



NLRB Again Extends Comment Period For Impending Joint-Employer Rule

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Last week the [National Labor Relations Board](#) announced that it has again extended the time for the public to submit comments regarding its impending rule regarding joint employment. [This is the second 30-day extension](#) since the proposed rule was issued on Sept. 13, 2018, with its initial 60-day public comment period.

According to the press release: “The National Labor Relations Board is [extending the time](#) for submitting comments regarding its proposed rulemaking to address its joint-employer standard for an additional 30 days. The submission window is currently open and interested parties may now file comments on or before Monday, January 14, 2019. Comments replying to the comments submitted during the initial comment must be received by the Board on or before January 22, 2019. Public comments are invited on all aspects of the proposed rule and should be submitted either electronically to www.regulations.gov, or by mail or hand-delivery to Roxanne Rothschild, Acting Executive Secretary, National Labor Relations Board, 1015 Half Street S.E., Washington, D.C. 20570-0001.”

Joint employment has been a hot topic at the board in recent years. The issue is especially consequential for the franchise and staffing industries where different legal entities may affect the terms and conditions of workers’ employment. A finding of joint employment under the National Labor Relations Act on two or more companies with respect to a workforce can have significant consequences, such as shared liability for unfair labor

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practices as well as collective bargaining obligations. If the proposed rule by the agency passes in its current form, it likely will make it more difficult for the board to impose joint employment on businesses. Stay tuned to see what the final rule holds.