

# PUBLICATION

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## The Supreme Court and *Chevron*: Fast Facts for Employers

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We have been monitoring and awaiting the Supreme Court's ruling on (what is known as) the *Chevron* doctrine. You can read more about the doctrine here. Earlier today, the Supreme Court issued its decision and overruled the doctrine, which had been in place for more than four decades. For a number of reasons, this decision has and will continue to make headlines. We will have more to come on its impact, but here are five things employers need to know now.

1. The Supreme Court's decision, although impactful, did not overrule or lessen any workplace statute, protection, or requirement. In terms of immediate impact on the workplace, there is none. Employers must continue to comply with applicable workplace laws and regulations.
2. The federal agencies with which employers are most familiar, like the DOL, EEOC, and NLRB, will continue to regulate companies and workplaces. Although the Supreme Court's decision will dictate how courts analyze those regulations in the future, the decision does not immediately impact the scope or enforceability of those regulations.
3. The state agencies with whom employers are most familiar, which vary from state to state, will also continue to regulate companies and workplaces. The Supreme Court's decision may have an impact on how courts analyze state regulations in the future, but likely to a lesser degree than any impact on federal regulations.
4. Then what's the big deal? Is there a bigger picture? Yes, there certainly is; it will just take time for it to reach and impact the workplace. Today's decision marked a historic point in the balance between the branches of government, particularly the executive branch and the judicial branch. The decision makes clear that the judicial branch, judges, and courts have the final word on what a law means, and no longer have to defer to the executive branch's interpretation of laws or regulations.
5. What do employers need to do right now? Employers need to continue with business as usual. Despite what might make headlines, there is no immediate workplace change for employers to make. If, however, your company is actively involved in litigation regarding a federal regulation or a decision from an administrative agency, you will want to speak with your counsel regarding this decision. Any immediate effect from this decision will be felt in active litigation, not the day-to-day workplace.

For additional information regarding the Supreme Court's upcoming cases or other workplace issues, please contact the author, [Zachary B. Busey](#), or any member of the [Labor & Employment Group](#).