

NLRB WEEKLY SUMMARY OF DECISIONS, NOVEMBER 9 – 13, 2015

November 20, 2015 | [National Labor Relations Board, Labor Relations](#)

The Summary of NLRB decisions for the week of November 9 – 13, 2015, is now available. **Summarized Board Decisions Amex Card Services Company, a subsidiary of American Express Travel Related Services Company, Inc., a subsidiary of American Express Company** (28-CA-123865; 363 NLRB No. 40) Phoenix, AZ, November 10, 2015. Applying *Murphy Oil USA, Inc.*, 361 NLRB No. 72 (2014), enf. denied ___ F.3d ___ (5th Cir. Oct. 26, 2015), *D.R. Horton, Inc.*, 357 NLRB No. 184 (2012), enf. denied in relevant part 737 F.3d 344 (5th Cir. 2013), and *U-Haul Co. of California*, 347 NLRB 375 (2006), enfd. 255 Fed. Appx. 527 (D.C. Cir. 2007), a unanimous Board panel found that the Respondent violated Section 8(a)(1) by maintaining a mandatory arbitration agreement that employees reasonably would believe bars or restricts them from filing charges with the Board or to access the Board's processes, and by maintaining and enforcing a mandatory arbitration agreement under which employees are compelled, as a condition of employment, to waive the right to maintain class or collective actions in all forums, whether arbitral or judicial. The Board rejected the Respondent's arguments that the maintenance allegation is barred by Section 10(b) and that the Respondent's arbitration policy is distinguishable from the policies in *D.R. Horton* and *Murphy Oil*. Charges filed by individuals. Chairman Pearce and Members Hirozawa and McFerran participated. To read more, visit the [NLRB's website](#).

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