

## NLRB WEEKLY SUMMARY OF DECISIONS, NOVEMBER 30 – DECEMBER 4, 2015

December 11, 2015 | [National Labor Relations Board, Labor Relations](#)

The Summary of NLRB decisions for the week of November 30 – December 4, 2015, is now available. **Summarized Board Decisions U.S. Xpress Enterprises, Inc., and U.S. Xpress, Inc.** (10-CA-141407; 363 NLRB No. 46) Chattanooga, TN, November 30, 2015. Citing *Murphy Oil USA, Inc.*, 361 NLRB No. 72 (2014), and *D. R. Horton, Inc.*, 357 NLRB No. 184 (2012), a Board panel majority consisting of Chairman Pearce and Member Hirozawa adopted the Administrative Law Judge's findings that the Respondent violated Section 8(a)(1) by maintaining and enforcing an arbitration agreement that requires employees, as a condition of employment, to waive their rights to pursue class or collective actions involving employment-related claims in all forums, whether arbitral or judicial. Member Miscimarra dissented and would find that the maintenance and enforcement of agreements between employers and employees that waive class and collective actions do not violate Section 8(a)(1), especially when they contain an opt-out provision, as here. Charge filed by an individual. Administrative Law Judge Ira Sandron issued his decision on July 16, 2015. Chairman Pearce and Members Miscimarra and Hirozawa participated. To read more, visit the [NLRB's website](#).

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