

Press Coverage | October 31, 2023

Locke Lord New York Partner Richard Reibstein Quoted on Implications of NLRB's Joint Employer Rule

Law360

RELATED PROFESSIONALS

[Richard Reibstein](#)

Richard Reibstein, a New York Partner in Locke Lord's Labor and Employment Practice, was quoted by Law360 on a recently issued regulation by the National Labor Relations Board (NLRB) on joint employer status. The new rule will expand employer status to franchisors, staffing companies and service recipients that merely reserve the right to control essential terms and conditions of employment for employees. The NLRB's new regulation relies in part on case authority determining the status of independent contractors but does not rely on joint employer case authority under Title VII of the Civil Rights Act and other anti-discrimination laws.

Asked if the NLRB's rule will impact Title VII jurisprudence, Reibstein noted that was dubious: "First, joint employer law under the federal non-discrimination laws is already well-established by the courts; second, the NLRB majority's rule is confined to that labor relations statute. The NLRB's new rule, however, could conceivably prompt the EEOC to issue its own joint employer rule sometime in the future, but that is highly unlikely."

[Read the full Law360 article](#) (subscription may be required).

RELATED INDUSTRIES + PRACTICES

- [Independent Contractor Misclassification + Compliance](#)
- [Labor + Employment](#)