

National Labor Relations Board Delays Start of Rule Requiring Employers to Post a Notice About Workers' Labor Law Rights

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October 6, 2011

On August 25, 2011, the National Labor Relations Board implemented a rule which requires virtually all private employers in the United States to post notices about workers' rights under the National Labor Relations Act. This new rule was scheduled to take effect on November 14, 2011, but the NLRB announced yesterday that it will delay imposition of the rule until January 31, 2012.

According to the NLRB, the delay will "allow for enhanced education and outreach to employers, particularly those who operate small and medium sized businesses." However, yesterday's announcement comes in the wake of widespread criticism of the rule, including legal challenges from several business groups such as the U.S. Chamber of Commerce, which allege that the rule is beyond the NLRB's authority.

Despite the delay, the NLRB's announcement confirmed that "no other changes in the rule, or the form or content of the notice, will be made." Therefore, unless a court rules otherwise, employers will be required to post the notice beginning on January 31, 2012.

For information about the form and content of the required notice, please see Foley Hoag's August 26, 2011 employment bulletin.

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