

CLIENT ALERT



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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.

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