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# get back: nlrp overturns long-standing "public space" exception

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## **Why This Matters**

In June, the National Labor Relations Board ("NLRB") overturned a nearly 38-year old precedent when it ruled that employers may deny nonemployee union representatives access to areas of their property open to the public, like cafeterias or restaurants, when the union representatives are there to solicit for or promote union membership. In this ruling, the NLRB overruled its previous decisions that had recognized a "public space" exception under which employers were required to permit non-employee union organizers to engage in union activity in public cafeterias or restaurants if the organizers used the facility in a manner consistent with its intended use and were not disruptive.

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## **practice areas**

labor & employment