

## Tough Times Ahead for Employers

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Employers have been dealing for three years now with a presidential administration that is less than friendly to their positions and their interests. What will be different in 2012?

Look for a stepped-up activity on several fronts by plaintiffs' attorneys, unions and other pro-labor groups to press their advantage in advance of an election that may change the equation. They will want to maximize and consolidate their gains while the National Labor Relations Board and regulatory agencies such as the Occupational Safety and Health Administration and the Equal Employment Opportunity Commission still favor their interests.

Major issues that will come to the forefront in the coming year include:

- The uncertain future of health care reform.
- A continuing aggressive stance by OSHA and EEOC.
- Balancing prudent social media policies with NLRB rules.
- Broader implementation of arbitration agreements.
- Increased disability-based litigation.

Overall, companies can expect to have to deal with stepped-up pro-labor activity, which likely will include increased union organizing efforts.

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