



APRIL 16, 2012

## **District Court Rejects NLRB Notice Requirement**

*Chamber of Commerce v. NLRB*, No. 11-cv-2516 (4/13/12)

### **Key Holding:**

A United States District Court in South Carolina has struck down the NLRB Regulation that would have required most private sector employers to post a Notice of employee rights under the National Labor Relations Act. In an Order issued on April 13, 2012, the District Court sustained a challenge filed by the Chamber of Commerce to the NLRB's authority to require the Notice.

### **Next Steps:**

The Notice requirement was scheduled to take effect on April 30, 2012, but the NLRB's implementation of this requirement is now blocked by the Court Order.

A separate legal challenge is pending before the United States Court of Appeals for the District of Columbia Circuit, and it is likely that this District Court Order will be appealed as well.

This Bulletin has been issued as a follow up to the April 11, 2012 Breakfast Club presentation "NLRB Posting Requirement: Status and Strategies." If you were not able to attend the Breakfast Club, but would like a copy of the PowerPoint presentation, you may submit a request by responding to this email.

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