

Bipartisan Legislation in Congress Would Ban Forced Arbitration Clauses that Protect Sexual Predators

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Washington, D.C. - Advocates at the National Consumer Law Center applauded bipartisan and bicameral legislation announced yesterday by U.S. Senator Kirsten Gillibrand (D-NY), Senator Lindsey Graham (R-SC) and Dick Durbin (D-IL), chair of the Senate Judiciary Committee, along with U.S. Representatives Cheri Bustos (D-IL), Morgan Griffith (R-VA) and Pramila Jayapal (D-WA). The legislation would restore access to justice and help prevent sexual harassment and assault in the workplace, at nursing homes, and in other settings. The *Ending Forced Arbitration of Sexual Harassment Act* would void forced arbitration provisions as they apply to sexual assault and harassment survivors, allowing survivors to seek justice, discuss their cases publicly, and eliminate institutional protection for harassers.

“We applaud this bipartisan effort to ban forced arbitration clauses that protect sexual predators and shield them from justice. Forced arbitration is a get-out-of-jail card for sexual predators and others that denies survivors’ right to their day in court,” **said National Consumer Law Center Associate Director Lauren Saunders.**

“Sexual harassment of former Fox News anchor Gretchen Carlson and widespread sexual harassment of Kay Jewelers employees show how forced arbitration clauses help companies hide illegal conduct and avoid accountability for their wrongdoing,” **explained Saunders.** “Much of the evidence of apparent rampant sexual abuse of female Kay Jewelers employees was kept from the public, and even other victims, through the gag orders imposed in forced arbitration.”