



**COURT UPHOLDS NLRB'S NOTICE RULE –
POSTING STILL REQUIRED BY APRIL 30, 2012**

On March 2, 2012, the U.S. District Court for the District of Columbia upheld the NLRB's rule requiring most private sector employers to post a notice of employee rights under the National Labor Relations Act. The NLRB previously postponed the effective date of this rule until April 30, 2012.

While the court upheld the posting requirement, it invalidated the part of the rule that designates an employer's failure to post the required notice to be an unfair labor practice. An employer's "knowing and willful" failure to post the notice, however, will be considered evidence of the employer's unlawful motive. Additionally, the court invalidated a separate provision of the new rule requiring tolling of the six-month statute of limitations period for filing an unfair labor practice charge against an employer when an employer fails to post the required notice.

Although the court's decision has been appealed, absent further action by the D.C. Circuit Court of Appeals, employers must post the required notice no later than April 30, 2012.

For More Information

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