

Insights, News & Events

FP'S TOP 2026 PREDICTIONS FOR LABOR RELATIONS

Insights

Jan 8, 2026

Our Labor Relations thought leaders have pulled together their top predictions for the new year so that employers can get a head start to 2026. If you want more, [register for our FP Workplace Law Forecast Webinar here](#).

Biden-era Precedent Will Be on the Chopping Block

Now that the Board has [finally returned to a legal quorum with a confirmed GC](#), it will likely seek to overturn several significant Biden-era cases over the months thereafter. The Senate confirmed James Murphy and Scott Mayer as NLRB members on December 18, along with Crystal Carey as the Board's General Counsel, restoring the Board's ability to function after nearly a year without enough members to hear cases.

**TOP PREDICTIONS FOR
LABOR RELATIONS**

- ✓ Biden-era Precedent Will Be on the Chopping Block
- ✓ Organized Labor to Pivot from Labor Board

2026



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Rulings likely targeted for reversal include:

- [Stericycle](#): found that workplace rules and policies are presumptively unlawful if a reasonable employee could interpret them as chilling protected concerted activity under Section 7 of the National Labor Relations Act (NLRA);
- [Thryv](#): expanded the remedies the NLRB can seek for NLRA violations to “all direct or foreseeable” damages;
- [Cemex](#): forces employers to bargain with a union if they decline to recognize a union claiming majority support and then committed an unfair labor practice.
- and [Amazon](#): outlawed mandatory captive audience meetings.

Organized Labor to Pivot from Labor Board

With this expected shift in policy, unions will begin to look places other than the NLRB for relief. This could mean an increase in labor grievances in union shops. Unions may also revisit recognitional picketing to pressure employers into recognizing them outside the election process. This would result in some reduction in RC Petition activity – leaving employers with little choice but to timely file RM petitions in response to recognition demands.

This trend will likely also translate into unions’ strike strategy. Unions will continue to step up their reliance upon the strike weapon as their preferred tool to economically pressure employers at the bargaining table.

Want More?

- You can read our entire [FP Forecast 2026 here](#), full of predictions spanning many practice areas and industries
- [You can register for our FP Workplace Law Forecast 2026 Webinar here.](#)

Conclusion

We will continue to monitor developments related to all aspects of collective bargaining and labor law. Make sure you are subscribed to [Fisher Phillips’ Insight System](#) to get the most up-to-date information. If you have questions,



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