

109TH CONGRESS  
1ST SESSION

# H. R. 3651

To amend title 9, United States Code, to allow employees the right to accept or reject the use of arbitration to resolve an employment controversy.

---

## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 6, 2005

Mr. ANDREWS introduced the following bill; which was referred to the Committee on the Judiciary

---

## A BILL

To amend title 9, United States Code, to allow employees the right to accept or reject the use of arbitration to resolve an employment controversy.

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. ARBITRATION CHOICE.**

4 (a) DEFINITION.—Section 1 of chapter 1 of title 9,  
5 United States Code, is amended by striking “nation, but  
6 nothing herein” and all that follows through the end and  
7 inserting “nation.”.

8 (b) ARBITRATION CHOICE.—Chapter 1 of title 9,  
9 United States Code, is amended by adding at the end the  
10 following:

1 **“SEC. 117. RESOLUTION OF CONTROVERSY.**

2 “(a) Notwithstanding an employment contract that  
3 provides for the use of arbitration to resolve a controversy  
4 arising out of or relating to the employment relationship,  
5 arbitration may be used to settle such a dispute only if—

6 “(1) the employer or employee submits a writ-  
7 ten request after the dispute arises to the other  
8 party to use arbitration; and

9 “(2) the other party consents in writing not  
10 later than 60 days after the receipt of the request  
11 to use arbitration.

12 “(b) An employer subject to this Act may not require  
13 an employee to arbitrate a dispute as a condition of em-  
14 ployment.”.

15 **SEC. 2. EFFECTIVE DATE.**

16 The amendments made by section 1 shall apply to  
17 contracts entered into, amended, altered, modified, re-  
18 newed, or extended after the date of the enactment of this  
19 Act.

○