

Coming Soon to a Workforce Near You: The NLRB

Article By:

David J. Pryzbyski

People often associate the National Labor Relations Board (NLRB) exclusively with union issues. This is so even though the agency has investigated and found labor law violations by non-union employers over the years, including with respect to the [wording of personnel policies](#) for example. In an apparent attempt to change its image, the NLRB may be launching a new outreach program.

[According to Bloomberg Law:](#)

“The Biden administration is seeking an influx of cash for the National Labor Relations Board to educate workers about their right to form a union—an effort that could prompt new organizing and is already drawing opposition from business lobbyists. The president’s budget proposal for the 2022 fiscal year calls for \$2.1 million to launch programs to inform workers about their rights under the National Labor Relations Act, including forming unions and requesting that an employer address workplace grievances. While the proposal is less than 1% of the labor board’s total budget request, it represents a significant potential investment in outreach for a court-like agency that typically spends its money adjudicating disputes and overseeing union elections.”

The NLRB only regulates labor law in the private sector, and unionization rates there have [dropped precipitously](#) over recent decades. In light of that, this type of outreach – to the extent it is done – is not surprising.

So what would the NLRB be discussing with various groups of private sector workers? Aside from the right to form and join unions, topics could include things like employees’ rights to discuss and protest working conditions (wages, benefits, safety, etc.), [including online](#). The agency recently signaled an [expanded view of the types of activities](#) by employees in this context it may be seeking to protect.

Another item on the horizon that may keep the agency busy is the [potential passage of the PRO Act](#) by Congress, which would significantly expand labor law and likely give rise to a proliferation of both union elections and unfair labor practice charges – both of which fall within the purview of the NLRB.

We’ll see how this all plays out, but one thing’s for sure: the NLRB’s reach is looking to be longer in the coming years.

National Law Review, Volume XI, Number 173

Source URL: <https://natlawreview.com/article/coming-soon-to-workforce-near-you-nlrb>