



January 10, 2014

UNITED STATES COURT OF APPEALS FOR D.C. CIRCUIT AND FOURTH CIRCUIT INVALIDATE NLRB RULE

In several previous E-lets, we advised you that the National Labor Relations Board (NLRB) issued a Rule requiring almost all private sector, non-government contractor employers (both unionized and non-union) to post a Notice to Employees in the work place advising them of their rights under the National Labor Relations Act, including the right to unionize and form a union. We also advised you that the Rule was under attack in several courts. Now two appellate courts, the United States Court of Appeals for the D.C. Circuit and the Fourth Circuit have invalidated the Rule.

On January 6, 2014, the NLRB stated that it would not seek Supreme Court review of the decision of the two federal appeals court, thus invalidating the Rule permanently. As a result, if you are a private sector employer without a federal government contract and have posted the Notice to Employees, you can remove the Notice from your bulletin board. If you have any questions concerning this topic, please contact the member of our GrayRobinson [Employment & Labor](#) law team with whom you work.

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