

Supreme Court Leaves Intact Decision Refusing to Extend the Fair Labor Standards Act's Anti-Retaliation Provision to Prospective Employees

By [Michael S. Arnold](#) on February 22, 2012

The Supreme Court has refused to consider the issue of whether the Fair Labor Standards Act's anti-retaliation provision applies to prospective employees. Its refusal leaves intact a Fourth Circuit Court of Appeals decision extending the FLSA anti-retaliation provision to current and former employees only and barring such claims by prospective employees. You can read our previous entry on the Fourth Circuit's decision [here](#). We will provide further updates as other courts weigh in on this issue over time.