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***Your Employment Law Bulletin from***

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**KRUCHKO &  
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**December 6, 2011**

**NLRB Approves New Election Procedures**

**On November 30, 2011, the National Labor Relations Board (the "Board") approved a Resolution proposed by Board Chairman Mark Pearce adopting a number of changes to union election procedures. The Resolution shortens the time period before a representation election takes place and is essentially a scaled-down version of the procedural changes the Board proposed in June of this year.**

**In approving the Resolution, the Board appears to be committed to issuing new election procedural rules before the end of Member Craig Becker's term on the Board. Member Becker is a Democratic recess appointee whose term expires on December 31, 2011. There is likely to be one more vote on the proposal before the end of the year but approval of the Resolution in its present form is almost certain.**

**The Resolution eliminates some pre-election rights of employees and employers to allow for so-called "quickie elections." Currently, the standard time period between the filing of a representation petition and the election is 42 days. The new Resolution will allow an election to be held as soon as 28 days after the filing of the election petition.**

**In order to finalize the rule, the Board appears to be deferring consideration of certain other issues set forth in its June, 2011 Notice of Proposed Rulemaking including: (1) electronic filing of election petitions; (2) inclusion of telephone numbers and e-mail addresses on the voter eligibility list; and (3) the proposal to reduce the time for filing a voting list to two working days.**

**Kruchko & Fries will continue to monitor this situation and will send you a more extensive analysis of all the procedural changes once the new rule is finalized.**

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