

NLRB ISSUES FINAL RULE REQUIRING NOTIFICATION TO EMPLOYEES OF UNION RIGHTS

The National Labor Relations Board (NLRB) recently issued a final rule which will require private sector employers to post notices advising employees of their rights under the National Labor Relations Act (NLRA). The rule applies equally to both union and non-union employers since the NLRA protects the right of all employees to form, join or assist labor unions and to bargain collectively over the terms and conditions of their employment. The rule will become enforceable beginning on November 14, 2011. The NLRB anticipates copies of the final notice will be available on its website (www.nlr.gov) by November 1, 2011.

Employers should prepare now to comply with this new rule. Failure to post the required notice after November 14, 2011 may be treated as an unfair labor practice by the NLRB, resulting in unnecessary and expensive litigation before the Board. We further recommend that clients periodically conduct a complete review of their union avoidance procedures and consider possible changes in current policies and procedures to aid in union avoidance. Of particular importance is training for all levels of supervisory employees on detecting and responding to union organizing activities early and effectively. As a service to our clients, Conner & Winters conducts supervisory training in union avoidance and consults with management on a full range of union issues. If you have any questions or would like assistance with union issues, please do not hesitate to contact us.

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