

CLIENT ALERT



Goldman Antonetti & Córdova, P.S.C.
Attorneys at Law

Labor & Employment Law Department

American International Plaza, 14th Floor
250 Muñoz Rivera Avenue
San Juan, PR 00918
Tel. 787.759.8000 ♦ Fax 787.767.9333
www.gaclaw.com

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NLRB *POSTPONES* **NOTICE-POSTING REQUIREMENTS**

The implementation of a new Final Rule issued by the National Labor Relations Board (“NLRB”) which was set to take effect on November 14, 2011 has been postponed by the NLRB by more than two months, “in order to allow for enhanced education and outreach to employers, particularly those who operate small and medium sized businesses,” as stated in the official press release issued by the NLRB on October 5, 2011. ***The new effective date of the Final Rule is January 31, 2012. No other changes have been made to the text of the Final Rule.***

Once implemented and made effective, the Final Rule will apply to all private-sector employers (specifically including unions) which are covered by the National Labor Relations Act (“NLRA”), irrespective of whether or not a representation petition has been filed with the NLRB, and will

require them to post a notice describing certain employee rights under the NLRA, including the right to become unionized.

The decision made by the NLRB to postpone the rollout period seems to have been at least partially motivated by uncertainty about which businesses fall under the NLRB’s jurisdiction, and should give employers ample time to understand and adapt to the mandates set forth in the Final Rule.

Employers would be well-advised to communicate the information in this client alert to management and supervisors. Likewise, proper and proactive training on this matter and on the NLRA and its requirements is encouraged. Any doubts or questions should be discussed with legal counsel as promptly and proactively as possible.

We at Goldman remain committed in assisting you and your business to adjust to these changes in the Law. For further information you may contact Luis F. Antonetti, Esq. or any of the attorneys in the Labor & Employment Law Department.

ATTORNEYS

Luis F. Antonetti-Zequeira	787.759.4111	lantonetti@gaclaw.com
Vicente J. Antonetti-Zequeira	787.759.4112	vantonetti@gaclaw.com
Angel Berberena-Feliciano	787.759.4143	aberberena@gaclaw.com
José J. Fas-Quiñones	787.759.4156	jose.fas@gaclaw.com
Maritza I. Gómez-Fernández	787.759.4231	maritza.gomez@gaclaw.com
Heber E. Lugo-Rigau	787.759.4200	hlugo@gaclaw.com
Luis D. Ortiz-Abreu	787.759.4110	lortiz@gaclaw.com
Carlos R. Pastrana-Torres	787.759.4220	cpastrana@gaclaw.com
Howard Pravda	787.759.4101	hpravda@gaclaw.com
María Isabelle Ramos-Artunduaga	787.759.4210	mramos@gaclaw.com
Jorge Rodríguez-Micheo	787.759.4102	jrodriguez@gaclaw.com
Javier G. Vázquez-Segarra	787.759.4113	jvazquez@gaclaw.com
Angel X. Viera-Vargas	787.759.4132	aviera@gaclaw.com



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