

Employer Victory in Motion to Compel Arbitration

California Employment Law Update on June 4, 2025

On May 19, 2025, Proskauer attorneys successfully compelled to arbitration an employment discrimination lawsuit that had been filed in the Los Angeles Superior Court. While the former employee claimed that she never signed the arbitration agreement because she lacked access to her work email while on medical leave, the defendants established with emails showing that the employee actually did “access the . . . platform” on which she could review and sign the agreement through her personal email account and that she in fact “agreed to the arbitration provisions.”

The employee also claimed unsuccessfully that the arbitration agreement was unenforceable because, while on leave and concerned about losing her health insurance, she was not in a state of mind to enter into a contract. The Court rejected this argument, pointing to the emails produced showing that the plaintiff was sufficiently lucid to ask questions about accessing her account through which she signed the arbitration agreement. The Court further noted that an employee “can be bound by an arbitration agreement regardless of whether she read it or was aware of it.”

Although one of the defendants did not employ the plaintiff directly and was not a signatory to the arbitration agreement, the Court found that the employee was “equitably estopped” from arguing that the arbitration agreement did not apply because the “Plaintiff’s claims are based on her employment relationship with all defendants, whom Plaintiff alleges are her joint employers” (relying upon *Gonzalez v. Nowhere Beverly Hills LLC*, 107 Cal. App. 5th 111, 129 (2024)).

The Court’s fulsome [opinion and order](#) granting the motion to compel arbitration in *Wymar v. Congress Medical Surgery Center, LLC* is published on Westlaw at 2025 WL 1466269 (Cal. Super. Ct. May 19, 2025).

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