

## Twin NLRB Rulings Are A Big Christmas Present For Labor

News

12.12.14

Steve Bernstein was quoted in *Forbes* on December 12, 2014. The article “Twin NLRB Rulings Are A Big Christmas Present For Labor” examined a pair of controversial rulings by the National Labor Relations Board that has employers crying foul as the Democrat-controlled agency has made it dramatically easier for unions to organize employees — using their employers’ own e-mail systems — before companies have a chance to react.

Steve was quoted on how the new rule will affect employers moving forward.

“It’s one thing to use a computer you paid for at home to go on Facebook and gripe about your supervisor,” said Steven. “It is another, though, to take your computer on your premises to do something I’ve not asked you to.”

The new rule on company e-mail will likely spawn lots of costly litigation as unions seek to prevent employers from monitoring any employee communications that might be construed as concerted action to affect workplace conditions. An employee who hits “send all” on an e-mail complaining about wages, for example, likely cannot be disciplined unless the communication crosses a vague line into harassment or slander, he said.

“Can a company be accused of surveillance solely by monitoring e-mails” flowing over its own network? He asked. “That’s never been tested before.”

To read the full article, please visit [\*Forbes\*](#).

---

Please reach out to our [Media team](#) for any news inquiries.

### ***Related People***





**Steven M. Bernstein**

Regional Managing Partner and Labor Relations Group Co-Chair

813.769.7513

Email