



NATIONAL LABOR RELATIONS BOARD ISSUES FINAL RULE FOR NOTIFICATION OF EMPLOYEE RIGHTS UNDER THE NATIONAL LABOR RELATIONS ACT

The National Labor Relations Board (NLRB) issued the much anticipated Rule for Notification of Employee Rights under the National Labor Relations Act (NLRA) on August 25, 2011. Originally, as of November 14, 2011, most US employers, including employers in Puerto Rico, were required to post the NLRB-issued notice informing employees of their right to organize, form, join, or assist a union to negotiate wages, hours, and other terms and conditions of employment with their employers. The NLRB, however, postponed on October 5, 2011, the implementation date. The new effective date of the rule is **January 31, 2012**.

The notice must be posted in conspicuous places where they will be readily seen by employees, including all places where notices concerning personnel rules or policies are customarily posted. If the employer also communicates with employees electronically, the final rule requires posting of the notice on the internet or intranet site. If at least 20% of the employees are not proficient in English and speak another language, the notice must be posted in the appropriate language. **The posting of the notice is mandatory. Failure to post constitutes a violation of the NLRA.**

Copies of the notice will be available on the NLRB website (<http://www.nlr.gov>) and from NLRB Regional Offices by October 1, 2011.

AMG recommends consultation with experienced labor counsel and training of managers to ensure that they are prepared to respond to employees' questions resulting from the posting of the notice and to update compliance with the NLRA provisions to avoid unfair labor practices.

Should you have any questions with respect to the above, please contact Edwin J. Seda-Fernández (seda@amgprlaw.com) at 787-281-1822; Luis R. Pérez-Giusti (lpg@amgprlaw.com) at 787-281-1809; Mariel Y. Haack (mhaack@amgprlaw.com) at 787-281-1951; Liana Gutiérrez-Irizarry (lgutierrez@amgprlaw.com) at 787-281-1950; or Katyana Farokhzadeh-López (kfl@amgprlaw.com) at 787-281-1811 for any inquiries.

The contents of **PUERTO RICO BUSINESS LAW NOTES** may not be reproduced, transmitted, or distributed without the express written consent of ADSUAR MUÑIZ GOYCO SEDA & PÉREZ-OCHOA, P.S.C.

The material contained herein is intended for information purposes only, is not to be considered legal advice.