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New NLRA Posting Requirements

Effective June 21, 2010, federal contractors and subcontractors are required to post a new DOL notice informing employees of their rights as employees under the National Labor Relations Act. The new notice is based upon a final rule implementing President Obama's Executive Order 13496, signed earlier this year.

The notice provides DOL-crafted information about the National Labor Relations Act. It is not, in our view, employer-friendly. The notice could result in more union organizing and may provide unions with new opportunities. Employers affected by this rule should take the opportunity to communicate with their employees about the NLRA from the Company's perspective. Employers may wish to consider, in consultation with labor counsel, posting a "counter-notice" near the required notice to explain, among other things, that employees are not obligated to unionize.

Federal contractors and subcontractors are required to post the new notice in "conspicuous places in and about its plants and offices" at all locations where employees "engage in activities relating to the performance of the contract." An employee's actions "relate to performance of the contract" if the duties of the employee include work that fulfills a contract obligation, or is necessary to fulfillment of the contract's provisions; or the cost or portion of the cost of the employee's position is an allowable cost of the contract. If the employer employs a significant number of employees who are not proficient in English, the employer must post a version of the poster in the appropriate languages as well (which have not yet, at the time of this blog, been created by DOL.)

Please [click here](#) for the official copy of the notice.

For more DOL-authored information about the required notices, please visit www.dol.gov/olms.