

Insights

ASSOCIATE AUTHORS ARTICLE FOR 'LAW360' ON POSSIBLE FUTURE OF NLRB WORK RULE TEST

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BCLP Associate Patrick DePoy, a member of the Employment & Labor Practice, authored an article published April 8 by Law360 Employment Authority regarding a possible new approach to the National Labor Relations Board's (NLRB) review of workplace rules. Many analysts believe the board will overturn its recent employer-friendly standard, as outlined in *The Boeing Co.* in 2017, and return to the previous framework established in *Lutheran Heritage* in 2004. "Boeing is likely doomed. The standard that takes its place may be a marginal improvement over *Lutheran Heritage*, but employers will still be faced with defending reasonable workplace rules before the NLRB," he wrote. "Employers may reasonably take a wait-and-see approach until the board issues a ruling in *Stericycle*. However, once the board has acted, employers will need to quickly review their handbooks and policies to identify potentially unlawful provisions, and make revisions that align with the new standard – whatever that might be." [Click here to read Patrick's full article](#) .

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