



MCLE Self-Study Test

Employment Arbitration Agreements: Recent Supreme Court Cases and the Current Legal Landscape in California

by Aaron Langberg

Published in the Contra Costa Lawyer, March 2020

1. Some employers use arbitration agreements to avoid class action litigation and require individual arbitration of claims.
 - a. True
 - b. False
2. Over the last decade, the United States Supreme Court's majority opinions showed a general opposition to enforcement of arbitration agreements.
 - a. True
 - b. False
3. In *AT&T Mobility LLC v. Concepcion*, the U.S. Supreme Court held that the FAA preempts the "Discover Bank rule."
 - a. True
 - b. False
4. In *Epic Systems Corp. v. Lewis*, the U.S. Supreme Court held that the NLRA conflicts with the FAA, rendering employment agreements with class action waivers unenforceable.
 - a. True
 - b. False
5. Justice Gorsuch authored the majority opinion in *Lamps Plus, Inc. v. Varela*.
 - a. True
 - b. False
6. The *Epic Systems Corp. v. Lewis* U.S. Supreme Court decision was a unanimous opinion.
 - a. True
 - b. False
7. Some employers have voluntarily stopped using employment arbitration agreements.
 - a. True
 - b. False
8. Governor Brown vetoed a 2018 bill prohibiting California employers from requiring employees to sign arbitration agreements.
 - a. True
 - b. False
9. Assembly Bill 51 seeks to prohibit the use of mandatory employment arbitration agreements.
 - a. True
 - b. False
10. Governor Brown signed Assembly Bill 51 into law.
 - a. True
 - b. False
11. AB 51 adds two sections to the California Code.
 - a. True
 - b. False
12. Assembly Bill 51 applies to employment contracts entered into before January 1, 2020.
 - a. True
 - b. False
13. California began enforcing Assembly Bill 51 on January 1, 2020.
 - a. True
 - b. False

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Continued from previous page

14. Assembly Bill 51 has already been challenged in the courts.
 - a. True
 - b. False

15. In January 2020, a federal district court granted a preliminary injunction, prohibiting enforcement of Assembly Bill 51.
 - a. True
 - b. False

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