

NLRB Considers Merging Buffalo, Pittsburgh Offices

Share us on: [Twitter](#)[Facebook](#)[LinkedIn](#) By **David McAfee**

Law360, Los Angeles (July 02, 2014, 6:10 PM ET) -- The [National Labor Relations Board](#)'s general counsel said Tuesday that he is considering a plan to consolidate the NLRB's regional offices in Buffalo and Pittsburgh into one region managed by a single regional director, following the retirement of a regional director at the Pittsburgh office.

NLRB general counsel Richard F. Griffin Jr. said that, under the plan, one office would be designated as the regional office while the other will be a subregional office. The proposal is in response to the retirement of Pittsburgh Region 6 Director Robert Chester, according to the NLRB.

"It continues to be our practice to consider Regional restructuring when a Regional Director retires," the NLRB said in a Tuesday statement. "This is part of an ongoing effort by the Agency to explore ways to streamline its operations in light of new technologies and changing patterns in case intake."

Griffin on Tuesday detailed the plan that would merge the Pittsburgh office in region 6 with the Buffalo office in region 3 but specified that the decision wouldn't be made alone. Griffin said he would thoroughly consider comments from NLRB staff, practitioners, members of the management-labor relations community and Congress before making a final decision on whether to present a formal proposal to the board.

"Thereafter, any permanent structural change would need to be approved by the board and announced in the federal register," the NLRB said.

The proposed restructuring, which does not include closing offices, comes on the heels of Chester's retirement. Rhonda P. Ley, regional director of region 3, became acting regional director for region 6 in May, according to the NLRB.

Recently, in a case handled by the Buffalo regional office, an NLRB administrative law judge found Hogan Transports Inc. violated the National Labor Relations Act for allegedly discharging a pro-union employee, among other things. The judge recommended to the board that the fired employee be permanently reinstated with full back pay and that the company be ordered to bargain with the union without an election, according to the NLRB.

In another victory in the region in 2012, the NLRB ruled that Carr Finishing Specialties Inc. violated federal labor law when it stopped applying the terms and conditions of a collective-bargaining agreement reached between the Ironworkers union and an employers' association to which the contractor belonged.

Sen. Charles E. Schumer of New York weighed in on the topic last week, calling on the NLRB to reconsider the proposed consolidation, which he said would downgrade the Buffalo regional office and move some services to Pittsburgh.

"Buffalo's Regional NLRB Office plays a crucial role in resolving labor disputes across the state, and for

the smooth functioning of the regional economy it is critical that we keep this resource where it belongs, in Western New York,” Schumer said in a statement. “Any proposal to shift key decision-making power to Pittsburgh does not sit well with me, and I am strongly urging the NLRB to reject this notion and affirm its intention to keep the regional Buffalo NLRB office as is.”

Schumer sent a letter to NLRB Chairman Pearce, stressing the importance of upstate New York workers and businesses having access to the office.

Schumer added that “stripping the Buffalo office of its current status would inconvenience workers and businesses all across the state and could lead to major case-load backups that would have a disastrous impact.”

Griffin said he plans to thoroughly consider input and ideas from NLRB staff as well as external stakeholders.

Griffin seeks comments on the proposed consolidation in general and on which office, if any, should be the main regional office under the new structure. Responses are due by Aug. 15, according to the NLRB.

--Editing by Richard McVay.