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# Walking Off The Job Might Be Protected Under The NLRA

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Walking off the job is grounds for discipline, except for when the National Labor Relations Act (NLRA) says differently. Recently the National Labor Relations Board issued a reminder that employees can at times refuse to work and not suffer any consequences.

In [Pain Relief Centers, P.A.](#), five employees of a medical office initiated a spur-of-the-moment “walkout” in protest of mistreatment by the officer manager. Specifically, the employees complained that the manager yelled at them and exhibited abusive and threatening behavior. After an argument between the manager and one employee, all walked out in protest. The employer argued the employees, by leaving work, had effectively quit. The NLRB disagreed, finding that the walkout was protected concerted activity because it involved group action related to an issue that affected their working conditions.

The employer was ordered to reinstate the employees with full back pay. The decision is not notable for its facts, but rather for its cautionary tale about how not to react to workplace conflict.

Non-union employees who walk off the job are engaging in protected activity under the NLRA, and thus immune from discipline, if they are acting in a concerted (group) manner for the purpose of mutual aid or protection (regarding an issue affecting their working conditions). Given the wide reach of the NLRA, employers should exercise caution in considering how to react to workplace concerns and complaints raised by a group of employees.