

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2969

To amend title 9 of the United States Code to exclude all employment contracts from the arbitration provisions of chapter 1 of such title; and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 17, 2005

Mr. KUCINICH (for himself, Mr. GEORGE MILLER of California, Mr. CONYERS, Mr. FRANK of Massachusetts, Mr. MARKEY, and Mr. ANDREWS) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend title 9 of the United States Code to exclude all employment contracts from the arbitration provisions of chapter 1 of such title; and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Preservation of Civil  
5 Rights Protections Act of 2005”.

1 **SEC. 2. AMENDMENT TO FEDERAL ARBITRATION ACT.**

2 Section 1 of title 9, United States Code, is amended  
3 by striking “of seamen” and all that follows through  
4 “commerce”.

5 **SEC. 3. UNENFORCEABILITY OF ARBITRATION CLAUSES IN**  
6 **EMPLOYMENT CONTRACTS.**

7 (a) PROTECTION OF EMPLOYEE RIGHTS.—Notwith-  
8 standing any other provision of law, any clause of any  
9 agreement between an employer and an employee that re-  
10 quires arbitration of a claim arising under the Constitu-  
11 tion or laws of the United States shall not be enforceable.

12 (b) EXCEPTIONS.—

13 (1) WAIVER OR CONSENT AFTER CLAIM  
14 ARISES.—Subsection (a) shall not apply with respect  
15 to any claim if, after such claim arises, the parties  
16 involved voluntarily consent to submit such claim to  
17 arbitration.

18 (2) COLLECTIVE BARGAINING AGREEMENTS.—  
19 Subsection (a) shall not preclude an employee or  
20 union from enforcing any of the rights or terms of  
21 a valid collective bargaining agreement.

22 **SEC. 4. APPLICATION OF AMENDMENTS.**

23 This Act and the amendment made by section 2 shall  
24 apply with respect to all employment contracts in force  
25 before, on, or after the date of the enactment of this Act.