

## ALERTS

# Employment Update- NLRB Posting Requirement Delayed Again

04.2012

We recently reported that employers would need to comply by April 30, 2012 with a notice-posting rule that the National Labor Relations Board (the "NLRB") issued on August 25, 2011.

The effective date of the rule has been postponed several times. It was due to become effective on April 30, 2012. However, on April 17, 2012, the United States Circuit Court of Appeals for the D.C. Circuit issued an injunction against the NLRB pending review by the Court of Appeals that prevents the NLRB from requiring the posting while the court considers an appeal of an order upholding the requirement. This order was close on the heels behind an order issued by the Federal District Court for the District of South Carolina that held that the posting-requirement was not allowed.

The appellate court order means that private employers who are subject to the NLRB's jurisdiction will not have to post the NLRB posting on or before April 30. We will update you as there are new developments, but it is likely to be a matter of months.

Note that this appellate court order does not remove the requirement under Executive Order 13496 that federal contractors post a very similar notice.