



[Employees Accepted Arbitration Program by Failing to “Opt-Out”](#)

[Frank Neuner](#) discusses best practices for implementing a legally enforceable arbitration program through the use of opt-out provisions.

[Seventh Circuit Rejects Employer's Ability to Assert “Failure to Conciliate” Defense Against EEOC](#)

[Megan Meadows](#) analyzes a recent Seventh Circuit case holding that employers may not assert a "failure to conciliate" defense after they are sued by the EEOC.

[Oral Argument Casts Doubt on Validity of Recess Appointments to the NLRB](#)

[David Wing](#) offers his perspective on the oral arguments before the U.S. Supreme Court in the case of *Noel Canning v. NLRB* involving the validity of President Obama's recess appointments to the National Labor Relations Board in January 2012.

January 2014

[Employees Accepted Arbitration Program by Failing to “Opt-Out”](#)

[Seventh Circuit Rejects Employer's Ability to Assert “Failure to Conciliate” Defense Against EEOC](#)

[Oral Argument Casts Doubt on Validity of Recess Appointments to the NLRB](#)

Authors



[Megan Meadows](#)
(314) 333-3905
mmeadows@spencerfane.com



[Frank Neuner](#)
(314) 333-3909
fneuner@spencerfane.com



[Dave Wing](#)
(913) 327-5143
dwing@spencerfane.com

**2014 Labor and
Employment Seminar -
Save the Date**

Overland Park, KS
May 15, 2014

St. Louis, MO
May 20, 2014

Joplin, MO
June 12, 2014

Denver, CO
June 26, 2014

Registration will begin in
March. Agenda and
details to follow.

A Month in Review
summarizes our most
recent Top Tips and
blog postings. We
encourage you to
subscribe to our [HR
Solutions Blog](#) for the
most up to the minute
observations, tips and
HR news.

| [Forward to a Friend](#)