



Shakeup At The NLRB

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The National Labor Relations Board (NLRB) has announced a new leader for its Division of Advice. According to the agency's [July 2019 press release](#), Richard A. Bock has been appointed to the position:

“National Labor Relations Board General Counsel Peter B. Robb announced the appointment of Richard A. Bock as Associate General Counsel, Division of Advice. Mr. Bock succeeds Jayme L. Sophir, who will be retiring from the position at the end of July after more than 30 years of dedicated service to the Agency.

...

Mr. Bock joined the Agency in 1996 as a field attorney in Region 29, Brooklyn. He became a supervisor there in 2008 before being promoted to Deputy Assistant General Counsel in the Agency's Division of Operations-Management in 2012. He subsequently served as Assistant General Counsel in Operations-Management, Deputy Associate General Counsel in the Division of Legal Counsel, and as Deputy Associate General Counsel in Operations-Management.”

The NLRB's Division of Advice plays a significant role at the agency. As described by the board's website, it “provides guidance to the Agency's Regional Offices regarding difficult and novel issues arising in the processing of unfair labor practice charges and coordinates the initiation and litigation of injunction proceedings in federal court under Section 10(j) and (l) of the

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National Labor Relations Act.”

Specifically, NLRB regional offices can seek input from the Division of Advice as to whether unfair labor practice charge complaints should be issued against companies or unions. Advice then drafts memorandums analyzing the issues, which generally become publicly available at later dates and can offer valuable insight for employers.

While the memos do not constitute formal legal precedent and are not necessarily binding on the NLRB in later cases, they nonetheless can be cited as persuasive authority and can aid employers as they evaluate their labor relations strategies. Indeed, Division of Advice memos have covered a broad spectrum of common labor law issues – from [independent contractor status](#) to [Weingarten rights](#) to [social media activity](#).

We will monitor new opinions issued by Mr. Bock and his office as they are issued and continue to keep you abreast of significant NLRB advice memos on the blog.