



New Joint-Employer Standard Could Expand NLRB's Reach

News

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Steve Bernstein offered insight for the *Law360* article “New Joint-Employer Standard Could Expand NLRB's Reach.”

The National Labor Relations Board called for input on the 30-year-old standard for determining joint-employer status.

The invitation to file briefs posed several questions for amici to consider, including whether the NLRB should stick to its existing joint-employer standard, or adopt a new one.

Steven said the call for briefs was most likely a harbinger of a new, broader joint-employer standard.

The NLRB is “not likely to change it for purposes of narrowing it,” Steve said. “To the contrary, what they're looking at is casting a wider net over a bigger group of employers.”

“I think the NLRB is interested in pursuing a doctrine that maximizes the number of employees who get to vote and maximizes the number of employers who can be held responsible for violations,” he said.

[Read the full article.](#)

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