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Labor and Employment Alert: New NLRB Guidance Gives the Green Light on Common Sense Employee Work Rules

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In December, the National Labor Relations Board (NLRB) established a new standard for determining the lawfulness of facially neutral employee handbook policies that “may” restrict the exercise of an employee’s NLRA rights. The NLRB also established three different categories of rules that it would examine in future decisions. In creating the categories, however, the NLRB gave few examples of the types of rules that may fall into each category.

To provide clarity on the new standard, NLRB General Counsel Peter Robb (R) has now issued additional guidance on these new standards. In an overall victory for employers, Robb emphasizes that ambiguities in employer work rules and handbook policies will no longer be interpreted against employers. Instead of analyzing whether a work rule could be interpreted as restricting employee NLRA rights, the new standard will only prohibit work rules that would be so interpreted.

Learn more about this guidance, and the examples of employer rules that fall into each of the three new categories, in this [blog post](#) from the Vorys on Labor Blog.