



Workplace Law Discussed During Final Presidential Debate

Insights

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Workplace law was once again a topic of discussion during last night's third and final presidential debate between Hillary Clinton and Donald Trump. While not covered as extensively as during the first debate on September 26, there were several points during the evening where issues were raised that should be of interest to employers.

Supreme Court

The first question of the evening by moderator Chris Wallace required the candidates to discuss the Supreme Court and the types of justices who would be appointed should they be elected. Clinton offered several specific concepts about the kind of Court that she would like to see under her administration. "We need a Supreme Court that will stand up on behalf of women's rights, on behalf of the rights of the LGBT community, ... and not reverse marriage equality," she said. She also offered a direct commentary on labor and employment law cases that could come up before the Supreme Court, stating that her preferred justices would "stand up for the rights of people in the workplace."

Although not raising specific topics that might be addressed by his Court, Trump offered an alternative view about how the SCOTUS would be shaped under his administration. "The justices that I'm going to appoint...will have a conservative bent." He reminded the audience that he has suggested a list of more than 20 candidates who he would consider for nomination should he be elected, including current federal appeals court judges William Pryor and Diane Sykes. By and large, the judges on his list follow a similar judicial philosophy as the late Justice Antonin Scalia.

Immigration

The next topic raised that touched on workplace law was the issue of immigration. The moderator prefaced his question by restating his understating of the candidates' positions on the subject. "Mr. Trump," he said, "you're calling for major deportations." While Trump did not challenge that statement, he offered a more detailed position to explain his plan. He stated that one of his first acts as president would be to focus deportation efforts on those undocumented individuals who take part in criminal enterprises, such as drug lords. "Once the border is secure, at a later date, we will make its determination as to the rest" of the undocumented individuals.

Clinton, on the other hand, stated that she did not "want to see the deportation force that Donald has talked about in action in our country. We have 11 million undocumented people." She said that she did not want to see them rounded up at businesses and places of employment. Instead, Clinton

she did not want to see them rounded up at businesses and places of employment. Instead, Clinton said that wanted to bring undocumented immigrants “out from the shadows, putting them into the formal economy.”

Economic Issues

Finally, at a point near the middle of the debate, the moderator asked the candidates about their positions regarding the national economy. While most of the discussion centered on the candidates’ respective tax policies, Clinton did offer her opinion on several workplace topics. She reiterated that she wanted to raise the national minimum wage and wanted to ensure that “women get equal pay for the work we do.”

Full Overview Of Candidates’ Positions

If you are interested in reviewing a summary of each candidate’s position on labor and employment matters before Election Day, you can review our recent newsletter article: “[President Trump? President Clinton? A Workplace Law Preview.](#)” It provides a point-by-point discussion of each of their stated positions on dozens of topics important to employers across the country.

For more information, visit our website at www.fisherphillips.com, or contact your regular Fisher Phillips attorney.

This Legal Alert provides an overview of specific presidential candidate positions. It is not intended to be, and should not be construed as, legal advice for any particular fact situation.

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