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Attorney General Brown Joins Coalition Defending Integrity of the National Labor Relations Board

BALTIMORE, MD (March 5, 2025) – Attorney General Anthony G. Brown today joined a coalition of 22 attorneys general in filing an amicus brief opposing a legal challenge that, if successful, would severely limit the National Labor Relations Board’s (NLRB) ability to carry out its responsibility of protecting American workers’ rights to unionize.

The coalition filed the [brief](#) today with the U.S. Court of Appeals for the 6th Circuit in the case of Yapp USA Automotive Systems Inc. v. National Labor Relations Board. Yapp USA Automotive Systems Inc. (Yapp) is an auto parts manufacturer charged by the NLRB for alleged unlawful labor practices, including interfering with employees’ rights to collectively bargain. Yapp’s lawsuit seeks to stop the NLRB’s administrative proceedings, arguing the NLRB’s structure and administrative proceedings are unconstitutional. The coalition is urging the court to deny Yapp’s request for an injunction, which would hamstring the NLRB’s ability to protect workers’ rights to collectively bargain for better wages and improved working conditions.

“For nearly a century, the NLRB has safeguarded workers’ rights, kept workplaces safe, and protected employees’ right to unionize,” **said Attorney General Brown**. “If successful, this lawsuit would undermine the board’s ability to fulfill those critical roles and reduce workers’ power to increase their wages or improve their working conditions.”

The NLRB is the federal agency responsible for administering the National Labor Relations Act (NLRA), which guarantees most private-sector American workers the right to form, join or assist labor unions. It also protects their right to engage in collective bargaining, and to participate in other activities (such as strikes and picketing) aimed at improving wages and other working conditions. Under the law, the NLRB investigates potential violations of labor laws, addresses unfair labor practices, helps resolve labor disputes and oversees union elections; thereby promoting fair and lawful workplace practices nationwide.

According to federal statutes, board members can only be removed for “neglect of duty or malfeasance in office” and administrative law judges can be removed from office only for “good cause.” In its lawsuit, Yapp argues that these removal protections are unconstitutional and that the court should prevent the NLRB from conducting any proceedings while they remain in

effect. The Trump administration has declined to defend the constitutionality of the removal protections.

Today's brief explains the removal protections are constitutional, that Yapp is not entitled to relief, and that pausing the NLRB's operations would seriously harm the public that relies on the board's administration of the NLRA. Collective bargaining helps workers obtain better wages, benefits and working conditions. Unions also help nonmembers by creating competition for workers that boosts wages. The NLRA also boosts the broader economy by decreasing inequality and stabilizing labor-management relations.

Today's brief is part of Attorney General Brown's efforts to protect workers' rights and preserve the NLRB. On February 28, Attorney General Brown [filed a brief](#) supporting a challenge to President Trump's unlawful attempt to remove NLRB member Gwynne Wilcox in the middle of her five-year term. That coalition urged the U.S. District Court for the District of Columbia to grant Wilcox's motion for summary judgment and to order the defendants in that case to allow her to continue performing her responsibilities as an NLRB member.

Joining Attorney General Brown in submitting today's brief are the attorneys general of Arizona, California, Colorado, Connecticut, Delaware, the District of Columbia, Hawai'i, Illinois, Maine, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, Oregon, Rhode Island, Vermont, Washington and Wisconsin.

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