

Adam Sencenbaugh in Business Insurance: Age Discrimination Law Applies to Small Government Entities: High Court

November 9, 2018 Adam Sencenbaugh

PRACTICES Employment Litigation, Labor and Employment

Business Insurance quoted Haynes Boone Partner [Adam Sencenbaugh](#) in an article about implications of a recent U.S. Supreme Court ruling around the Age Discrimination in Employment Act and its potential effects on employment practices liability insurance.

Here is an excerpt:

The U.S. Supreme Court held in a unanimous ruling Tuesday that the Age Discrimination in Employment Act applies to small government entities that employ fewer than 20 workers.

The Mount Lemmon Fire District, a political subdivision in Arizona, had argued a provision in the ADEA that said the law did not apply to firms with fewer than 20 workers also applied to political subdivisions of the same size, according to the ruling in *Mount Lemmon Fire District, petitioner, et al. v. John Guido, et al.*, which upholds a decision by the 9th U.S. Circuit Court of Appeals in San Francisco.

Adam H. Sencenbaugh, a partner with Haynes Boone in Austin, said the ruling will lead to higher EPLI rates for these small special interest districts, which number in the thousands throughout the United States. "I think definitely the additional exposure will lead to increased rates for those small districts."

He said amicus briefs submitted to the court on behalf of these entities said, "If we face litigation and try to mitigate that through our insurance coverage," it will lead to higher rates "and further degrade our ability to accomplish our mission," which is usually of a public service nature, said Mr. Sencenbaugh.

To read the full article, click [here](#).