

NLRB NOTICE REQUIREMENT AFFECTS LONG-TERM CARE PROVIDERS

The National Labor Relations Board (NLRB) just issued a final rule that will require most private employers, including those that are long-term care providers, to post a Notice of Employee Rights under the National Labor Relations Act (NLRA). The notices must be posted by November 14, 2011. The text of the notice is available in the final rule (starting on page 185), however this is not the final form of the notice.

While most employers are familiar with the various required federal and state employee rights notices, this is the first time a posting of a Notice of Employee Rights under the NLRA has been required. This notice uniquely identifies certain fact situations that can be violations of the NLRA as opposed to the generally brief paraphrasing found in other required notices.

Failure to post the new notice can in itself constitute an Unfair Labor Practice and serve as evidence of unlawful motive in a related proceeding. Failing to post the notice also will extend the statute of limitations for filing an unfair labor practice, currently six months, to any time the notice was not posted.

The Notice of Rights will be provided by NLRB regional offices at no charge, or can be downloaded from the Board website and printed in color or black-and-white. Translated versions will be available, and must be posted at workplaces where at least 20% of employees are not proficient in English. The NLRB has posted a series of questions and answers related to the final rule on their [website](#).

Should you have any questions, please contact:

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