



Friday
April 25, 1997

Part LIX

**National Labor
Relations Board**

Semiannual Regulatory Agenda

NATIONAL LABOR RELATIONS BOARD (NLRB)

NATIONAL LABOR RELATIONS BOARD

29 CFR Ch. I

Unified Agenda of Federal Regulatory and Deregulatory Actions

AGENCY: National Labor Relations Board.

ACTION: Semiannual regulatory agenda.

SUMMARY: The National Labor Relations Board is publishing its semiannual

regulatory agenda pursuant to section 4(b) of Executive Order 12866. The agenda contains all rulemakings which have been completed since the last agenda was published or which are still pending or scheduled for consideration during the next 12 months.

FOR FURTHER INFORMATION CONTACT: John J. Toner, Executive Secretary, National Labor Relations Board, 1099 14th Street NW., Suite 11600, Washington, DC 20570; telephone (202) 273-1940.

SUPPLEMENTARY INFORMATION: The Board identified five rulemakings for inclusion

in the agenda. Two have been completed since the last agenda and have been published as final rules. The other three are still pending. Of these, one has been published as an NPRM, one has been published as an ANPRM and an NPRM, and one is under consideration and has not yet been published.

Dated, Washington, DC, February 21, 1997.
By direction of the Board.

John J. Toner,
Executive Secretary.

NATIONAL LABOR RELATIONS BOARD (NLRB)

Long-Term Actions

4239. REPRESENTATION CASE PROCEDURES

Priority: Other Significant

Legal Authority: 29 USC 156

CFR Citation: 29 CFR 102.60 et seq

Legal Deadline: None

Abstract: The Board is undergoing a review of its current representation case rules in order to eliminate any that are antiquated and to streamline its procedures so as to minimize litigation and enhance the possibility of stipulated election agreements.

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: John J. Toner, Executive Secretary, National Labor Relations Board, 1099 14th Street NW., Suite 11600, Washington, DC 20570
Phone: 202 273-1940

RIN: 3142-AA01

4240. CODIFICATION OF STANDARDIZED REMEDIAL PROVISIONS IN BOARD DECISIONS REGARDING OFFERS OF REINSTATEMENT, MAKE-WHOLE REMEDIES, COMPUTATION OF INTEREST, AND POSTING OF NOTICES

Priority: Other Significant

Legal Authority: 29 USC 156

CFR Citation: 29 CFR 103.101; 29 CFR 103.102; 29 CFR 103.103; 29 CFR 103.104

Legal Deadline: None

Abstract: The Board issued a notice of proposed rulemaking to require that interest on backpay and other monetary awards in unfair labor practice proceedings be compounded daily in order to compensate discriminates for the delay in receiving their wages, and to promote prompt payment of legal obligations. The notice also proposed to amend the Board's rules to incorporate certain remedial provisions frequently appearing in Board decisions.

Timetable:

Action	Date	FR Cite
NPRM	03/05/92	57 FR 7897
NPRM Comment	04/30/92	
Period End		
Next Action	Undetermined	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: John J. Toner, Executive Secretary, National Labor Relations Board, 1099 14th Street NW., Suite 11600, Washington, DC 20570
Phone: 202 273-1940

RIN: 3142-AA03

4241. APPROPRIATENESS OF REQUESTED SINGLE LOCATION BARGAINING UNITS IN REPRESENTATION CASES

Priority: Other Significant

Legal Authority: 29 USC 156

CFR Citation: 29 CFR 103

Legal Deadline: None

Abstract: The Board published an advance notice of proposed rulemaking and a notice of proposed rulemaking on the issue of the appropriateness of requested single location bargaining units in representation cases. The Board is seeking to promulgate a rule or rules to limit to the extent possible the necessity to adjudicate the appropriateness of petitioned-for single facility units in each case. However, a rider attached to the 1996 and 1997 appropriations bills prohibits the Agency from expending any funds to promulgate a final rule.

Timetable:

Action	Date	FR Cite
ANPRM	06/02/94	59 FR 28501
ANPRM Comment	07/29/94	
Period End		
NPRM	09/28/95	60 FR 50146
NPRM Comment	11/27/95	
Period End		
NPRM Comment	03/15/96	61 FR 10709
Period Extended		
NPRM Comment	04/12/96	
Period Extended to		
Next Action	Undetermined	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: John J. Toner, Executive Secretary, National Labor Relations Board, 1099 14th Street NW., Suite 11600, Washington, DC 20570
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RIN: 3142-AA05

NATIONAL LABOR RELATIONS BOARD (NLRB)

Completed Actions

4242. MISCONDUCT RULES**Priority:** Other Significant**Legal Authority:** 29 USC 156**CFR Citation:** 29 CFR 102.44**Legal Deadline:** None

Abstract: The Board proposed certain changes to its rules governing misconduct by attorneys or other party representatives at hearings in order to broaden the rules to cover misconduct outside of hearings and to establish certain procedures for processing allegations of misconduct. The proposed changes were recently implemented, with certain modifications, in a final rule effective January 13, 1997.

Timetable:

Action	Date	FR Cite
NPRM	05/20/96	61 FR 25158
NPRM Comment Period End	06/19/96	
NPRM Comment Period Extended to	08/02/96	61 FR 30570
Final Action	12/12/96	61 FR 65323
Final Action Effective	01/13/97	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: John J. Toner,
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RIN: 3142-AA00**4243. RULES AND PROCEDURES GOVERNING SUMMARY JUDGMENT MOTIONS AND PETITIONS FOR ADVISORY OPINIONS****Priority:** Info./Admin./Other**Legal Authority:** 29 USC 156**CFR Citation:** 29 CFR 102.24**Legal Deadline:** None

Abstract: As part of its ongoing efforts to streamline its operations, the Board proposed to revise its rules and procedures to eliminate the notice-to-show-cause procedure in summary judgment cases and to remove provisions which permit parties to pending State proceedings to petition for an advisory opinion on whether the Board would assert jurisdiction under its commerce standards. The Board

issued a final rule implementing the latter proposal regarding party petitions for advisory opinions effective January 10, 1997. The Board, however, withdrew for further study the former proposal regarding the notice-to-show-cause procedure in summary judgment cases.

Timetable:

Action	Date	FR Cite
NPRM	07/05/96	61 FR 35172
NPRM Comment Period End	08/05/96	
NPRM Comment Period Extended to	09/05/96	61 FR 40369
Final Action	12/11/96	61 FR 65180
Final Action Effective	01/10/97	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: John J. Toner,
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RIN: 3142-AA06

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