

NLRB Prepares For Expiration Of President Obama's Recess Appointments

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Anticipating that it will lose its quorum with the expiration of the recess appointment of Craig Becker as a Member of the NLRB, the NLRB issued a new rule that is designed to allow the agency to continue to operate.

During periods when the Board lacks a quorum, the new rule refers motions for default judgment, summary judgment, dismissal and requests for special permission to appeal to the Chief Administrative Law Judge. It also refers administrative and procedural requests (most typically those dealing with the resolution of questions concerning representation) to the Board's Executive Secretary. The decisions of the Chief ALJ and Executive Secretary are reviewable by the Board through exceptions or requests for review as appropriate. The rule can be [read here](#).

Member Becker's recess appointment ends when Congress adjourns for the year.

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