

# NLRB General Counsel Issues Guidance for Representation Case Rule Implementation

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Washington, D.C.—General Counsel Richard F. Griffin, Jr. issued a [guidance memo](#) on modifications to the representation case procedures that will take effect on April 14th. Specifically, the memo fully outlines how new representation cases will be processed from petition filing through certification.

“I am confident that the guidance provided herein will allow regions to implement the final rule effectively and efficiently,” wrote General Counsel Griffin. “I am also confident that the dedication and professionalism consistently demonstrated by the personnel in the Agency’s field offices will be exhibited in the implementation of the Board’s new representation procedures.”

The Board adopted this rule in December 2014 to streamline and modernize the representation case process and eliminate unnecessary litigation and delay. Specifically, the rule:

- Provides for electronic filing and transmission of election petitions and other documents;
- Ensures that employees, employers and unions receive timely information they need to understand and participate in the representation case process;
- Eliminates or reduces unnecessary litigation, duplication and delay;
- Adopts best practices and uniform procedures across regions;
- Requires that additional contact information (personal telephone numbers and email addresses) be included in voter lists, to the extent that information is available to the employer, in order to enhance information sharing by permitting other parties to the election to communicate with voters about the election; and
- Allows parties to consolidate all election-related appeals to the Board into a single appeals process.

Neither the final rule, nor the General Counsel’s memo, establishes new time frames for conducting elections or issuing decisions. In addition, all cases filed prior to April 14th will be processed under the Board’s existing rules.

Prior to implementation on April 14th, the NLRB’s 26 Regional Offices will host more than 35 training sessions nationwide for practitioners on the new procedures.