

The Paley Rothman Blog

Paley Rothman shares this library of resources with clients and friends of the firm to help them stay ahead of legal and business developments and trends. Here, you will find helpful tips and tools written by our employees.

NLRB GENERAL COUNSEL MEMO PROVIDES NEW GUIDANCE FOR EMPLOYEE HANDBOOKS

In June, the General Counsel of the National Labor Relations Board released the agency's latest memorandum providing guidance on permissible rules and language in employee handbooks.

NLRB REVISITS EMPLOYEE HANDBOOK ISSUES

We have written before about the NLRB's attacks on handbook provisions and other restrictions on employee communications, with warnings about restrictions on confidentiality of investigations, on using the company's email system, on social media and policies about reporting complaints.

RESTRICTIONS ON EMPLOYEE COMMUNICATION COULD LEAD TO UNFAIR LABOR PRACTICE CHARGES

Employer Takeaway: Employment handbook provisions restricting the content or method of employees' communications with co-workers about their employment may constitute an unfair labor practice. Employers should review these policies to ensure that they cannot be interpreted as restricting the ability of employees to discuss the terms and conditions of employment. Any restrictive provisions should be connected to a business justification and be tailored to address that justification.

OBAMA TO SIGN LGBT WORKPLACE DISCRIMINATION ORDER

It remains legal in many states to discriminate against employees because of their sexual orientation or gender identity – something that President Obama hopes to change. On June 16th, the White House announced that Obama will issue an executive order aimed at stopping employers from discriminating against such workers on the basis of their sexual orientation or gender identity.