

HARVARD LAW SCHOOL STUDENT BODY SPRING TERM TWO THOUSAND NINETEEN

RESOLUTION NO. RES-203-001

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A RESOLUTION TO: REQUIRE EMPLOYERS WHO RECRUIT AT HARVARD LAW SCHOOL TO DISCLOSE IF THEY MANDATE ARBITRATION OF EMPLOYMENT DISPUTES.

THE STUDENT BODY OF HARVARD LAW SCHOOL ENACTS:

WHEREAS the students of Harvard Law School demand that workplaces be safe for all employees,

WHEREAS the students of Harvard Law School recognize that sexual assault, identity-based discrimination, wage theft, and other abuses and misconduct are widespread in the workplace,

WHEREAS the students of Harvard Law School recognize victims of workplace abuse and discrimination must be entitled to rigorous enforcement of their legal rights,

WHEREAS the students of Harvard Law School recognize that assault, discrimination, and other illegal action towards employees in the workplace must be deterred by rigorous enforcement of the legal right to be free from such conduct,

WHEREAS the students of Harvard Law School recognize that employers enjoy an asymmetry of power over job applicants, summer associates, and associates in establishing the terms of their respective employment agreements,

WHEREAS the students of Harvard Law School recognize that many employers require summer associates, full-time associates, and staff to sign mandatory arbitration agreements as part of their respective employment agreements,

WHEREAS the students of Harvard Law School recognize that mandatory arbitration agreements prevent employees from seeking justice in court and limit the enforcement of substantive employment rights,

WHEREAS the students of Harvard Law School recognize that many employers which recruit at our school require summer associates, associates, and staff to sign such mandatory arbitration agreements,

WHEREAS the students of Harvard Law School recognize that employers which recruit at our school and require summer associates, associates, and staff to sign mandatory arbitration agreements do not disclose this requirement when students have any leverage during the recruitment process,

WHEREAS the students of Harvard Law School recognize that job applicants, summer associates, and associates--when acting on their own and in isolation--have little leverage to negotiate the terms of their employment,

THEREFORE, THE STUDENTS OF HARVARD LAW SCHOOL RESOLVE that any law firm which requires mandatory arbitration agreements for its summer associates, full-time associates, and staff shall disclose this fact to the Office of Career Services.

PASSED IN THE STUDENT COUNCIL: 4/24/2019

VOTE TOTALS:

 5 YES

 0 NO

 0 ABSTAIN