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President Trump Taps Two GOP Nominees for NLRB, But Uncertainty Remains

Labor Relations Update on **July 18, 2025**

Although the National Labor Relations Board (NLRB) has operated for most of this year without a quorum and thus unable to issue decisions, that could soon change. President Trump nominated Scott Mayer (chief labor counsel at Boeing Co.) and James Murphy (former NLRB attorney) to fill two vacant Republican seats on the NLRB, potentially restoring the Board's ability to issue decisions.

Mayer's work experience demonstrates a strong management background, having worked at InterContinental Hotels Group, MGM Resorts International, Aramark, and several law firms prior to his current role at Boeing. Meanwhile, Murphy was selected by Kaplan to serve as his chief counsel in 2017 and has spent his career at the Board, having served as staff counsel or supervisor on the staffs of dozens of Board members.

The nominations come after months of gridlock due to the President's unprecedented and controversial firing of Democratic member Gwynne Wilcox in January (reported here). While Wilcox's firing dropped the Board below the three-member quorum threshold, the Supreme Court nonetheless blocked a lower court's order to reinstate Wilcox (reported here). Litigation is ongoing.

The timing of potential Senate confirmation is unknown and could take months. It appears that Mayer's and Murphy's nominations are designed to ensure the Board reaches a Republican-majority quorum at some point this year, especially with the impending expiration of Chair Marvin Kaplan's term on August 27, 2025. President Trump could renominate Chair Kaplan, or he can decide not to fill his seat. Either way, if Mayer and Murphy are confirmed, then there will be at least a 2-1 Republican majority at the NLRB for the foreseeable future. That is, unless the Supreme Court orders the reinstatement of fired NLRB-member Wilcox.

There are a number of variables at play, but the prolonged period of the NLRB operating without a quorum–and the backlog of cases that has developed as a result–may soon be ending. Precisely when that occurs, and for how long, remains unclear. We will continue to monitor these key developments at the NLRB.

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Related Professionals

- **Joshua S. Fox**
  Partner
- **Austin McLeod**
  Associate