

'COURT RULES EMPLOYER'S DON'T NEED TO POST UNION NOTICES



On Friday, a federal judge in South Carolina ruled that the National Labor Relations Board does not possess the authority to order private employers to post notices telling workers of their right to unionize. Judge David C. Norton of the United States District Court in Charleston refused to accept the contentions of the labor board that the labor board's order upon private employers was necessary for the board's mission. The judge also rejected the board's argument that the Congress had delegated its authority to the board to force private businesses post such notices. The decision seems destined for appeal as last month, a federal district court judge in Washington had held that the labor board did have the authority to require posting of the alleged notices by private businesses. The disputed order of the labor board requires private employers notify works of their rights to form unions, bargain collectively, distribute union literature and work together to improve work conditions and wages. The U.S. Chamber of Commerce was the main plaintiff in the South Carolina case and its lawyers said that the legal implications are being considered upon whether the labor board's order should be suspended only in South Carolina, or nationwide, in wake of the new ruling. Nancy Cleeland, the spokeswoman of the labor board said, "Our attorneys are studying the decision and deciding what our response will be." Randel K. Johnson, the senior vice president for labor of the U.S. Chamber of Commerce said "We're quite pleased with the decision, and we hope the labor board will suspend the regulation across the country until this all gets sorted out." The National Labor Board is hugely unpopular in South Carolina as it had sought to move a new \$750 million production line of Boeing from South Carolina to Washington State. Judge Norton remarked that since the passing of the National Labor Relations Act, the labor board "has been nearly unique among federal labor agencies in not requiring employees to post a general notice of employee rights in the workplace." The court held that "The legislative history of this act supports a finding that Congress did not intend to impose a universal notice-posting requirement on employers, nor did it authorize the board to do so."

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