Restoring Justice for Workers Act of 2026

Currently, more than half of all non-union private sector employers bind employees to mandatory arbitration, and 60 million workers in the U.S. no longer have access to the courts to vindicate their workplace rights.[1] These arbitration clauses prevent workers from banding together to enforce their legal rights and are often buried in the fine print of employment contracts, leaving workers unaware that they've waived their rights. The use of forced arbitration clauses that block workers' access to the courts has led to widespread non-enforcement of workers' rights, including their right to minimum wage, overtime, and to a workplace free of discrimination

Restoring Justice for Workers Act of 2026

The *Restoring Justice for Workers Act of* 2026 would ensure workers can go to court to vindicate their rights. Specifically, this bill would:

- Open the courthouse doors for workers by prohibiting the use of forced arbitration clauses in employment contracts and prohibiting employers from requiring employees to waive their right to engage in joint, class, or collective legal action;
- Reverse the Supreme Court's 5-4 decision in *Epic Systems*, which dismantled workers' right to band together to hold unscrupulous employers accountable;
- Uphold the rule of law, a cornerstone of our democracy, by ensuring that workers' rights are enforceable through our justice system;
- Ensure that post dispute arbitration agreements are not obtained by threat or coercion, that the agreement is understandable, and that the employee affirmatively consents to the agreement in writing and is fully aware of their rights in the workplace.

Senate Cosponsors: Senators Patty Murray (D-WA); Richard Blumenthal (D-CT), Dick Durbin (D-IL), Mazie K. Hirono (D-HI); Angus King (I-ME), Amy Klobuchar (D-MN), Jeff Merkley (D-OR), Chris Murphy (D-CT), Alex Padilla (D-CA), Jack Reed (D-RI), Bernie Sanders (I-VT), Jeanne Shaheen (D-NH), and Elizabeth Warren (D-MA).

House Cosponsors: Representatives Jerrold Nadler (NY-12); Robert C. "Bobby" Scott (VA-03), Suzanne Bonamici (OR-1), Hank Johnson (GA-4), Julia Brownley (CA-26), Jan Schakowsky (IL-09), and Eleanor Holmes Norton (D-DC).

Endorsements: American Association for Justice, the American Federation of Labor and Congress of Industrial Organizations, and the Economic Policy Institute.

[1] https://www.nelp.org/insights-research/faq-on-mandatory-arbitration-in-employment/#_ftn1