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News & Insights

Labor & Employment Attorney Keith Wilkes for SHRM - Supreme Court Broadens Arbitration Exemption for Delivery Drivers

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SHRM

https://www.shrm.org/topics-tools/employment-law-compliance/supreme-court-broadens-arbitration-exemption-delivery

Labor & Employment Attorney Keith Wilkes was recently quoted by SHRM - Supreme Court Broadens Arbitration Exemption for Delivery Drivers.

The U.S. Supreme Court on May 28 unanimously ruled that delivery drivers may qualify for the Federal Arbitration Act's (FAA's) transportation-worker exemption even if they never cross state lines themselves, a decision that could limit employers' ability to enforce arbitration agreements in portions of the logistics and delivery economy.

"The individual does not have to physically cross state lines to be engaged in interstate commerce," explained Keith Wilkes, an attorney with Hall Estill in Tulsa, Okla., "nor does the employee or contractor need to have direct contact with the mode of transportation (truck, vehicle, airplane) involved in transporting the goods across state lines."

"The ruling is a boon for millions of transportation industry employees and independent contractors," Wilkes said. "While most companies favor private arbitration in wage and labor disputes with their employees or independent contractors, employees and independent contractors often prefer to remain in court."

Attorneys

- Keith A. Wilkes

Practices

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