



## **WHAT IS THE EMPLOYMENT-RELATED MASS CLAIMS PROTOCOL?**

- Arbitration is a private process where a neutral third-party acts like a judge and resolves a claim for two parties. Sometimes employment contracts require employees to use arbitration in claims against their employer. Where many employees (sometimes tens of thousands) have brought arbitration claims against a single entity, it is often difficult for the arbitration provider to process these claims quickly and efficiently.
- CPR, which is short for the International Institute for Conflict Prevention and Resolution, is also an arbitration provider. CPR has developed a process called the Employment Related Mass Claims Protocol to help with the administration of these mass claims. Since this process affects each employee's (or claimant's) legal rights, the full Protocol should be read carefully and in consultation with a lawyer.
- The Protocol uses "test" cases (a randomly-selected initial round of arbitrations) to provide examples for a mediator (a neutral third party who helps the parties to a claim find a solution). While the test cases go forward, the others will stand by. This should in most circumstances take about 6 months.
- Once the test cases result in decisions, CPR will remove information from the decisions that would reveal who the claimant is and give copies of the decisions to the mediator. Using these examples, the mediator will try for 90 days to assist the parties through their lawyers in coming to a process for resolving all of the remaining claims.
- If a global resolution is reached by the parties to the mediation, but the individual claimant doesn't like it, the claimant can proceed to an individual arbitration of the claim by a neutral arbitrator.
- If a global resolution is not reached, the company or the individual parties can choose to either proceed in court or in arbitration. If the company chooses to go to court, everyone can refile their claim in court. If the company chooses to proceed in arbitration, each claimant will still have the opportunity to decide to go to court instead of arbitration.