NLRB May Be Preparing Onslaught of Law-Changing Decisions

The National Labor Relations Board is getting ready to issue an onslaught of law-changing decisions as we head into the holiday season, predicts *The National Law Review*.

This onslaught of change likely will be hastened by the departure of Board Member Nancy Schiffer, whose term is set to expire Dec. 16. So, keep an eye out as of December 18 when the decisions are likely to be posted on the NLRB's website, *The Review* suggests.

In the article, *the Review* says:

> The NLRB Division of Advice has answered a question that has been the subject of many charges since the Board's decision in Alan Ritchey, Inc., 359 NLRB No. 40 (December 14, 2012), where it held that in cases where a union has recently secured representational rights, the employer has a duty to bargain over discretionary aspects of discipline before imposition until an initial contract is reached. The Board's decision in *Alan Ritchey* was invalidated by the Supreme Court earlier this year, yet the agency still applies its rationale as if nothing happened to the underlying case.

Read the story.