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Department of Labor Officially Rescinds “Persuader Rule”

[Washington, DC] - Yesterday, the Department of Labor (DOL) officially rescinded the “persuader rule” passed during the Obama Administration that would have required lawyers and consultants to report to DOL when counseling employers concerning union organizing. DOL issued a proposed rule last year to rescind it.

This regulation was originally issued in 2016, however, before it could be implemented, a U.S. district court issued a permanent stay of the rule. The effort appeared to target employers trying to consult with legal counsel in response to union organizing.

The news release issued by DOL stated, “For decades, the department enforced an easy-to-understand regulation: Personal interactions with employees done by employers’ consultants triggered reporting obligations, but advice between a client and attorney did not,” the Office of Policy’s Deputy Assistant Secretary Nathan Mehrens said. “By rescinding this rule, the department stands up for the rights of Americans to ask a question of their attorney without mandated disclosure to the government.”

Members with questions can contact Kevin McKenney at kmckenney@demolitionassociation.com

About NDA: The National Demolition Association represents U.S. and Canadian companies that offer standard demolition services as well as a full range of demolition-related services and products. NDA educates members on the latest advances in equipment and services, provides educational programs and tools to stay abreast of regulatory and safety matters, keeps regulators informed about issues in our industry, and increases public awareness of the economic and societal benefits of demolition.