

Congressional Leaders Unveil House and Senate Bills to End Forced Arbitration and Restore Workers' and Consumers' Rights

American Consumers and Workers Detail the Harm Caused by Forced Arbitration at Capitol Hill Press Conference

Washington, DC – Today victim advocates from around the country joined Congressional leaders at a press conference to bring attention to the secretive, rigged system of forced arbitration that is hidden in the fine print of many everyday consumer contracts, employee handbooks, and even “click-through agreements.” Together, they unveiled the Forced Arbitration Injustice Repeal (FAIR) Act, introduced by Sen. Richard Blumenthal (D-CT) and Rep. Hank Johnson (D-GA), that would restore the rights of consumers, workers, and patients to seek justice and accountability from the corporations that physically or financially hurt them.

New polling data was released in conjunction with today’s press conference. A recent nationwide poll by Hart Research found broad bipartisan support of 84% of voters for a bill to end forced arbitration (87% of Republicans and 83% of Democrats). More poll results can be found [here](#).

“Forced arbitration clauses buried in the fine print hurt everyone,” said Linda Lipsen, CEO of the American Association for Justice. “If corporations know they won’t ever be held publicly responsible, our civil rights, as well as our public health and safety are at risk, from the cars we drive, to the jobs we take, and the food we eat. That’s what makes this legislation so important, and I commend the advocates and Members of Congress who stood up today to demand action.”

“We at Public Justice routinely hear from people who are unable to seek justice after a corporation broke the law and harmed them. Forced arbitration clauses bar them from having their claims heard in court,” said Paul Bland, executive director of Public Justice. “The energy in favor of the FAIR Act is like nothing I’ve seen before in this fight for corporate accountability and against perpetrators of gender and race discrimination. Its passage would make American life much safer, healthier, and fairer.”

“Real justice means that the people’s courts – not corporate courts like those in forced arbitration proceedings – decide who gets access to justice. Forced arbitration clauses literally pick consumers’ pockets by putting big business’s favored arbitrators in charge, leaving regular people with no choice but to accept secretive, one-sided proceedings for their claims,” said Patrice Simms, Vice President of Litigation and head of the Access to Justice program at Earthjustice.” Earthjustice applauds Chairman Nadler, his colleagues, and all of the advocates fighting against this unfair and unethical practice for their efforts to craft the FAIR Act, and we are proud to support the legislation.”

“Imagine if the Supreme Court ruled that corporations could escape lawsuits aiming to enforce consumer protection, worker rights and anti-discrimination laws simply by uttering a secret code. Outrageously, exactly that has happened, except it is not a secret. Corporations of all sorts insert forced arbitration provisions in worker and consumer contracts, and effectively wipe away people’s protection against financial rip-offs, wage theft, online swindles, harassment and

discrimination and more,” said Robert Weissman, president of Public Citizen. “The good news is that the public has caught on to this racket and is demanding action. The FAIR Act, introduced by Rep. Hank Johnson and Sen. Richard Blumenthal, provides exactly what the public is demanding: an end to the forced arbitration fraud that systematically strips Americans of their legal rights and access to justice.”

"Forced arbitration is a rigged secret proceeding that denies the cheated and ripped off the right to seek remedies before a judge and jury, and allows corporations to hide their misconduct from the public," said Christine Hines, legislative director at National Association of Consumer Advocates. "The FAIR Act and other bills introduced today will help to level the playing field for consumers and workers by ending forced arbitration in the corporate fine print and restoring our choice to seek to hold wrongdoers accountable in open court."

“I am proud to have spearheaded the Ending Arbitration Act of Sexual Harassment. Forced arbitration clauses in employment agreements are not designed to achieve fair, expeditious or cost-effective resolutions for sexual harassment cases. They are often used by companies to demean and silence women and conceal pervasive sexual harassment while allowing sexual predators to operate with virtual impunity,” said Gretchen Carlson. “I believe every woman and man should be entitled to have their claims adjudicated in a courtroom rather than behind closed doors where victims can never discuss what happened. I’m thankful for this bi-partisan effort to make workplaces safer for ALL across our country.”

“Alliance for Justice applauds the FAIR Act and this very important step to address a serious injustice that affects millions of Americans,” said Nan Aron, President of Alliance for Justice. “Forced arbitration is an abusive practice that denies workers and consumers their right to a fair day in court. Instead, it corrals them into an unjust process controlled by the very party that harmed them, whether it be an employer, a lender, a nursing home, a service provider or some other entity. It’s time for forced arbitration to end.”