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NLRB Regions Hold Information Sessions to Discuss Representation Case Changes

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In December 2019, the NLRB announced its Final Rule governing representation case procedures. The Final Rule applies to petitions filed on or after May 31, 2020. With the effective date fast approaching, NLRB Regions nationwide are holding public information sessions to explain these changes.

Recently, on May 21, 2020, Region 25 in Indianapolis hosted its representation case change information session via teleconference. During the information session, representatives from Region 25, including Assistant Regional Director Colleen M. Maples, discussed the Board's modifications to the 2014 amendments relating to representation cases.

The information session began with agency representatives explaining the reasons why the Board issued the Final Rule: to promote efficiency and greater use of modern technology. The information session focused on nine main areas of amendments: those related to notices of petition for election, responsive statements of position ("RSOP's"), litigable issues at hearings, post-hearing briefs, elections held after Decision and Direction of Election ("DDE's"), notices of election, requests for review, election observers, and certifications. Region 25 also noted changes to the standard used for postponements and extensions. Further, the information session discussed the new time period calculation, as well as changes to required time frames for specific hearings and submissions.

The Region 25 officials also noted that the rules are being challenged in a lawsuit seeking to enjoin the Final Rules filed by the AFL-CIO. The lawsuit is currently pending in federal District Court. Region 25 reported that while the court announced it would hear arguments on the parties' motion to dismiss and motion for summary judgment, there has not yet been a ruling on the AFL-CIO's lawsuit.

Furthering its helpful public outreach efforts, Region 25 welcomed questions from listeners throughout the information session, as well as at the end of the presentation. The Region also distributed a slide deck to all registered participants prior to the presentation. The information session lasted one hour, though other Regions' information sessions list run times of up to two hours.

To register for an upcoming virtual information session on the representation rules changes, visit NLRB.gov. The "Latest News" section on the front page has numerous links to upcoming trainings and information regarding attending a specific training.

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