

OK at Work: Mandatory Arbitration Clauses

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By Russell B. Berger and Sarah M. Sawyer

On this week's episode of OK at Work, [Russell Berger](#) and [Sarah Sawyer](#) discuss the use of arbitration clauses by employers. Recently, House Democrats proposed a bill to ban mandatory arbitration clauses in the employment context, arguing that the out-of-court proceeding negatively impacts workers because it keeps bad actors out of the spotlight and makes it harder for workers to act collectively. While this bill seems unlikely to become law, this is a good reason for employers to revisit their strategies around arbitration, forum selection, and jury trials to implement thoughtful and purposeful practices. Listen in as Russell and Sarah discuss what this could mean for the workplace.