



January 23, 2012

NLRB Posting Requirement Postponed, AGAIN!

As we advised in [two earlier E-lets](#), the National Labor Relations Board (NLRB) issued a Rule requiring almost all private employers (both unionized and nonunion alike) to post Notices in the workplace and inform employees of their rights under the National Labor Relations Act (NLRA), including their right to form and join unions, to bargain over their wages, hours and other conditions of employment. Among the more controversial elements of the Board's Rule are provisions making the failure to post a Notice a violation of the NLRA. The NLRB has once again postponed the effective date of its Employee Rights Notice-Posting Rule at the request of the Federal Courts in Washington, D.C. hearing legal challenges regarding the Rule. The NLRB ruling states that it has determined that postponing the effective date of the Rule will facilitate the resolution of legal challenges that have been filed with respect to the Rule. The new implementation date is April 30, 2012.

Most private sector employers will be required to post an 11" x 17" Notice on the new implementation date. This Notice is available at no cost at the NLRB through its website, www.nlr.gov, which has additional information on posting requirements and NLRB jurisdiction.

Depending on the outcome of the currently pending litigation, the posting requirement could be struck down, delayed once more, or could go into effect on April 30, 2012. We will continue to keep you apprised of any relevant developments, and in the meantime, if you have any questions concerning these posting requirements, please contact any member of our [GrayRobinson Labor and Employment Law team](#).