

## BREAKING: President Biden Nominates Former Deputy General Counsel Jennifer Abruzzo for NLRB General Counsel

## Labor Relations Update Blog on February 17, 2021

President Biden nominated Jennifer Abruzzo, Special Counsel for Strategic Initiatives for the Communications Workers of America, to be General Counsel of the National Labor Relations Board. Abruzzo was a Board veteran with more than two decades at the agency before becoming the union's point person on NLRB issues. She was NLRB Deputy General Counsel and then Acting General Counsel before former General Counsel Peter Robb was confirmed by the Senate.

According to the White House announcement, "Abruzzo will work to enforce U.S. labor laws that safeguards the rights of workers to join together to improve their wages and working conditions and protect against unfair labor practices."

The position of General Counsel comes with broad discretion to shape the policy of the agency in the coming months. The General Counsel has power to issue complaints in cases where the agency wishes to pursue novel theories under the Act and to seek reversal of existing precedent.

This nomination comes after Biden <u>fired NLRB General Counsel Robb</u>, former President Donald Trump's appointee, on his first day in office. Since then, career employee <u>Peter Sung Ohr has been serving as Acting General Counsel</u>. Given Republicans' criticism of the abrupt firing of Robb, Abruzzo likely will face a confirmation battle in the Senate.

We will continue to monitor developments in the composition of the Board. Subscribe to Proskauer's <u>Law and the Workplace</u> blog to stay current on the latest <u>Biden</u> <u>administration developments</u> impacting your business.

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