

The Hits Keep Coming: D.C. Circuit Denies Rehearing For NLRB Notice Posting Case

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On Sept. 4, 2013, the D.C. Circuit summarily rejected a petition by the NLRB for rehearing in *NAM v. NLRB*, the case [decided in May](#) which struck down the NLRB's controversial posting rule based on the fact that its enforcement measures violated the limits of the National Labor Relations Act (NLRA). Following the D.C. Circuit's invalidation of the posting rule in May, the Fourth Circuit similarly [found the rule invalid](#) in June and on Aug. 13, 2013, [similarly refused](#) to rehear the case. At this point, the NLRB's only option to save the rule is to appeal the decisions to the U.S. Supreme Court.

As we have [previously covered](#), the Court has already agreed to hear the Noel Canning case on NLRB recess appointments next term, which was also appealed from the D.C. Circuit.

See our complete coverage of the NLRB's notice posting rule [here](#).

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