

The Supreme Court - February 26, 2018

Today, the Supreme Court granted certiorari in three cases:

New Prime Inc. v. Oliveira, No. 17-340: (1) Whether a dispute over applicability of the Federal Arbitration Act's ("FAA") Section 1 exemption, which provides that the FAA does not apply "to contracts of employment of seamen, railroad employees, or any other class of workers engaged in foreign or interstate commerce," is an arbitrability issue that must be resolved in arbitration pursuant to a valid delegation clause. (2) Whether the FAA's Section 1 exemption, which applies on its face only to "contracts of employment," is inapplicable to independent contractor agreements.

Mount Lemmon Fire District v. Guido, No. 17-587: Under the Age Discrimination in Employment Act ("ADEA"), does the same twenty-employee minimum that applies to private employers also apply to political subdivisions of a State, as the Sixth, Seventh, Eighth, and Tenth Circuits have held, or does the ADEA apply instead to all State political subdivisions of any size, as the Ninth Circuit held in this case?

Madison v. Alabama, No. 17-7505: Now that the State of Alabama has abolished the practice of judicial override, does the execution of a prisoner who was sentenced to life by a jury render his execution arbitrary and capricious in violation of the Eighth and Fourteenth Amendments to the United States Constitution?

Related Capabilities

- Appellate
- Labor & Employment