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**STATEMENT BY NLRB CHAIRMAN WILMA B. LIEBMAN
ON D.C. CIRCUIT'S DECISION IN LAUREL BAYE v. NLRB**

Today's District of Columbia Circuit Court of Appeals ruling is obviously a disappointment, especially in light of favorable decisions of two other courts of appeals, including one just issued. The issue of the two-member Board's authority is pending before several other appellate courts, as well.

The Board's delegation decision in December 2007 was based, as the District of Columbia Circuit recognized, on a reasonable interpretation of the law and on a desire to keep the Board's important work from coming to a complete halt for an indefinite period. For the last 16 months, Member Peter Schaumber and I have been dedicated to resolving cases and to avoiding a decisional backlog. We have issued about 400 decisions during this period.

Today, the Board still has only two members, with three vacancies. The President, however, has recently announced his intention to nominate two distinguished labor lawyers to the Board. I am hopeful, then, that the Board will soon have an indisputable quorum and will be out from under the current legal cloud.

In the meantime, Member Schaumber and I will carefully consider the legal options open to the current Board, both with respect to the court's decision and with respect to the cases now pending before us.

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