

U.S. Department of Labor Delays Implementation of the Revised 'Persuader' Rule

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The **Department of Labor's** proposed final revisions to its rule requiring employers and others to report arrangements, receipts, and expenditures derived from providing services defined as persuasive activities will not be implemented by the March 2014 target date. A new implementation date was not announced. This is the second delay for the revisions, which originally were slated to be released in November, 2013. The DOL is issuing the rule under the **Labor-Management Reporting and Disclosure Act of 1959 (LMRDA)**, which was concerned fundamentally with union corruption and lack of transparency.

The proposed revisions would increase reporting obligations (to the DOL) significantly for companies and their law firms that advise employers in connection with union organizing and provide collective bargaining "advice". Under the revised regulations, where an object of the advice is to persuade employees to exercise or not to exercise, or persuade employees as to the manner of exercising, their right to organize and bargain collectively, a reporting obligation would arise. For a detailed explanation of the revised rule and its possible implications, see **DOL's Rule Redefining LMRDA 'Advice Exception' and Expanding Types of Activities Considered Persuasive and Reportable Expected in March 2014.**

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National Law Review, Volume IV, Number 79

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