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CLIENT ALERT: NLRB Postpones Deadline for Employers to Post Notice of Employee Rights to April 30, 2012

On December 23, 2011, the National Labor Relations Board ("NLRB") postponed for a second time the effective date of its controversial regulation requiring most private employers in the United States to post a notice informing employees of their rights under federal labor law. In a final rule published on August 30, 2011, the NLRB had required that employers post a notice of employee rights under the National Labor Relations Act no later than November 14, 2011. That date was later extended to January 31, 2012. The new effective date for posting the notice is April 30, 2012.

In a statement announcing the new effective date of April 30, the NLRB said "postponing the effective date of the rule would facilitate the resolution of the legal challenges that have been filed with respect to the rule."

Legal challenges to the posting requirement have been filed by the National Association of Manufacturers in the U.S. District Court for the District of Columbia and by the Chamber of Commerce in the United States District Court for South Carolina. At a December 19, 2011 hearing in the District of Columbia proceeding, District Judge Jackson told NLRB lawyers that the legal issues "deserve more time" than the January 31 deadline. .

For more information on the posting requirements, please see MBJ's Client Alert dated August 31, 2011. A copy of the poster is available by visiting www.nlrb.gov/poster. According to the NLRB, the 11-by-17 inch notice should be posted in a conspicuous place where other notifications of workplace rights and employer rules and policies are posted.

Please contact your Morgan, Brown & Joy attorney with any questions you may have concerning an employer's obligation to post the notice of employee rights under the National Labor Relations Act.

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labor matters.

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