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NLRB Overrules Precedent, Holds Bargaining Units Combining Jointly- and Solely-Employed Employees Okay Without Consent

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The National Labor Relations Board has decided that bargaining units combining employees who are jointly employed by a user employer and supplier employer and solely employed by the user employer do not require the consent of either employer. In so doing, the NLRB overturned its 2004 decision in *Oakwood Care Center*, 343 NLRB 659. *Miller & Anderson, Inc.*, 364 NLRB No. 39 (July 11, 2016). The Board in *Oakwood Care Center* decided that in order for these employees to be combined in the same bargaining unit, all parties must consent. We will have more about this decision shortly.

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