

OFFICE OF THE GENERAL COUNSEL
Division of Operations Management

MEMORANDUM OM 12-14

December 2, 2011

TO: All Regional Directors, Officers in Charge,
and Resident Officers,

FROM: Anne Purcell, Associate General Counsel

SUBJECT: Outreach Efforts Related to the Board's Notice Posting Rule

As you know, the Board on October 5, 2011, postponed the effective date of its Notice Posting rule until January 31, 2012, to allow for "education and outreach" to employers "who operate small and medium sized businesses."

This memorandum describes immediate steps the Regional offices can take to carry out this important Agency initiative.

Letters to Constituents

Regional offices should compile a list of contact information for all business groups, chambers of commerce (including all affinity-related chambers), trade associations, regional journals and publications, and labor and employment-related federal and local government agencies within their geographic areas. We realize that many Regional offices already have such lists and have used the contact information to announce conferences, distribute newsletters and publicize their current outreach programs. Once your Region has completed this list, please send the attached letter and jurisdiction sheet to those groups and organizations. The letter highlights key elements of the Notice-Posting rule and offers to provide further information about the rule, the Act and the Agency, on request, to businesses and other organizations. The jurisdiction sheet provides basic but useful information about which employers are covered under the National Labor Relations Act.

All Regions should forward a copy of their list of contacts to the Office of Public Affairs (OPA) to ensure that the Agency is not duplicating efforts and/or overlooking groups.

Press Releases

Regional Offices should contact OPA when considering sending a press release to local journals and business publications, and OPA will assist Regional offices in drafting the press release describing the Notice Posting rule.

Answering Questions about the Notice Posting Rule

We anticipate that Regional offices will continue to receive requests for copies of the Notice. In addition, we expect that members of the public will continue to contact your Information Officers with questions about the Notice Posting rule and its applicability to their business or organization.

To assist your staff, we issued OM 11-77, Frequently Asked Questions, on August 26, 2011. This memorandum sets forth detailed information regarding the Notice Posting rule as well as Frequently Asked Questions for responding to queries about the rule. It is available on Insider, the Agency's Intranet, at <https://insider.nlr.gov/welcome-division-operations-management/om-memos>. In addition, the Agency website, at <http://www.nlr.gov/poster>, has another Frequently Asked Questions page.

We will update both FAQ pages to address questions that OPA and Operations-Management have handled since the Board announced the Notice Posting rule. Information Officers and other members of your staffs should refer members of the public to this page for updated information about the rule.

On December 6 and 13, 2011, through the Office of Employee Development (OED), the Agency will conduct training on the Employee Notice Posting. Regional staff is strongly encouraged to attend one of these sessions. Registration can be found on the following link, <http://insider.nlr.gov/training-tuesdays-0> or by going to the Training Tuesday Program link on the Employee Development webpage on the Agency's Intranet.

Obtaining Copies of the Notice

If members of the public directly contact the Regional office requesting copies of the Notice, staff members and Information Officers should first advise the requesters that they may download and print copies for free by accessing the Agency webpage at www.nlr.gov/poster. Copies are available in various languages – in the near future, the notices will be translated and available in 28 languages. In addition, requesters may call the Agency's dedicated (202) 273-0064 telephone number to request copies of the Notice.

In the alternative, if the requester does not have access to a computer or telephone -- or if the requester elects not to download the Poster from the Agency website -- the Regional office staff should process the request on that individual's behalf by completing the Poster Request found on the Agency Intranet, the Insider, at <http://insider.nlr.gov/employee-rights-notice-poster-request>. Board agents should enter the required information on the Poster Request form (requester's name,

organization, address, telephone number, number of posters and the language(s) requested) and submit it. Agency staff in the Library and Administrative Services Branch will process the request and mail copies of the Poster.

Outreach Programs and Presentations

Since the beginning of the Agency's Outreach initiative, staff members from Regional offices throughout the country have met with hundreds of constituent groups, organizations and agencies. Your efforts to publicize the Act and the mission of the Agency have been remarkable. The Board's determination to educate the public and the business community about the Notice Posting rule presents a unique and valuable opportunity for all of us. We encourage you and your staff members to meet with as many groups, organizations and agencies as practical – with an emphasis on employers who operate small and medium sized businesses – to describe the Notice Posting rule, to explain the work and the mission of the Agency, and to introduce themselves as public servants dedicated to serving our country.

We will redouble our efforts to provide you and your staffs with the resources, information and support needed to carry out this challenging assignment. Thank you for your continued cooperation.

Contacts

If you have questions regarding the Notice Posting requirements, please contact DAGC Joseph Baniszewski or Director of Public Affairs Nancy Cleeland. If you have questions concerning outreach efforts, please contact DAGCs David Kelly or Peter Sung Ohr.

/s/
AP

MEMORANDUM OM 12-14

Jane Doe
Director,

Dear Ms. Doe,

Thank you for taking a moment to read this message from the National Labor Relations Board. We are seeking your help in alerting employers to a new legal requirement that takes effect on January 31, 2012.

As of that date, most private sector employers must post a notice of employee rights under the National Labor Relations Act at their worksites. Employers must also provide a link to the notice from their internal or external website if they routinely use the site to inform employees of personnel rules or policies.

The 11-by-17-inch NLRB notice is free and can be downloaded and printed in multiple languages from our website at www.nlr.gov/poster, or ordered by mail by filling out a form at the web address or by calling 202-273-0064. In addition, the requirement may be satisfied by purchasing an all-in-one poster from a commercial vendor.

The Agency believes that the notice will help employees and employers better understand the law and avoid misunderstandings. It is similar to other workplace postings that describe workers' rights to a minimum wage, to a safe workplace, and to freedom from certain types of discrimination. Federal contractors are already required to post a notice of NLRA rights, and that posting will also satisfy this requirement.

We hope you will consider informing your members of this new requirement through an email alert, a mention in a newsletter, or a link on your website. For further details about the posting and the NLRB's jurisdiction, please see our question-and-answer section here: <http://www.nlr.gov/faq/poster>. Questions can be directed to us at poster@nlrb.gov. Representatives are also available to present information and answer questions in person through this link: www.nlr.gov/who-we-are/request-speaker.

Feel free to contact either of us for further information about the Notice Posting or about employer and employee rights and obligations under the NLRA in general.

Sincerely,

