

Federal Judge Refuses To Change His Decision Invalidating The Ambush Election Rules

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On Friday, July 27, 2012, District Court Judge James Boasberg (D.D.C) denied the NLRB's motion to alter or amend his previous order which found the "ambush" election rules to be invalid because the Board lacked quorum. We previously covered this in [more depth here](#) . Judge Boasberg refused the invitation for "rehashing arguments" and continued to find the NLRB's arguments regarding Member Hayes' abstention to be unpersuasive. The Court's opinion [can be found here](#) .

In light of this decision, the NLRB cannot implement its proposed rules which would have dramatically altered the union recognition election process. However, the Court did note that "nothing appears to prevent a properly constituted quorum of the Board from voting to adopt the rule if it has the desire to do so." This issue could resurface depending on the future political make-up of the Board.

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