

# Year's Biggest Labor Case Heads To Justices For Oral Args

News

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Tampa Partner Steve Bernstein was quoted in an *Law360* article on January 9, 2014.

The article entitled "[Year's Biggest Labor Case Heads To Justices For Oral Args](#)," focused on a blockbuster case over President Barack Obama's recess appointments to the National Labor Relations Board.

The justices will consider the NLRB's appeal of the D.C. Circuit's January 2013 ruling in favor of soda bottler [Noel Canning](#), that President Obama's three January 2012 appointees to the labor board were unconstitutionally installed because the Senate was not actually in recess when they were appointed.

"If the board prevails on this, it will be an important victory for an agency that's been under fire lately and will free it for the first time in quite a while to revisit its agenda, which may include things that tilt the balance toward organized labor," said Steve. "The board obviously has a legitimate quorum now, and if you look back over the last few decades, some of the most controversial decisions were made when there was a full complement, and we are in one of those periods now."

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