

## Noel Canning Argument Set For Jan. 13, 2014

November 6, 2013 | [National Labor Relations Board, Labor And Employment](#)



**Gerald F.  
Lutkus**

Of Counsel  
(Retired)

The oral argument on the constitutionality of President Obama's recess appointments to the NLRB will be heard by the U.S. Supreme Court on Jan. 13, 2014. The Court this week scheduled the argument date for the case for January.

The Court will consider the January 25 decision of the Court of Appeals for the D.C. Circuit that declared the President's recess appointments to the Board of Richard Griffin, Sharon Block and Terence Flynn to be unconstitutional. The D.C. Circuit's opinion threw into doubt hundreds of cases decided by the Board following those appointments and though directly not at issue in the case, the Court's decision could also impact Board decisions made while Craig Becker sat as a recess appointment.

Make sure you bookmark the BT Labor Relations blog as we'll keep you updated as developments occur.

### RELATED PRACTICE AREAS

Labor and Employment  
Labor Relations  
National Labor Relations Board (NLRB)