



Construction Industry Round Table

Judicial News

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5/16/12 – [UPDATE] “Snap” Union Election Rule Struck Down

In a major set-back to unions, the U.S. District Court struck down an National Labor Relations Board (NLRB) “snap” election rule that had been pushed through in the waning days of 2011 that was intended to greatly shorten the time an employer could defend against an effort to unionize a business – depriving even the employee from making a fully informed decision. [See CIRT’s (12/01/11) Regulatory News story the subject for more details]. The NLRB requires a quorum of at least three of its five board members to officially pass any rules, so when the Board acted with only two members late last year, the resulting “snap” election rule was promptly challenged. The District Court’s ruling was a clear “shot across the bow” warning the agencies and the Obama Administration in general that legal processes and procedures will be upheld and respected.