



President Obama Announces NLRB Recess Appointments

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By Chris Johlle and Jennifer Dunn

Yesterday afternoon President Obama announced his intent to recess appoint Sharon Block, Richard Griffin and Terence F. Flynn as Members of the National Labor Relations Board.

As we reported earlier, Sharon Block is the deputy secretary for congressional affairs at the U.S. Department of Labor. Block previously served as senior labor and employment counsel for the Senate Health, Education, Labor and Pensions Committee from 2006 to 2009. Prior to that experience, Bloch worked as a senior attorney to former NLRB Chairman Robert Battista and as an attorney in the NLRB's appellate court branch.

Richard Griffin is the general counsel for the International Union of Operating Engineers and serves on the board of directors for the AFL-CIO Lawyers Coordinating Committee. Griffin has held several positions with the IUOE, beginning in 1983 as assistant house counsel. From 1981 to 1983, Griffin served as counsel to NLRB board members.

Bloch and Griffin's nominations join that of labor lawyer Terence Flynn, a Republican whom Obama nominated to the NLRB in January 2011 and whose appointment had not been acted on by the Senate.

Democratic member Craig Becker's appointment expired on Tuesday, January 3, 2012. With the expiration of that appointment, the NLRB dropped to two members--Chairman Mark Gaston Pearce and Member Brian E. Hayes. Absent these recess appointments, the NLRB would have lost its three-member quorum and been unable to render any decisions or promulgate rules.

These appointments surely will antagonize Republicans and the business community, both of whom have recently battled the NLRB over a variety of issues, as we discussed in a previous **FR Alert**. Recess appointments are not subject to Senate review and they provide President Obama with an opportunity to pacify his labor constituency without the nasty political fight that certainly would have resulted during the confirmation process. Early reports reveal that Senate Republicans and the business community will seek to challenge the recess appointments. We will continue to monitor these developments and provide updated reports as necessary.

More Information

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