

What A Republican Senate May Mean For The NLRB

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Election results from yesterday show that [Republicans will take control of the U.S. Senate](#). With Republicans already in the majority in the House of Representatives, they will have more control over the legislative agenda, although they are still short of the 60 votes in the Senate to override a Presidential veto. With Kentucky Senator Mitch McConnell set to become Majority Leader, it is worth revisiting his comments from a few months ago foreshadowing his approach to reforming the NLRB should Republicans take the Senate. In a September 16 story, The Hill quoted Sen. McConnell stating that if Republicans take control of the Senate, reforming the National Labor Relations Board would be a top priority. In remarks on the Senate Floor, McConnell said “It’s time to restore balance to the National Labor Relations Board. Let’s take the politics out of it.” He also endorsed the “NLRB Reform Act,” a bill introduced by Tennessee Senator Lamar Alexander. “It would restore the NLRB to its proper role as an umpire, instead of an advocate for the Right or the Left,” McConnell said in The Hill article. A copy of the article can be found [here](#). According to materials from Sen. Alexander’s office, the NLRB Reform Act would:

- Seek to end partisanship on the Board by increasing the number of members from five to six, requiring agreement by both parties to take action.
- Checking the NLRB General Counsel’s authority by permitting parties 30 days to seek review of a complaint in federal district court and giving parties discovery rights to General Counsel memorandum and other documents relevant to the complaint.
- Impose time limits, permitting either party in a case before the board to appeal to a Federal Court of Appeals if the Board fails to reach a decision within one year and reducing NLRB funding by 20% if the Board does not decide 90% of its cases within one year.

A copy of the introduced version of the NLRB Reform Act can be found [here](#). A summary of the bill can be found [here](#). Sen. Alexander’s press release on the bill can be found [here](#).

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