National Labor Relations Board Encyclopedia Article

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National Labor Relations Board

The National Labor Relations Board (NLRB) is an independent federal agency. Its creation in 1935 by Congress was in response to the National Labor Relations Act (the Wagner Act). Later acts, such as the Taft-Hartley Act, have amended the original NLRB.

The NLRB is made up of three principal parts: The board, the general counsel, and the regional offices. The board is made up of five members who serve five-year terms. It acts as a quasi-judicial body in deciding cases on formal records. The general counsel is independent of the board, and is responsible for the investigation and prosecution of unfair labor practice cases, as well as overseeing the regional offices. Members of the general counsel serve four-year terms. Both the board and general counsel are appointed by the president with Senate approval. The regional offices and its subdivisions serve certain geographic areas, and they are dispersed throughout the United States—mainly in or near large cities.

The function of the NLRB is twofold. First, it determines and implements, through secret ballot elections, the choice by employees as to whether or not they wish to be represented by a union (and if so by which union) in dealing with their employers. Secondly, it prevents unlawful acts (unfair labor practices), either by employers or by the unions.

Congress, through the National Labor Relations Act, regulates labor-management relations, thereby giving the NLRB its authority. The NLRB, though, has no independent power to enforce its mandates; instead, enforcement is done through the courts of appeals.

One example of what the NLRB does was provided in 1995, when it helped bring a speedy end to the baseball strike. The NLRB secured a 10(j) injunction requiring the owners to withdraw their one-sided imposed changes to the negotiated system of setting baseball wages.

Bibliography

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