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# Law360 Quotes New York Locke Lord Partner Richard Reibstein on Supreme Court Arbitration Ruling

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**Richard Reibstein**, a New York Partner in Locke Lord's Labor and Employment Practice Group and co-head of the Firm's Independent Contractor Compliance and Misclassification Practice, was quoted by Law360 regarding implications of the U.S. Supreme Court's decision that a worker's job duties and not the industry in which they work are key for determining whether someone is exempt from arbitration under the interstate transportation worker exemption in the Federal Arbitration Act (FAA). In *Bissonnette v. LePage Bakeries Park St., LLC*, the high court ruled that the FAA's exemption for such transportation workers applies to workers who are "actively engaged in transportation of goods across borders via the channels of foreign or interstate commerce."

Reibstein notes that the Supreme Court provided no explanation as to what "actively" engaged means. He added, "the biggest issue with the high court's decision is that its precedent tees up more litigation by using terms without defining them." Reibstein also observed that even if a worker is actively engaged in interstate transportation, the Supreme Court decision does not mean the worker's arbitration agreement is unenforceable. Rather, he noted, "state arbitration laws continue to provide an alternative basis for a court to compel arbitration of employment and independent contractor claims," provided they are drafted correctly.

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