

Slimming Down? NLRB Considering Slashing Headcount

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Even more significant change appears to be on the horizon at the National Labor Relations Board (NLRB). According to a [new report](#) by *Bloomberg BNA*, the agency is considering reducing significant headcount in anticipation of major cuts to the board's operating budget. NLRB General Counsel Peter Robb told a group in New York on Feb 6. that "If we're going to have a lower budget, it's going to have to come in substantial part out of the number of full-time employees...We're either going to do it ourselves and get rightsized or somebody is going to do it in the budget. I don't like that alternative." In other words, Robb seems to be trying to get out in front of what looks to be a very tough predicament facing the board. The NLRB continues to face a drop-off in the number of cases it oversees on an annual basis, which also contributes to Robb's thought process, according to the report. NLRB Chairman Marvin Kaplan further noted at the same meeting that "The vast, vast majority of our budget is payroll" – signaling the Chairman of the agency is onboard with exploring reducing the amount of full-time employees the board employs. The consideration of headcount reduction follows a significant announcement by Robb earlier this year regarding a potential [complete reorganization](#) of the agency. Specifically, Robb reportedly has [informed](#) agency employees that "he is considering reorganizing the agency's 26 regional offices into a smaller number of districts or regions supervised by officials who would report directly to the general counsel, several sources said. Sources told Bloomberg Law they're concerned that the general counsel wants to limit regional directors' authority and possibly reduce the rank of at least some regional office officials. Regional directors currently have the authority to issue complaints and dismissals of unfair labor practice cases, and they render decisions in union representation cases." To the extent the reported organizational changes go through, they would likely have a drastic effect on the way the NLRB handles its cases. Currently, regional directors effectively act as gatekeepers on most matters before the board and enjoy much autonomy to investigate and ultimately render initial rulings in cases. To the extent these powers are more centralized within the general counsel's office, it could impact the speed at which rulings are made and even the potential outcomes. Indeed, NLRB general counsels are appointed by the president, they usually change when a new president is elected, and their labor relations philosophy often is tied to the administration that appointed them. In contrast, regional directors generally remain relatively constant and stay in their posts through changes in administration. Any such changes would likely have to be vetted and approved by the five member of the NLRB, though, so such changes likely are not on the immediate horizon. [Many changes](#) were afoot at the [NLRB](#) at the end of [last year](#) in terms of changes to board precedent – and Robb has [signaled](#) (there is more to come on that

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front. Thus, even if the organizational changes and headcount reductions do not move forward, it appears there will be plenty to be on the lookout for from the agency in 2018.