

The NLRB's Acting General Counsel Wants To Access Your Company's Intranet

May 11, 2012 | [Labor And Employment](#)

In preparation for bargaining of an initial cba, the Machinists' Union sent an extensive request for information to a DirecTV provider and installer in California. The request included a request for “access to the company intranet to the same degree unit employees have such access so the Union can review what material is available to all employees.” The Company refused and ULPs for refusal to bargain followed. In the proceeding before the Board, the NLRB's acting General Counsel sought summary judgment on all issues including the employer's refusal to grant the Union access to the company's intranet.

Interestingly, despite the current Board's aggressive stance on social media, the Board refused to grant summary judgment on whether information posted on an employer's intranet is presumptively relevant for bargaining purposes. However, implicit in the Board's decision is that it would be prepared to rule on such an issue if it was provided a full record (as opposing to a summary judgment proceeding). The decision can be [found here](#).

This implicit invitation by the Board signals that a company's intranet information may soon become fair game for Union information requests and possibly opens the door for some of the other issues that we have [previously discussed](#).

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