

June 29, 2016

Nationwide Injunction Freezes DOL's Persuader Rule

A **federal trial court in Texas has issued a nationwide injunction**, freezing the **DOL's Persuader Rule**, which would otherwise have taken effect July 1, 2016, calling it "not merely fuzzy around the edges" but "defective to its core because it entirely eliminates the LMRDA's Advice Exemption," in other words, it eliminates, as **argued by the American Bar Association**, among others, the ability of companies to seek and lawyers to give legal advice in the context of a union organizing campaign. The case is *National Federation of Independent Business v. Perez*, USDC-N.Tex., opinion dated 6/27/16.

The decision comes on the heel of a sister court that held the Persuader Rule was likely unlawful but declined to issue an injunction on other grounds. *Labnet, Inc. v. U.S. Department of Labor*, USDC-MN (6/22/16).

Simultaneously **legislation** is progressing through Congress to block DOL's Persuader Rule.

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