

Breaking News

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Court Puts Union Poster Requirement on Hold

By Seth Stern

A federal appellate court in Washington D.C. has temporarily halted the National Labor Relations Board's ("NLRB") plan to require businesses to begin displaying posters informing employees of their right to unionize.

The mandate, which was set to take effect on April 30th, is now on hold until the appellate court can decide legal challenges from business organizations questioning the NLRB's authority to impose the mandate and punish companies that do not comply. Lower courts have split on whether the requirement exceeds the NLRB's authority. Last week, a federal district court in South Carolina decided against the NLRB. The NLRB has announced plans to appeal that ruling.

The D.C. appellate court will hold a hearing in September after both sides file their legal briefs. While it remains unknown whether the poster mandate will ultimately go forward, employers can rest assured that they do **not** need to display the poster on April 30th. The NLRB released a statement that it "continue[s] to believe that requiring employers to post this notice is well within the Board's authority," but nonetheless announced that its regional offices will hold off on enforcing the poster requirement pending the outcome of the appeal.

FVLD regularly consults with clients about employment and labor issues including requirements under the National Labor Relations Act.

FVLD publishes updates on legal issues and summaries of legal topics for its clients and friends. They are merely informational and do not constitute legal advice. We welcome comments or questions. If we can be of assistance, please call or write Jon Vegosen 312.701.6860 jvegosen@fvldlaw.com, Orley Desser, 312.701.6873 odesser@fvldlaw.com, Seth A. Stern 312.701.6837 sstern@fvldlaw.com, or your regular FVLD contact.

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