

NLRB Broadens Scope of Protected Concerted Activity

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Joseph Quinn spoke with *SHRM* about a new ruling from the National Labor Relations Board (NLRB) that is intended to make it easier for workers to have legal protection for concerted activity in the workplace. Recently, the NLRB ruled that the manufacturer, Miller Plastics, violated the National Labor Relations Act (NLRA) by firing an employee who publicly questioned the company's COVID-19 protocols when they remained open in March 2020 when the Pennsylvania government ordered nonessential businesses to close. Under the NLRA, a business cannot fire, discipline, or retaliate against employees for engaging in protected concerted activity. A concerted activity is when individual employees try to encourage group action for mutual aid and protection. "We return to the world where employers are frequently uncertain about how to handle disruptive behavior in the workplace, and such matters are more frequently litigated," said Joseph.

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