

Insights, News & Events

FOUR THINGS TO KNOW ABOUT THE NLRB'S JOINT-EMPLOYER DECISION

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Steve Bernstein was quoted in *Law 360* on August 28, 2015. The article “Four Things To Know About The NLRB’s Joint-Employer Decision” discussed how the National Labor Relations Board’s recent decision broadening its joint-employer standard ignited a firestorm of media coverage and quickly drew praise from worker advocates and sharp criticism from business groups.

Steve was quoted on his take of the ruling.

“The issues attached to it are big ones, so big that as we sit here there’s already talk about legislation in Congress to address this specifically,” said Steve. “It just raises a hornet’s nest of questions that will be dealt with not by the board, but by the 26 NLRB regions that get to use their discretion to interpret all this.”

“All avenues have to be exhausted before you get to the appeals court,” he said. “The parties have to go through this process.”

The standard the board espoused in the Browning-Case will be fertile ground for disputes, Steve said.

“It’s going to create a whole new wave of potential litigation and appeals,” he said. “We know the courts have sometimes reined in the agency, and this could be one of those times.”

“It’s not just a legal development, it’s an organizing tactic that’s been opened up like never before,” Steve said.

To read the full article, please visit [Law 360](#).

Related People



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