

Arbitration - cases and materials

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Arbitration: Cases and Materials

Investigating the outcomes of mandatory arbitration is challenging for researchers. In the NLRA, the right to engage in collective and concerted action is the core right that the statute protects. The employee or consumer has no real choice or ability to negotiate the terms of the arbitration clause.

Second Edition of International Arbitration: Cases and Materials by Gary Born Now Available

It also includes chapters on arbitrating in particular legal areas, such as labor and construction. As a result, employees retained the right to go to court after arbitration.

Code of Arbitration for Sport, Commentary, Cases, and Materials, by Despina Mavromati and Matthieu Reeb

Yet there is currently an open question as to whether a composite arbitration and class-action waiver clause would deprive workers of their substantive right to engage in collective action under the National Labor Relations Act. Filter by case type, jurisdiction and award range. In a 2014 survey of plaintiff attorneys conducted by one of the authors of this report, Alexander Colvin, and Mark Gough of Penn State University, respondents were asked who had administered the most recent mandatory arbitration case they were involved in.

Code of Arbitration for Sport, Commentary, Cases, and Materials, by Despina Mavromati and Matthieu Reeb

In that survey the focus was on procedures covering typical lower-level employees in the industry, such as customer service workers or technicians. The most pernicious development in arbitration involves the coupling of arbitration with class-action waivers. In light of these rulings, it is not surprising that the use of arbitration by private-sector businesses and employers has grown enormously.

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