



ATTORNEYS AT LAW

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UPDATE: NLRB FINAL RULE REQUIRING EMPLOYERS TO POST COLLECTIVE BARGAINING RIGHTS NOTICES PUT ON HOLD UNTIL JANUARY 31, 2012

The National Labor Relations Board (“NLRB”) recently postponed the effective date of its new final rule on “Notification of Employee Rights” until January 31, 2012. The final rule, issued on August 25, 2011 and originally scheduled to take effect on November 14, 2011, requires most private employers to post conspicuous notices to their employees of the right to organize and collectively bargain.

The NLRB cited a litany of inquiries from businesses and trade organizations, indicating uncertainty about the final rule’s coverage, as the cause for the postponement. Following announcement of the final rule, however, the National Association of Manufacturers (“NAM”) filed suit against the NLRB in the District Court of the District of Columbia, alleging that the NLRB acted in excess of its legal jurisdiction and authority in issuing the final rule. The NAM lawsuit is currently pending, and the court has not yet taken any action in the lawsuit.

Employers should continue to follow developments regarding the final rule. We will update employers as soon as additional information regarding the final rule and the NAM lawsuit becomes available. For more information on the final rule, please see our web-site (www.tuggleduggins.com) to review our prior article, “*NLRB Issues Final Rule Requiring Employers to Post Notices of Employees’ Collective Bargaining Rights.*” Please contact Ross Hamilton [(336) 271-5279], Denis Jacobson [(336) 271-5242], Nathan Duggins [(336) 271-5246], or another member of the Labor and Employment practice group if you have any questions concerning your compliance with the final rule.