

Selendy Gay Secures Summary Judgment Protecting Faculty Arbitration Rights in Florida

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Selendy Gay secured a significant victory in federal court on behalf of the American Federation of Teachers, and the University of Florida's Chapter of the United Faculty of Florida. The team won a motion for summary judgment in a challenge to a Florida statute that eliminated long-standing neutral arbitration protections for public university faculty.

The case arose from Florida's 2023 enactment of SB 266, which banned arbitration as an option for faculty to appeal certain employment decisions and replaced it with a one-sided procedure that gave presidents of Florida public universities final decision-making authority over personnel disputes. In its summary judgment decision, the court held that the arbitration ban conflicts with and is preempted by the Federal Arbitration Act, preserving the parties' right to bargain for binding neutral, third-party dispute resolution.

The decision represents a major victory for the plaintiffs and reinforces important contractual protections for higher education faculty at a time of heightened scrutiny of public universities.

The Selendy Gay team was led by Faith Gay and Corey Stoughton and included Hannah Miles, Patrick Holland and Emma Austin.

Attorneys

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