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# nlrp issues final rule on joint-employer standard

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## **Why This Matters**

On Tuesday, the National Labor Relations Board ("NLRB" or the "Board") announced that, on February 26, 2020, it will issue its final rule governing joint-employer status under the National Labor Relations Act ("NLRA"). Under the NLRB's final rule, an entity may be considered a joint employer of a separate employer's employees only if the two share or co-determine the employees' essential terms and conditions of employment. "Essential terms and conditions of employment" are specifically defined as wages, benefits, hours of work, hiring, discharge, discipline, supervision, and direction. The Board's intent in issuing the final rule is to restore the joint-employer standard that was applied for many years prior to the Board's 2015 decision in *Browning-Ferris*.

The final rule will be effective April 27, 2020. The NLRB's Fact Sheet regarding the final rule is available [here](#).

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labor & employment