

Non-Union Employers Beware – The NLRB May Come Knocking On Your Door

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In recent years, the National Labor Relations Board (NLRB) has taken a very aggressive stance on policies or work rules contained in employee handbooks. While the stance has been aggressive, it has also sent mixed messages to the employer community because policies that employers may have used for decades to protect their interests and employee privacy are suddenly being stricken down by the NLRB. And whether a policy or work rule is legally sound or may violate the National Labor Relations Act often comes down to the interpretation of one or two words in a policy. On March 18, the NLRB's general counsel issued a lengthy memorandum providing some additional guidance to employers on the legality of work rules in handbooks and when they may run afoul of the NLRA. The memorandum can be found at [GC 15-04 – Report of the General Counsel Concerning Employer Rules](#). The memorandum provides some useful tips for employers on drafting policies or work rules regarding confidentiality, employee conduct, third party communications, and other work-related issues. So, is it time to take a second look at your employee handbook to make sure your policies don't draw the attention of the NLRB?

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