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Restaurant Law Center and California Restaurant Association Support Challenge AB 51

Washington, D.C. – The [Restaurant Law Center](#) (Law Center) and the [California Restaurant Association](#) (CRA) filed an [amicus brief](#) on November 1, 2021, urging the entire U.S. Court of Appeals for the Ninth Circuit to rehear a appeal challenging the legality of California Assembly Bill 51, which prohibits employers from requiring arbitration as a condition of employment or continued employment. Many companies in the foodservice industry include arbitration agreements in their employment contracts as they are an efficient, less costly means for parties to settle disputes.

According to the brief, if AB 51 is enforced as envisioned by the earlier panel majority opinion, California restaurant operators will have to forgo what until now has been their federally protected right to enter into arbitration agreements with their workers. This will require them to incur immediate administrative costs to redraft their contracts and will result in more disputes being channeled into judicial and administrative venues.

“If the earlier Ninth Circuit panel majority’s opinion in this matter is allowed to stand, it would effectively prevent future mandatory employment arbitration agreements,” said **Angelo Amador, Executive Director of the Restaurant Law Center**. “California AB 51 would bar employers from requiring employees and applicants for employment from arbitrating disputes. We strongly support the preliminary injunction, a permanent injunction, and a declaratory judgment against AB 51.”

The Law Center and the CRA argue the Ninth Circuit’s majority opinion violates the Federal Arbitration Act and Supreme Court precedent and will cause irreparable harm to California businesses—including the already struggling restaurant industry.

“It’s our job to stand up for the restaurant industry—a community that has already faced a tremendous number of challenges in the last two years,” said **Jot Condie, President and CEO of the California Restaurant Association**. “As written, AB 51 would increase legal uncertainty and financial stress for California’s restaurant industry at a time it continues to struggle to recover from the pandemic.”

The complete amicus brief by the Law Center and CRA can be found [here](#).

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About the Restaurant Law Center

The Restaurant Law Center is an independent 501(c)(6). The Center's goal is to promote pro-business laws and regulations that allow restaurants to continue growing, creating jobs and contributing to a robust American economy. The Center is the voice of America's restaurants in the courtroom advancing the policy interests of the industry.

About the California Restaurant Association

The California Restaurant Association provides ultimate access to the resources and support that neighborhood restaurants need to lead thriving businesses while serving as conscientious, contributing members of an unparalleled industry. California is home to eating and drinking places that ring up more than \$72 billion in sales and employ more than 1.4 million workers, making restaurants an indisputable driving force in the state's economy.