



NLRB Makes New Poster Available Amid Legal and Legislative Challenges to Rule Requiring Its Posting

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By Chris Johlle and Doug Hass

As we reported in late August, the NLRB announced a final rule requiring private sector employers to post a notice of employee rights under the NLRA. This past week, the NLRB published copies of its new poster. A copy is available from the [NLRB website](#). Employers have the option of downloading a single 11" x 17" poster, or two 8.5" x 11" posters. Copies are also available at the Board's regional offices. The final rule requires employers to begin displaying these posters by November 14, 2011.

Meanwhile, the National Association of Manufacturers (NAM) has filed a lawsuit in the U.S. District Court for the District of Columbia challenging the rule. NAM's complaint argues that "[t]he Board's promulgation of the Rule is in excess of the Board's statutory jurisdiction, authority, limitation, and rights." The NAM's complaint requests that the court permanently enjoin the NLRB from "implementation, enforcement, and application of the Rule."

The NLRB's posting rule is also under assault in Congress. Congressmen have recently introduced two bills—the Employee Workplace Freedom Act and the Employer Free Choice Act—that aim to repeal it, though the bills' prospects for passage in the Senate are uncertain.

Franczek Radelet advises that employers covered by this rule wait until November 14th before displaying the poster, given the multiple pending challenges to the rule.

More Information

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