Pennsylvania Conference of Teamsters
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LEGISLATIVE ACTION ALERT

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NLRB NOW HAS A QUARUM, SO LOOK OUT

>>>>>>>>>>>>>>>>>This article supplied by our legal advisor Tom Kohn, Esq.<<<<<<<<<<<<<<<<

In one of its final acts before going on recess, the Senate approved the nomination of two new NLRB members and a new General Counsel. The Board members are James Murphy, whose career consisted of various staff positions on the NLRB, and Scott Mayer, who most recently served as the Chief Labor Counsel to Boeing. Their appointments bring the Boards' membership to three, with Dave Prouty, a Democratic incumbent being the third member, thus creating a 2 to 1 Republican majority. In addition to those appointments, the Senate confirmed Crystal Carey as General Counsel. Her background includes a tenure at Morgan Lewis, one of the country's largest pro-management law firms.

There is no question that the new Board will make significant changes to existing law, the only issue being whether the changes will come sooner or later. Traditionally, the Board has not reversed precedent in the absence of a full five-member complement; however, that practice is not required by law, so we will simply have to wait and see how the new members deal with what is certain to be an eventual sea-change in many existing doctrines. One thing is certain; unions will not fare well.

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