

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
DIVISION OF JUDGES

In the matter of all unfair labor practice cases scheduled for hearing on and after February 2, 2026:

ORDER

It is likely to remain uncertain when funds will become available for the operations of the National Labor Relations Board after 11:59 pm on January 30, 2026. There may be a period during which the operations of the NLRB will not be funded by an Act of Congress. In that event, it may become necessary to postpone unfair labor practice hearings scheduled to commence on and after February 2, 2026.

Under Section 102.16 of the Board's Rules and Regulations, with limited exceptions, authority to postpone a hearing within 21 days of a scheduled hearing date rests with the Chief Administrative Law Judge. To avoid the need to file with the Division of Judges several motions to postpone that would routinely be granted, I am issuing this order, which will apply to all cases scheduled for hearing on and after February 2, 2026.

Accordingly, **IT IS ORDERED THAT:**

1. In every case with a hearing scheduled to begin between February 2 and February 6, 2026, if by midnight on Friday, January 30, 2026, there has been no appropriations bill enacted into law or legislation authorizing the Board to operate after January 30, 2026, then the hearing will be postponed indefinitely.
2. If there has been no appropriations bill enacted into law or legislation authorizing the Board to operate after the close of business on Friday, February 6, 2026, all hearings scheduled for the week of February 9-13, 2026 will be postponed indefinitely.
3. In every case with a hearing scheduled to begin in subsequent weeks if by the close of business on the Monday preceding the Monday of the week in which the hearing is scheduled there has been no appropriations bill enacted into law or legislation authorizing the Board to operate during the week in which the hearing is scheduled, then the hearing will be postponed indefinitely. For example, if there has been no appropriations bill enacted by close of business on Monday, February 16, 2026 (Presidents' Day), all hearings scheduled for the week of February 23-27, 2026, will be postponed indefinitely.

4. In every case in which a filing, including a brief, exceptions or answering brief, is due after the date a shutdown commences, the due date for such filing shall be extended by the length of the shutdown.
5. In cases in which a hearing has already opened and is scheduled to resume during a week in which the NLRB has yet to be funded, it is up to the trial judge to determine when the hearing will resume after the Agency is funded.
6. In each case, this order shall take effect when the Regional Director serves a copy of this order on each of the parties in the affected cases.

Dated at Washington, D.C. on January 30, 2026.

arthur j. amchan

Arthur J. Amchan
Deputy Chief Administrative Law Judge