

Judge Amy Coney Barrett

A Record of Siding With Corporations Over Workers

President Donald Trump nominated Seventh Circuit Court of Appeals Judge Amy Coney Barrett to replace Justice Ruth Bader Ginsburg on the U.S. Supreme Court. Trump and his allies in the U.S. Senate know what is at stake with this nomination – and by nominating Judge Barrett, he is continuing to pack the courts with judges who will side with corporations over workers, and with powerful interests over everyday Americans. The Supreme Court makes key decisions about workers' health care, protections for workers to have a safe and fair workplace, and the rights of working people to join together and negotiate for better wages and working conditions. The American people deserve to have their voices and votes count in this process.

BARRETT SIDES WITH CORPORATIONS OVER PEOPLE 76% OF THE TIME

A [new analysis](#) from government watchdog Accountable.US found Judge Barrett sided with corporations over people 76% of the time during her brief tenure on the 7th Circuit Court of Appeals.

BARRETT CRITICIZED THE COURT DECISIONS THAT PROTECTED THE NATION'S HEALTH CARE LAW:

On the Supreme Court's *NFIB v. Sebelius* decision that upheld the nation's health care law, Barrett [said](#), "Chief Justice Roberts pushed the Affordable Care Act beyond its plausible meaning to save the statute." She has [said](#) that the Supreme Court "very creatively interpreted the statute to be a tax" in order to uphold the statute. On the Supreme Court's *King v. Burwell* decision that upheld the tax credits, Barrett [said](#): "I think the dissent has the better of the legal argument."

BARRETT UPHELD A POLICY OF RACIALLY SEGREGATING EMPLOYEES:

Judge Barrett [ruled](#) against a Black worker whose employer, AutoZone, transferred him to another store through an alleged practice of segregating employees by race. The Equal Employment Opportunity Commission claimed that AutoZone had a practice of segregating employees by race when it assigned Black employees to stores in Black neighborhoods, and Hispanic employees to stores in Hispanic neighborhoods. Judge Barrett denied a petition to rehear the case en banc after a three-judge panel ruled for the employer. Barrett's decision meant that AutoZone's "separate-but-equal" policy was legal despite "the dignitary harm Stuckey suffered by being the victim of overt racial segregation" and the policy's effect of depriving "people who did not belong to the designated racial group of employment opportunities at their preferred geographic location."

BARRETT RULED TO LIMIT PROTECTIONS FOR OLDER WORKERS:

Judge Barrett [ruled](#) against a 58-year old man who was passed over for a job in favor of a 29-year-old with less experience. By twisting the text of the Age Discrimination in Employment Act, she concluded that only current employees are protected from discrimination due to disparate impact, not outside job applicants.

BARRETT RULED TO MAKE IT HARDER FOR GIG WORKERS TO GET OVERTIME PAY:

Judge Barrett [ruled](#) against drivers who claimed that GrubHub failed to pay them overtime wages they were entitled to in violation of established federal law. Despite the fact that transportation workers engaged in “interstate commerce” are exempt from mandatory arbitration agreements, Barrett held the drivers were required to undergo a too often biased arbitration process for any claims.

UNIONS HAVE OPPOSED BARRETT’S NOMINATION TO THE SUPREME COURT:

Amy Coney Barrett’s nomination to the Supreme Court has been opposed by the AFL-CIO, AFSCME, and SEIU.

CORPORATE LOBBYING GROUPS ARE SUPPORTING BARRETT’S NOMINATION:

The U.S. Chamber of Commerce has begun [mobilizing](#) its resources and lobbying lawmakers and businesses across Washington in support of Judge Barrett’s confirmation. The political advocacy group, Americans for Prosperity, backed by billionaire Charles Koch, has also [launched](#) an “expansive and expensive campaign” in support of the nomination.