



U.S. Supreme Court: Oral Complaints Protected By FLSA

Insights

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The U.S. Supreme Court ruled today that an employee's oral complaints about a violation of the federal Fair Labor Standards Act can trigger that law's prohibition against retaliation. In *Kasten v. Saint-Gobain Performance Plastics Corp.*, the Court said that this would be so when the complaint is "sufficiently clear and detailed for a reasonable employer to understand it, in light of both content and context, as an assertion of rights protected by the [FLSA] and [as] a call for their protection."

Saint-Gobain had also argued that the FLSA's anti-retaliation provision applied only to complaints made to the U.S. Labor Department, rather than to those directed solely to the employer. The Court said that it would "state no view" as to whether this argument had merit. In dissent, Justice Scalia suggested that the Court's ruling made no sense without an unstated, underlying assumption that complaints directed only to employers are protected conduct.

For a full summary of today's ruling, read our [Legal Alert](#).