

CLIENT ALERT

NLRB Makes Employee Rights Poster Available on its Website Shortly After Commencement of a Lawsuit Challenging its Posting Rule

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The National Labor Relations Board ("NLRB") has just made available on its website a workplace poster that describes the rights of employees pursuant to the National Labor Relations Act ("NLRA" or "Act"). As set forth in our Client Alert, [*NLRB Imposes New Employee Rights Posting Requirement on Covered Employers*](#), published on September 6, 2011, private sector employers subject to the NLRA are required to post, "in conspicuous places where they are readily seen by employees," the Employee Rights Under the National Labor Relations Act notice ("Notice"). Please keep in mind that the posting requirement, described in detail in our September 6 Alert, goes into effect on November 14, 2011. The posted Notice must be at least 11-by-17 inches in size and may be printed in black and white or in color.

Employers may download and print the Notice in landscape format, in black and white, on two standard sized pages 8.5-by-11 inches in size. These pages may be taped or bound together to satisfy the size mandate. We have been informed by the NLRB that copies of the Notice are now available, without charge, from any NLRB regional office.

Shortly after the NLRB issued its Final Rule ("Rule"), on August 30, 2011, requiring posting of the Notice, the National Association of Manufacturers ("NAM") filed a lawsuit in the United States District Court for the District of Columbia challenging the validity of the Rule. *National Ass'n of Manufacturers v. National Labor Relations Board, et al.*, Case No. 1:11-cv-01629-ABJ (D.D.C. Sept. 8, 2011). Asserting that the Rule "has been promulgated in excess of the Board's statutory authority under the NLRA" to issue rules and regulations required to carry out the provisions of the Act, the NAM complaint requests that the Court permanently enjoin the NLRB from "implementation, enforcement and application of the Rule." [Click here for a copy of the Complaint.](#)

For more information, please contact the professional(s) listed below, or your regular Crowell & Moring contact.

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