on Monday, counsel for the respondent employees confirmed that if the U.S. Supreme Court affirmed the trilogy, the decision would potentially invalidate agreements covering 25 million employees.

All three cases ask whether an employment arbitration agreement with class and collective action waiver is enforceable or barred by the NLRA. At the core is whether joint, collective, representative or class action litigation in the courthouse or in the arbitral forum is concerted activity protected by the NLRA. "

To read the full article, please visit the [Daily Journal](#). (Subscription required)