



# Labor Relations Co-Chair Discusses the Potential for the NLRB to Impose Financial Penalties on Employers That Stall Collective Bargaining

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In an interview with *Law.com*, **Steven Bernstein** discussed the latest attempt to overturn the *Ex-Cell-O Corp.* case, which would allow the NLRB to impose financial penalties on employers who stall collective bargaining. Steve explains that in today's volatile market it is nearly impossible to predict where parties might land after a rigorous bargaining session, and he notes that employers are concerned about essentially interjecting the NLRB into that process. "[O]ne of the key concerns employers have about overturning *Ex-Cell-O Corp.* is how it would put a federal agency—the NLRB—in a position where it can speculate on the wages and benefits that might have resulted from collective bargaining, and then require the employer to pay out that speculated amount," he said.

To read the full article visit [Law.com](#) (subscription required).

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