

# General Counsel Memo Signals Brighter Days For Employers

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**Thomas C. Payne**  
Associate

In a move that will certainly please employers, Peter Robb, the recently confirmed general counsel of the National Labor Relations Board (NLRB), issued a memo last week freezing all Obama-era NLRB decisions that overturned precedent. The memo orders regional directors around the country to seek advice from the Washington, D.C., office on cases that involve board decisions from “the last eight years that overruled precedent and involved one or more dissents.” The sweeping order would encompass numerous high-profile NLRB decisions in which employer-friendly members like Philip Miscimarra dissented. Included in that group are the decisions on joint employers, class action waivers, micro-units and e-mail use policies. The order freezes those decisions, taking authority away from regional directors and making it less likely that the NLRB will enforce the Obama-era decisions in new cases. Memos like this are common for a new administration’s general counsel, and the message from Robb signals that many of those Obama-era decisions are in jeopardy. Welcome news for employers.

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