LAW360 Employment Authority

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NLRB Union Election Petitions Jump 27% In FY 2024

By **Beverly Banks**

Law360 (October 15, 2024, 7:14 PM EDT) -- The National Labor Relations Board saw a bump in representation election petitions and unfair labor practice charges filed during the past fiscal year, the agency announced, highlighting a doubling of election petition filings since fiscal year 2021.

Representation election petitions filed with the National Labor Relations Board shot up by about 27% from 2,593 petitions in fiscal year 2023 to 3,286 petitions in fiscal year 2024, the agency said. The NLRB's numbers are estimates.

The fiscal year 2024 election petition filings were more than two times the election petitions filed in fiscal year 2021, according to the NLRB's announcement released Monday.

Petitions and ULPs Rise For NLRB In FY2024

The NLRB says representation election petitions jumped in FY 2024 compared to FY 2023.

ULPs Filed

- **FY 2021:** 15,082
- **FY 2022:** 17,988 ▲19.3%
- **FY 2023:** 19,869 ▲10.5%
- **FY 2024:** 21,292 ▲7.2%

Representation Petitions Filed

- **FY 2021:** 1,638
- **FY 2022:** 2,510 ▲53.2%
- **FY 2023:** 2,593 ▲3.3%
- **FY 2024:** 3,286 ▲26.7%

Fiscal years begin Oct. 1 of the previous calendar year and end Sept. 30. For instance, figures for FY 2024 are for dates between Oct. 1, 2023 to Sept. 30, 2024.

Source: National Labor Relations Board.

The agency said it also saw a slight uptick in the filing of unfair labor practice charges from 19,869 in fiscal year 2023 to 21,292 in fiscal year 2024.

The NLRB noted that its field offices experienced the "highest total case intake in over a decade." In fiscal year 2024, the NLRB had around 24,578 cases compared to about 23,101 cases in fiscal year

2014 and about 23,863 cases in fiscal year 2016, according to agency data.

In addition to the rise in cases at the NLRB, the agency said 22% more unfair labor practice and representation cases have come across the board's desk. Overall, the board dealt with around 393 unfair labor practice and representation cases in fiscal year 2024 compared to about 321 cases in fiscal year 2023, the NLRB said.

The board also issued a higher number of decisions in fiscal year 2024, the agency said, marking a 5% boost when looking at fiscal year 2023.

"As has been the case for the last several years, however, the board's case processing achievements were overtaken by a significant jump in case intake, ending FY2024 with 288 pending cases — 46% more than the 197 pending cases at the end of FY 2023," the NLRB said.

President Joe Biden weighed in on the NLRB's data release, stating Tuesday that he has kept his promise to be the "most pro-union, pro-worker president in history."

The NLRB's data "shows the number of workers filing for union representation has doubled since the start of my administration — the first administration in five decades to have an increase in union petitions," Biden said.

Biden said he will push for increased funding for the NLRB.

NLRB general counsel Jennifer Abruzzo and board Chairman Lauren McFerran mentioned the agency's need for more resources to handle higher caseloads and ameliorate staffing issues. According to the NLRB, the agency had "62% more field staff" in fiscal year 2011 than in fiscal year 2024.

Abruzzo said in a statement that the "surge in cases we've received in the last few years is a testament to workers knowing and exercising their rights under the National Labor Relations Act and to our board agents' accessibility and respectful engagement with them."

The agency's top prosecutor also called on Congress to boost the NLRB's funding "so that employers, unions, and workers receive prompt and meaningful case resolutions." Abruzzo **expressed similar sentiments** Tuesday while speaking on a panel at the National Press Club in Washington, D.C.

The **NLRB's budget stayed** at $299.2 million for fiscal year 2024 after the agency had received a $25 million funding increase in fiscal year 2023.

In a statement McFerran said the agency's employees "have worked hard this year to process cases efficiently, but the ongoing surge in case intake continues to increase our backlog."

"Additional resources are necessary to enable the board to expand staffing capacity and ensure that the workers, employers, and unions that rely on our agency benefit from timely resolution of their labor disputes," McFerran said.

--Editing by Nick Petruncio.

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