

In The Spirit Of DR Horton, ALJ Extends Protections To Job Applicants

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Building upon the previous prohibition in *DR Horton* (company arbitration agreement barring workers from bringing class actions was unlawful), an ALJ has now extended similar protections to job applicants. In *Convergys Corp.*, the ALJ found that the company violated the Act by forcing job applicants to waive their right to bring class and collective actions. In the decision, the ALJ acknowledged the factual distinctions between this case and *DR Horton*, however applied the same "cannot waive" principle set forth in *DR Horton* when he extended its protections to job applicants.

The decision – which we anticipate will be appealed to the Board – [can be found here](#).

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