Airbnb Joins Uber And Lyft, Ending Mandatory Arbitration For Sexual Harassment And Discrimination Claims

Insights
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Airbnb Inc. recently announced it would no longer force its employees who filed sexual harassment lawsuits to settle their claims in private arbitration. The notice came only days after Google and Facebook made similar announcements concerning policy changes about sexual harassment, including ending forced arbitration for such claims. Google's announcement followed a 20,000 employee walkout protesting the company's handling of sexual misconduct allegations. As previously discussed on the blog, in May of this year, Uber and Lyft became two of the first gig companies to waive mandatory arbitration and remove the confidentiality requirement for sexual assault and harassment victims (for passenger, driver and employee claims).

In addition to sexual harassment claims, Airbnb also said it would end mandatory arbitration for discrimination causes of action as well, including claims for racial, gender, religious and age bias. This makes it the first major technology company to eliminate forced arbitration for claims other than sexual harassment. The company issued a detailed statement about the change: "We are a company who believes that in the 21st century it is important to continually consider and reconsider the best ways to support our employees and strengthen our workplace. From the beginning, we have sought to build a culture of integrity and respect, and today's changes are just one more step to drive belonging and integrity in our workplace."

Airbnb will continue, however, to mandate arbitration for its guests and hosts.

With the rise of the #MeToo movement, we expect the removal of forced arbitration agreements for sexual misconduct claims to be a growing trend, especially among gig and technology companies. We will continue to monitor these issues and update the blog with any further developments.

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