

## **NLRB Rule Requiring Employers to Post Union Rights Released**

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The National Labor Relations Board (NLRB) has finalized its administrative rule requiring all employers within its jurisdiction to post notices informing employees of their rights to join a union free of threats and intimidation by the employer. The advance notice of the finalized rule has been published on the internet and the anticipated publication date of the final rule in the Federal Register is August 30, 2011. The rule is scheduled to take effect 75 days after its publication in the Federal Register.

Dinsmore first notified its clients of the proposed rule on [December 29, 2010](#). At that time we wrote:

“The National Labor Relations Board (“NLRB”) has issued a Notice of Proposed Rulemaking that would require all Employers subject to the National Labor Relations Act to post “Notices” physically and electronically.

In a proposed rule issued on December 22, 2010, the NLRB requires all Employers to post 11 by 17 inch Notices and e-mail employees (where the Employer customarily communicates with employees by such means) a Notice identifying the statutory rights of employees to organize unions. The NLRB intends to punish all Employers who fail to make the required postings through their unfair labor practice process.

The Notices explain the statutory protections under the National Labor Relations Act for employees who desire to form unions. The Notices will not only inform employees of their rights, wrote the NLRB, but will also dissuade Employers from violating those rights.”

While the final rule no longer requires the same level of electronic communication of the notice, the remainder of the rule remains largely unchanged. Dinsmore will review the final rule in its entirety and advise its clients in detail regarding its obligations and options as a result of this expansion of the regulatory authority of the NLRB.

You may access the complete final rule here: [http://www.ofr.gov/OFRUpload/OFRData/2011-21724\\_PI.pdf](http://www.ofr.gov/OFRUpload/OFRData/2011-21724_PI.pdf)