



National Labor Relations Board

Published by Teddy Quinn · September 6 ·



Today, the NLRB released a Notice of Proposed Rulemaking addressing the joint-employer standard, which would rescind & replace the April 2020 joint-employer rule.

<https://www.nlrb.gov/.../nlrb-issues-notice-of-proposed...>

As proposed, two or more employers would be deemed joint employers if they "share or codetermine those matters governing employees' essential terms and conditions of employment" such as wages, benefits, scheduling, discipline, health and safety, supervision, and work rules.

The proposed rule seeks to ensure that the Board's legal rules for deciding which employers should engage in collective bargaining serve the goals of the National Labor Relations Act.

This proposed rule would also bring stability to this complex area of law by restoring longstanding Board precedent and conforming the Board's rules to guidance from U.S. Court of Appeals for the D.C. Circuit. Public comments can be submitted to [regulations.gov](https://www.regulations.gov) and are due by November 7, 2022.

@NLRB

"In an economy where employment relationships are increasingly complex, the Board must ensure that its legal rules for deciding which employers should engage in collective bargaining serve the goals of the National Labor Relations Act."

— Chairman Lauren McFerran



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