

Analysis Of NLRB Elections Prior To The New Ambush Election Rules

April 28, 2015 | [National Labor Relations Board, Labor Relations](#)

The NLRB's new election rules bring major changes to how union elections are run. The NLRB's rationale for making these changes largely is based upon the contention that employees' free will has been frustrated by long delays at the NLRB that need to be corrected.

Barnes & Thornburg partner Scott Witlin examined the statistics behind those claims in a recent piece, [How High Is Too Low: NLRB's Revised Ambush Election Rule](#), published in the National Law Journal. He found that the union win rate is at decade long highs and the speed to the election were historically short even prior to the NLRB rewriting the rules.

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