

Pat Konopka Talks to the *Kansas City Business Journal* About Federal #MeToo Bill

In the News

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In an article published on February 22, Partner [Pat Konopka](#) discusses the federal #MeToo bill recently passed by the Senate with the *Kansas City Business Journal* and explains how this legislation affects the employer-employee dynamic if an incident occurs.

The bill, which is expected to be reconciled with the House version and then signed by President Biden, prohibits employers from using employment agreements to force arbitration in sexual harassment and sexual assault cases. This could significantly affect how such cases are litigated for employers that have arbitration agreements with their employees.

“When an employee believes they’ve been mistreated or harassed by a supervisor, they’re always going to sue the employer, who they feel is ultimately responsible,” Konopka said. “Whether or not that dispute goes to arbitration or goes into a lawsuit won’t change that level of scrutiny. They’ll often try to find a lawyer to represent them, and there are some lawyers who perceive that arbitration is less favorable to their client and may be reluctant to take a case where arbitration is sought as opposed to filing the case in court.”

The article covers elevated risks facing companies with this legislation, as it will make sexual harassment and abuse litigation more public and more expensive, and how the emphasis should be on preventing sexual harassment and assaults from occurring. Konopka believes that prevention remains the cheapest and best route, and advises employers to review their employment agreements, which doesn’t necessarily mean they’ll need to be rewritten.

Konopka has experience working with employers in a wide range of industries, including live entertainment and sports arenas, accounting, banking, retail, manufacturers, health care companies and wireless networking companies. She litigates employment-related lawsuits to help clients resolve disputes effectively and efficiently and regularly advises clients to ensure their employment policies and practices

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meet legal requirements. Konopka also counsels employers on all aspects of employment law and human resources practices and regularly conducts and directs internal investigations of alleged misconduct by employees, as well as claims by employees of harassment or discrimination.

Sign in to the *Kansas City Business Journal* site to [read the full article](#).

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