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The cultural struggle over collective bargaining rights

The cultural struggle over collective bargaining rights continues with the National Labor Relations Board (NLRB) announcement that it has [issued a Final Rule](#) requiring employers to notify employees of their rights under the National Labor Relations Act as of November 14, 2011. Private sector employers already must have large bulletin boards to post the many government-required notices to employees about various workplace laws. Now employers may need to upsize those bulletin boards to comply with the new NLRB rule requiring employers to let employees know about their collective bargaining rights. Of course, these rights have been a subject of frequent media attention and controversy this year.

According to the NLRB's Press Release (available at <https://www.nlr.gov/news/board-issues-final-rule-require-posting-nlra-rights>) the rule was published in the Federal Register on August 30. [A fact sheet with further information about the rule is available here.](#) Among the facts highlighted there is a reminder that federal labor law rights under the National Labor Relations Act (NLRA) apply to union and non-union workplaces alike, so all employers subject to the NLRB's jurisdiction will be required to post the notice.

Under the rule private-sector employers covered by the National Labor Relations Act will be required to post the employee rights notice where other workplace notices are typically posted. Also, employers who customarily post notices to employees regarding personnel rules or policies on an internet or intranet site will be required to post the Board's notice on those sites. Copies of the notice will be available from the Agency's regional offices, and it may also be downloaded from the [NLRB website](#) and printed in color or black-and-white. Translated versions will be available, and must be posted at workplaces where at least 20% of employees are not proficient in English.

The NLRB described the notice as being similar to [one required by the U.S. Department of Labor for federal contractors](#), which states that employees have the right to act together to improve wages and working conditions, to form, join and assist a union, to bargain collectively with their employer, and to refrain from any of these activities. The notice also provides examples of unlawful employer and union conduct and instructs employees how to contact the NLRB with questions or complaints.

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