

The Bennett Law Firm

Client Update

Trusted Advisor to Management for 50 Years
Labor Relations ~ Employment Law ~ Business Litigation



South Carolina Federal Court Invalidates NLRB's Notice Posting Rule Creating a Conflict with District of Columbia Federal Court

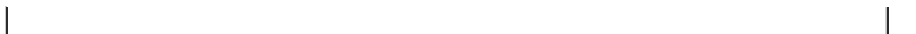
April 30 Implementation Date Uncertain

We reported last month that the United States District Court for the District of Columbia upheld the National Labor Relations Board's right to require employers to post a new oversized notice of employee rights under the National Labor Relations Act. The NLRB had pushed back the implementation date to April 30, 2012, to allow the courts an opportunity to weigh in on the validity of the rule. Last Friday, a second court, the United States District Court for the District of South Carolina invalidated the new posting rule in its entirety. This decision creates a conflict between two federal district courts as to whether the rule is valid or not.

What next?

The decision issued last month is now on appeal before the United States Circuit Court of Appeals for the District of Columbia. This Court may issue a decision on the appeal within the next two weeks. In addition, the NLRB likely will appeal the decision issued last week in South Carolina. Because the issue remains in flux, we continue to recommend that you delay compliance with the new poster rule until April 30, as there is a reasonable possibility that either the NLRB or the courts will stay the implementation of the rule. This is one instance in which a wait and see attitude is the best approach.

For more information, please contact Peter Bennett at pbennett@thebennettlawfirm.com or Rick Finberg at rfinberg@thebennettlawfirm.com.



Offices in Portland, ME & Boston, MA

Mailing Address:

P.O. Box 7799, Portland, ME 04112

(207) 773-4775

[Forward](#) this email to a friend

Boston, MA & Portland, ME
(617) 923-1550 | (207) 773-4775

The Bennett Law Firm is a Charter Member of the
International Society of Primerus Law Firms

www.primerus.com

Sent to <<Email Address>> — [why did I get this?](#)
[unsubscribe from this list](#) | [update subscription preferences](#)
The Bennett Law Firm, P.A. · P.O. Box 7799 · Portland, ME 04112-7799

