

## Barnes & Thornburg Legal Alert Provides Full Analysis On The Impact Of *New Vista Nursing*

May 17, 2013 | [Labor Relations](#)

A Barnes and Thornburg legal alert analyzing yesterday's *New Vista Nursing* Third Circuit case regarding recess appointments [is now available on the firm's website](#). Our previous coverage of the case from yesterday [can be found here](#).

One issue analyzed is the Third Circuit's distinction between the NLRB quorum requirement and the Board's ability to delegate authority to three members. The Third Circuit found that even if the Board as a whole has a valid quorum, if any member of a three-person Board panel that decides a case is not validly appointed, that is enough to invalidate the decision. This distinction is broader than the D.C. Circuit's in *Noel Canning* and potentially puts many more Board decisions in jeopardy. Read our full analysis in our alert available [here](#).

Our complete coverage of the recess appointments issue is [available here](#).

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