



OSHA Referral Pact To Extend NLRB's Reach

News

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Howard Mavity offered insight to the *Law360* article entitled “OSHA Referral Pact To Extend NLRB’s Reach.”

The Occupational Safety & Health Administration has agreed to steer workers who want to pursue time-barred retaliation claims under workplace safety law to the National Labor Relations Board.

Documents made available on the labor board’s website lay out details of a program under which the federal workplace safety watchdog will notify all complainants who file an untimely whistleblower claim under Section 11(c) of the Occupational Safety and Health Act of 1970 to file a charge with the NLRB.

The referral program is consistent with the NLRB’s desire to “expand its market,” according to Howard.

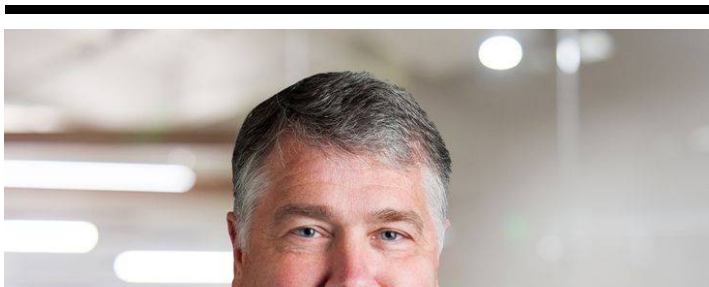
“I really do believe that the NLRB desperately wants to be relevant, and make work. I cannot otherwise explain this fascination with policy and procedure review,” Howard said, referring to numerous agency decisions deeming various work rules and policies at odds with labor law.

He added that the idea for the new arrangement probably originated with OSHA, where the 30-day limitations window has been an ongoing source of frustration.

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