

USPS Settles Post-Breach Unfair Labor Relations Practices

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The National Labor Relations Board (NLRB) recently approved a settlement between the United States Postal Service (USPS) and the American Postal Workers Union (APWU) regarding a cyber-breach that affected nearly 800,000 current and former employees in late 2014.

In April, the NLRB issued a complaint against USPS after APWU filed unfair labor practice charges alleging that USPS refused to bargain with the union over an appropriate timeline for notifying employees of such attacks and ignored the union's requests for information about the extent of the breach and USPS's response. The parties have now settled the matter.

The settlement, in relevant part, requires USPS to bargain with the APWU and other unions about the "impact and effects" of the breach. USPS is also required to furnish requested information regarding the breach to the APWU and other unions.

Tip: This case warns employers with unionized workforces who suffer a breach to consider the extent to which they are required by the NLRB duty to bargain to engage in effects bargaining over such matters.

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