



## NLRB Seeks To Force Reopening Of Shuttered Starbucks Cafés

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One of the more harsh remedies at the National Labor Relations Board's (NLRB) disposal is forcing companies to [reopen shuttered locations](#) in the event the agency determines the decision to close those sites was driven by anti-union considerations. In the wake of the [ongoing nationwide union drive](#) at Starbucks, the coffee giant now is facing such a case.

According to a recent [Axios article](#), "The National Labor Relations Board called on Starbucks...to immediately reopen 23 stores that workers allege were shut in response to union organizing activities...The Seattle regional office of the NLRB issued a complaint alleging that Starbucks shut the stores without prior notice to the union and without affording Workers United with an opportunity to bargain about the decisions."

The article notes that eight of the 23 stores at issue had voted in unions prior to the announcement of the stores' closures. Starbucks also commented that it evaluates its cafés annually to determine the possible opening or closing of stores. It appears Starbucks will be defending against these claims.

While this case highlights one of the more Draconian penalties at play in proceedings before the agency, companies should take note the NLRB has been significantly expanding the scope and types of remedies it pursues. For example, in [one case earlier this year](#) in which a company was alleged to have engaged in bad faith bargaining with a union, the NLRB pronounced new remedies for violations in such cases, including:

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- Providing employees with an explanation of their rights under the act
- Reading an explanation of those rights out loud to its employees in a company meeting and at times requiring supervisors to be present
- Mailing a copy of the explanation of their rights to employees' homes
- Publishing the notice and any explanation of rights documents in local publications
- Reimbursing the union's bargaining expenses
- Making whole any employees for lost wages related to bargaining

Accordingly, employers should be mindful of the broad remedial powers of the NLRB as they navigate the evolving labor law and labor relations landscape. Something to keep in mind in the New Year and beyond.