



United States Government

NATIONAL LABOR RELATIONS BOARD

Office of the Executive Secretary

1015 Half Street, SE

Washington, DC 20570

January 11, 2019

EXTENSION OF TIME TO SUBMIT COMMENTS TO THE NATIONAL LABOR RELATIONS BOARD PURSUANT TO THE NOTICE OF PROPOSED RULEMAKING CONCERNING “THE STANDARD FOR DETERMINING JOINT EMPLOYER STATUS” IN ORDER TO ADDRESS D.C. CIRCUIT’S *BROWNING-FERRIS* DECISION

On September 14, 2018, the National Labor Relations Board (the “Board or “NLRB”) published in the Federal Register a Notice of Proposed Rulemaking (“NPRM”) setting forth a proposed standard for determining joint-employer status under the National Labor Relations Act. The NPRM provided a 60-day period, ending November 13, 2018, for submission of responsive comments. The NLRB subsequently extended the deadline for comments to that NPRM to December 13, 2018, and then again to January 14, 2019.

On December 28, 2018, the United States Court of Appeals for the District of Columbia Circuit issued a decision in *Browning-Ferris Industries of California v. NLRB*, No. 16-1028, 2018 WL 6816542. In light of the D.C. Circuit’s issuance of its *Browning-Ferris* decision so close to the deadline for comments on the NPRM, the Board hereby grants a 14-day extension of time to allow interested parties to address issues raised by the decision. All comments must now be received on or before **January 28, 2019**. Comments replying to comments submitted during the initial comment period must be received by the Board on or before February 11, 2019.

/s/ Roxanne L. Rothschild
Acting Executive Secretary