



biden nlrp rules employers cannot limit union insignia without good reason

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In what has become an all too familiar practice of overruling and reinstating precedent based on the political party in control of the Executive Branch, last week, the National Labor Relations Board ("NLRB" or "Board") reinstated the test that applies when analyzing whether an employer's dress code or uniform policy interferes with employee rights under the National Labor Relations Act. In *Tesla Inc.*, 370 NLRB No. 131 (Aug. 29, 2022), at issue was an employer policy requiring employees to wear a designated uniform in its production facility and prohibiting employees from wearing any unauthorized clothing, including tee shirts with union insignia.

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