

## Weston Hurd NLRB Update - March 2016

### The NLRB's "Quickie Election" Rules: Nine Months Later

Prepared By Morris Hawk and Nancy Noall

On February 25, 2016, the National Labor Relations Board (NLRB) issued a report comparing the petitions for union elections filed in the nine months since the implementation of the "quickie election" rules in April 2015 to the petitions filed in the nine months prior to the new rule.



The report confirms that the new election rules have accomplished the Board's goal of significantly reducing the time between the filing of a union petition and a union election. In the nine months prior to the adoption of the new rules, the median time between a petition and an election was 38 days. In the nine months since the adoption of the new rules, the median time has been 23 days - a 40% reduction in time.

Fortunately, the NLRB's report does not reveal an increase in the number of petitions filed by unions to take advantage of the new rules. At least not yet. However, this is cold comfort for any employer who receives a petition and who now, on average, has less than a month to educate its employees about the disadvantages of unionization before a union election. Since the implementation of the new rules, the union has prevailed in 68% of the petitions filed to represent previously nonunion employees.

As we have stated in our prior client alerts, the new rules make it incumbent on employers to mount an ongoing anti-union campaign by: regularly soliciting employees' workplace concerns and correcting unfair treatment where appropriate; educating employees about unions; and training front-line supervisors to communicate lawfully and effectively about unions.

If you have any questions, comments, or concerns about this update, please contact Nancy Noall, Morris Hawk, or your Weston Hurd attorney.

#### **Previous Client Alerts**

- [\*The Results Are In: More Petitions and Quicker Elections Under the NLRB's New Election Rules - June 2015\*](#)

- [Brace Yourself: "Quickie" Election Rules Go Into Effect Tomorrow - April 2015](#)
- [Employer New Year Resolution #1 - Prepare for Union Campaigns - December 2014](#)



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