



One Fewer Headache: NLRB Holds That Misclassification Won't Lead To Labor Law Violations

Insights

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Chalk up in the win column for businesses. Yesterday the National Labor Relations Board ruled that companies found to have misclassified workers as contractors will not automatically face liability for an unfair labor practice. We wrote about this issue [back in February 2018](#) when the NLRB sought briefing on the matter, and we said then that such a request “could be good news. The current Labor Board is comprised of members who seem receptive to tilting the playing field back to even status between employees and employers, and righting the ship after several years of very pro-union rulings. Many Board observers believe that the current members have invited such briefing so they can arm themselves with ammunition that will allow them to...conclusively state that no automatic ULP attaches to a standard misclassification problem.” And that’s just what happened with yesterday’s ruling. My colleagues Regina Petty and Grant Wills wrote up a thorough review of the decision and its implications; [their alert can be found here](#).

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