



## A Fox Rothschild Podcast

### Labor Law Lineup

#### Episode 3: The New GC's First Memo - A Break from Tradition

*Featuring Mark Eskenazi and Katie Cohodes of Fox Rothschild*

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**Mark:** Welcome to "Labor Law Lineup." I'm Mark Eskenazi.

**Katie:** And I'm Katie Cohodes.

**Mark:** We're labor and employment attorneys at Fox Rothschild breaking down how the current state of labor law affects your workplace.

**Katie:** Mark draws on deep experience shaping federal labor policy at both the White House and the National Labor Relations Board.

**Mark:** Katie offers sharp insight as former in-house counsel who's dealt firsthand with a broad range of workplace challenges.

Together we break down labor law news for people leaders.

**Katie:** And we promise to keep it brief, because we know your time is valuable and your inbox is full.

**Mark:** Please reach out if you're a client of Fox Rothschild or a listener who wants to continue the conversation on anything we cover.

**Katie:** Hi Mark. We just received the new GC's first official memo last week, on January 28, and safe to say we found it surprising.

**Mark:** Yes. Usually a new GC issues a memo early on that's basically a priority list telling regional offices which cases to send to headquarters for review. New GCs historically used these memos to flag areas where they want to change existing law.

**Katie:** Exactly. But GC Carey announced she won't issue one right away. Her stated priority is addressing the case backlog as efficiently as possible, and we've started to see that already.

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**Mark:** And the memo is candid about why. Carey found that recent years have brought constant priority shifts, impediments to settlements and inconsistent case processing across regional offices, all creating a large backlog.

**Katie:** That's right. And it's important to note Bill Cowen's impact here. He was the acting GC for most of last year, and he issued a memo rescinding many of the Biden-era GCs priorities. Since Carey hasn't vacated Cowen's memo, presumably it stands. What does that mean for employers?

**Mark:** Carey made clear that regions will follow standard advice submission rules. The regions must submit to headquarters novel legal theories, cases with no existing board law or circuit splits. For employers, this could mean more regional dismissals, especially for cases that don't fit those categories. She promised more guidance on case processing, settlements and remedies to improve consistency.

We'll be watching closely. Thanks for listening.

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