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Management-Side Labor Law Attorney Peter Robb Nominated for NLRB General Counsel

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As expected, Peter B. Robb has been nominated by President Donald Trump to become the National Labor Relations Board's next General Counsel. Robb is a long-time management labor law attorney. If confirmed, Robb will succeed Richard F. Griffin, Jr., who has been GC since November 2013. Griffin's term expires in November 2017. Among other responsibilities, the **GC** investigates and prosecutes unfair labor practice cases. Through the process of deciding which unfair labor practice cases should be litigated and potentially reach the five-member NLRB for decision, the GC controls which cases the Board prioritizes and pursues.

When a case reaches the NLRB for decision, the GC can ask the NLRB to change existing precedent. Robb has been critical of the Board's "tenacity to find neutral policies ... unlawful," such as employers' social media policies and values statements. Robb also has argued that the NLRB's new "quickie" representation election procedures give unions "a distinct advantage" (e.g., by shortening the time in which an employer has to react to a union election petition). Further, he has signaled that he would seek to undo the Obama Board's expansion of the Board's "joint employer" doctrine.

Since Robb, if confirmed, will not take office until November, changes in Obama-Board precedent likely will not begin to happen until 2018.

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