

Roll It Back? NLRB Potentially Contemplating Rescinding ‘Quickie Election Rules’

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In a potentially monumental development, the National Labor Relations Board (NLRB) announced on Dec. 12 that it is seeking input from the public regarding the NLRB’s 2014 Election Rule (aka “Quickie Election Rules” or “Ambush Election Rules”). [According to a press release](#), the NLRB specifically is evaluating whether the rule should remain as is, be modified, or rescinded in its entirety. The press release provides instructions for submitting feedback. A [recently released report](#) from the NLRB confirms that the agency’s [quickie election rules](#), that went into effect in April 2015, have significantly truncated the time employers have to conduct union campaigns. Under the old rules, from April 14, 2014, through Jan. 12, 2015, the [median time from a union petition](#) being filed to election was 38 days. For fiscal year 2017, the median time from petition to election was 23 days – more than two full weeks shorter. In other words, that’s two weeks less time for companies to vet the issues giving rise to a petition and to implement a communications plan neutralizing those issues in order to remain union free. This follows a [similar report issued by the NLRB](#) last year that also showed shorter campaign windows since the rules went into effect. This announcement comes the day after the Trump-NLRB issued its [first decision overturning Obama-board precedent](#). Lots of activity to watch at the agency right now.

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