



Labor Attorneys Interview on Changes to Employer Rights When Bargaining with Unions

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The NLRB relaxed the rules for employers to legally stop bargaining future labor contracts. In the *Johnson Controls, Inc.* decision, the NLRB upheld an employer's right to suspend bargaining and serve notice within 90 days prior to CBA expiration of its desire to withdraw recognition from an incumbent union thereafter, upon receiving objective evidence that the union has actually lost majority support. Micah Dawson and Todd Fredrickson told *SHRM* that "the new decision gives employers a road map for lawfully withdrawing union recognition prior to CBA expiration." They noted that employers must still rely on "objective evidence"—as opposed to a good-faith belief—that the union has actually lost majority support.

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