

# Caught in the Judicial-Congressional Tug of War: Making Sense of Recent and Upcoming Supreme Court Decisions and Congressional Legislation

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When it comes to employment law in 2010, it may be an understatement to say that we live in "interesting times," an oft-quoted expression to describe times of change, challenge, and unpredictability. The Obama White House and the Democrat-controlled Congress hold open the promise of greatly expanded employee rights. The Supreme Court - with the addition of Chief Justice Roberts and Justice Alito in 2005 and 2006 respectively - has a slim but definitive majority vocally resistant to any perceived encroachment into corporate interests. The substitution of Justice Sotomayor for Justice Souter does not, at least in theory, appear to shake up the pro-business orientation of the court.

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