

Frozen: Union Appeals To Congress Over NLRB's Planned "Hiring Freeze"

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**David J.
Pryzbylski**
Partner

Bloomberg BNA is [reporting](#) that the National Labor Relations Board Professional Association – the union who represents National Labor Relations Board (NLRB) employees – has sent letters to congressional members expressing concern over a planned “hiring freeze” at the agency. According to the report: “The agency plans to implement the freeze, eliminate performance awards, and lay off health services and information technology contractors, the union said in letters to four Democrats on committees with jurisdiction over the board. The union said NLRB Chairman Marvin Kaplan and General Counsel Peter Robb have depicted the moves as a response to the White House’s request to trim the board’s budget by 9 percent next year, even though Congress is unlikely to approve the request.” This report follows [another one](#) from *Bloomberg BNA* earlier this year recapping remarks by NLRB General Counsel Peter Robb to a group in New York where he indicated reduction in headcount at the agency was being considered. Accordingly, it appears there is change on the horizon at the board in terms of staffing levels. That isn’t the only change being contemplated at the NLRB. Robb also announced earlier this year a potential [complete reorganization](#) of the agency. Specifically, Robb reportedly has [informed](#) agency employees that he is exploring centralizing some powers to his office that traditionally have been vested with the regional directors who oversee the board’s 26 regions. 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 going to take effect in the immediate future. We’ll continue to watch these developments and keep you posted on how all of this plays out.

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