



New Employee Poster Requirement

By: Locke Lord's Labor & Employment Practice Group

On August 25, 2011, the National Labor Relations Board announced it was implementing a new rule requiring employers to post an employee notice about employee rights under the National Labor Relations Act, including the right to organize and be represented by a union. Employers must post this notice where other employee notices are posted, and this would include electronic posting if other such notices are so posted.

Employers must comply with this new rule by November 14, 2011. Posters are not available now, but should be available shortly.

Failure to comply with the November 14 deadline could be an unfair labor practice under the Act. An important downside for employers who fail to comply is that the six (6) month limitations period for employees to file an unfair labor practice charge is tolled. Another downside for litigation purposes is that the failure to post may be used as evidence about the employer's anti-union intent.

Employers are well advised to obtain copies of the poster when it becomes available and to timely post it by November 14, 2011.

For more information on the matters discussed in this *Locke Lord QuickStudy*, please contact one of Locke Lord's [Labor & Employment Practice](#) attorneys.