

Paloma Ahmadi in SHRM: Labor Board Reduces Standard for Unionized Employers to Update Work Terms

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SHRM quoted Haynes Boone Associate Paloma Ahmadi in an article about the implications of the National Labor Relations Board (NLRB) easing the standard for determining whether employers in a unionized workplace can make certain changes to workers' terms and conditions of employment without requiring additional bargaining with the union.

Here is an excerpt:

The NLRB adopted the "contract coverage" standard and abandoned the stricter "clear and unmistakable waiver" standard that has also been rejected by several federal appeals courts—including the U.S. Court of Appeals for the District of Columbia Circuit, which has the authority to review NLRB rulings.

The NLRB's decision should help employers understand what standard to apply when analyzing their agreements, said Paloma Ahmadi, an attorney with Haynes Boone in San Antonio, Texas. "However, this is not *carte blanche* to change terms and conditions of employment for unionized workers, and companies need to read their CBAs carefully to see whether any proposed action is within the grant of rights.

"Also be aware of whether your interpretation of that grant of rights differs from the union's interpretation," she added. "To the extent that your existing CBA doesn't give you the management rights you want or need to respond to commercial pressures or industry realities, such as tightening labor markets, work through bargaining to get language that better reflects industry realities and commercial needs."

To read the full article, click [here](#).