

## NLRB Modifies the “Quickie” Election Rules

Alert

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By Matt Tews and Anne Marie Buethe

At the end of 2019, the National Labor Relations Board (NLRB) issued its long-anticipated [final rule](#) somewhat restructuring its controversial 2014 election rules overhaul (rules sometimes referred to as the “quickie” or “ambush” election rules). While the restructuring does not repeal the 2014 amendments, it does pump the brakes on some of the fastest-moving parts of the election process, and allows some heavily litigated issues to be determined prior to an election.

### KEY TIMING CHANGES

In addition to these timing changes, the new election rules restore important litigation rights such as the parties’ ability to challenge certain important issues—for example, unit scope and voter eligibility—before the election, and the right to file briefs following the pre-election hearing.

### A PROACTIVE APPROACH TO POSITIVE EMPLOYEE RELATIONS

While these rule changes will give employers more time between the filing of a union election petition and the day of the vote, it is still crucial for non-union employers desiring to stay union-free to take a proactive approach to labor relations. Employers must understand their work climates and key factors that may make them susceptible to union organization, and educate their supervisors about unions and early signs of an organizing process. Maximizing positive employee relations and understanding how to prevent conditions susceptible to a union election petition will make it less likely that an employer is faced with a petition, regardless of the timing of the election process.

### CONTACTS

Joel E. Abrahamson

Anne Marie Buethe

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Dominic J. Cecere

Nicole L. Faulkner

Richard W. Pins

Matthew C. Tews

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