

POLICY MATTERS

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May 24, 2018

Supreme Court Upholds Workplace Arbitration Contracts. On Monday, the [Supreme Court ruled 5-4](#) that the National Labor Relations Act does not bar employers from requiring workers to sign [arbitration agreements](#) waiving their right to bring class-action claims on disputes, primarily over wages and hours. Associate Justice Neil Gorsuch authored the majority's decision, siding with the four other conservative justices on the bench. *The Wall Street Journal* editorial board [reacted to the decision](#), saying, "[a] ruling the other way would have abrogated hundreds of thousands of employment contracts and sent trial lawyers to the races. What a difference a single Justice makes."

For a more a detailed explanation of the decision and its implications going forward, see our recently released [client alert](#).

House Discharge Petition Closes in on 218 Signatures. The House Republican Caucus [remains far apart on immigration](#), and there are few signs that the opposing wings of the party will be able to achieve a workable agreement on legislation. Pressure continues to build as moderate members work to earn more support for their [discharge petition](#) to force votes on a series of immigration bills. Today, the editorial board of the [Chicago Sun-Times](#) called out each of Illinois's Republican congressman by name, urging them to join the push.

As a refresher, the goal of the discharge petition is to save the Deferred Action for Childhood Arrivals (DACA) program by forcing a vote on [H. Res. 774](#), which would then lead to the consideration of four different DACA related proposals in the House. In order for the discharge petition to be executed, it must be signed by a majority of House members—at least 218 members, to be exact. As of today, the petition has 213 signatures, 23 of which are Republicans.

Harassment Bill Passes in Senate. Earlier today, the Senate [passed a bill](#) that would overhaul how sexual harassment claims are handled on Capitol Hill, another sign of the #MeToo movement's growing momentum. The bill stipulates that any settlements would be made public, including identifying if a member of Congress is liable. Those members would also have to reimburse the government for monetary settlements resulting from harassment by them personally. It would also offer protections under the Congressional Accountability Act to unpaid staff, such as interns and fellows.

The [bill would eliminate](#) a 90-day period (a 30-day counseling period, a 30-day mediation phase, and a 30-day "cooling off" period) that is currently required for victims of sexual harassment under the Congressional Accountability Act, allowing individuals to seek a hearing or civil action on their claim immediately. However, there are also [many critics of the bill](#) who proclaimed that the legislation did not go far enough. The House passed its own [harassment legislation](#) back in February and the two chambers will have to go to conference before a bill can be sent to President Trump's desk.

Memorial Day Recess. Congress is out of session next week for the Memorial Day holiday and unofficial start of summer. When members return to town on June 5, they will be faced with a relatively short legislative window before the August recess. In addition to the House and Senate going to conference on a harassment bill, we expect to see the conclusion of the DACA discharge petition in the House.

In the Senate, more judicial appointments are expected, along with a renewed push to confirm outstanding DOL and EEOC nominees. Leader McConnell has also outlined an aggressive schedule for the Senate to begin [passing necessary appropriations bills](#).

Due to the recess, *Policy Matters* will be off next week. Look for our next weekly download on June 7.

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Seyfarth Shaw LLP | Policy Matters | May 24, 2018

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