Wigdor LLP Partners Weigh In On Google's Decision To End Mandatory Arbitration For Sexual Harassment Claims

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On Tuesday, November 13, 2018, Wigdor LLP Partner Jeanne M. Christensen was interviewed by Bloomberg TV host Emily Chang about recent decisions made by companies such as Google, Facebook and Airbnb to end the use of mandatory arbitration in connection with claims of sexual harassment and sexual assault. Watch the full interview below.According to Ms. Christensen, Google's new policy is a huge step for women's rights in the workplace: "You need to empower female employees with the knowledge that if they do speak out, they're going to be taken seriously, they're going to be listened to, and their claims are going to be investigated…by not keeping them in arbitration you're giving women the ability to speak out and know that they will be heard."

Ms. Christensen's praise of Google's new policy came with a few caveats. For example, while Airbnb announced it would eliminate forced arbitration for all discrimination claims, Google has limited its announcement to sexual harassment and sexual assault claims only. "It really needs to be all discrimination claims because sexual harassment is just a component of gender discrimination," Ms. Christensen said. She voiced similar concerns in a Bloomberg article on the issue: "Does that mean at Google if you're discriminated against on the basis of skin color, you have to go to arbitration?"

Ms. Christensen also noted in the Bloomberg article that Google is still not allowing sexual harassment claims to proceed on a class-wide basis, an important forum for employees to band together and speak out against the systemic problems they are facing in the workplace.

Douglas H. Wigdor, the Founding Partner of Wigdor LLP, provided his own analysis on Google's policy change in an ABC News article. Mr. Wigdor agreed that Google's policy announcement was an important step, but still only the beginning of a longer process needed to curb problems at the company:

> "'With sexual assault victims — that they have control of the forum to air their grievances is important,' Wigdor said, commending the Google decision. 'For an employer to tell an employee they can't work at this company unless they agree to arbitrate matters is cruel in this day and age. But why not the same for racial or disability or age discrimination or harassment?'"

Bloomberg TV
"More Silicon Valley Harassment Cases 'Definitely' on the Way, Wigdor Partner Says"
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