

BIPA Claims Preempted Under LMRA Due to Collective-Bargaining Agreements

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Article highlights a recent the Seventh Circuit Court of Appeals decision to uphold the dismissal of a lawsuit that alleged a violation of the Illinois Biometric Information Privacy Act (BIPA). The Seventh Circuit refused to revive the lawsuit on the premise that the claims, which concerned the interpretation of labor contracts, were preempted by the Labor Management Relations Act (LMRA). The court found that precedent dictated that the dispute was preempted because the dispute implicated collective-bargaining agreements between the company and the union that represented its employees.

The article indicates the decision serves as another example of Illinois courts clarifying which claims can be brought under BIPA. Given that BIPA is a recent statute that is expansive in nature, parsing out its meaning and applying it to various types of cases can be difficult. This case helps delineate the bounds of BIPA as it relates to other federal laws, like the LMRA and Railway Labor Act (RLA).

["BIPA Claims Preempted Under LMRA Due to Collective-Bargaining Agreements," Civil Litigation FLASHPOINTS, December 2021](#)

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