

In The News

Akerman Partner Amy Moor Gaylord Predicts Impact of Illinois High Court Ruling on Biometric Bargaining

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Unionized workers' lawsuits alleging violations of Illinois' Biometric Information Privacy Act (BIPA) are preempted if the worker who sued is covered by a collective bargaining agreement with a broad management rights clause, according to the recent Illinois Supreme Court decision in *Walton v. Roosevelt University*. The decision leaves BIPA claims to the dispute resolution process set forth in the union contract.

In a *Bloomberg Law* article, "Union Workers in 'Unchartered Territory' on Illinois Privacy Law," Traditional Labor Law Practice Co-Chair Amy Moor Gaylord, explained that the *Walton* decision gives unions leverage to negotiate for strong biometric privacy protections, or other concessions, in future contracts.

Bloomberg Law quoted Moor Gaylord: "Getting that broad management rights clause that will hopefully cover timekeeping and other BIPA issues now becomes more valuable for employers."

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