

# UNION ORGANIZATION EASED UNDER NLRB'S BROADER DEFINITION OF 'JOINT EMPLOYER'

News  
Aug 28, 2015

Steve Bernstein was quoted in *SHRM* on August 28, 2015. The article "Union Organization Eased Under NLRB's Broader Definition of 'Joint Employer'" discussed how it's now easier for franchisee employees and contract workers to unionize, following the National Labor Relations Board (NLRB) decision on joint employment announced Aug. 27.

The decision also affects the contingent workforce, blurring the lines between primary and secondary employees. Union organizers now are likelier to encourage temporary employees to organize by promising them that once unionized by joint employers, they will become regular employees, predicted Steve.

The standard enunciated by the board also will force employers to sit side by side with placement agencies and other unrelated entities to negotiate a single contract covering all of their respective employees, he said.

"The concept of the contingent employee is under fire," he added, saying the new joint employer standard is unworkable. "Employers may be forced to reexamine their use of temporary agencies if a petition is filed to collapse employees into a single bargaining unit—despite the fact that it has proven to be a very effective model over the years."

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

## Related People



**Steven M. Bernstein**

Regional Managing Partner  
and Labor Relations Group  
Co-Chair

813.769.7513