

## Shoenfelt Quoted in Law360 Story on the State of NLRB; Kaplan's Departure

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**NEWS** | 8.28.2025

Michael Shoenfelt, a partner in the Vorys Columbus office and member of the labor and employment group, was quoted throughout a Law360 Employment Authority article titled "Kaplan Leaves Record Of Dissents With NLRB Down To 1." The story was about how National Labor Relations Board (NLRB) Member Marvin Kaplan's tenure on the board ended on August 27, 2025 and highlighted his actions during his time in that position.

#### The story states:

*"But Shoenfelt said Kaplan's most memorable output were the dissents he wrote after Democrats took over the majority in September 2021. Kaplan was the lone Republican appointee once former NLRB Member John Ring left the board in December 2022, making him the only voice opposing some of the Biden board's most significant precedent changes.*

*Shoenfelt said dissents often signal where the law will move when the authoring member's party is back in the majority, so Kaplan's influence will likely continue to show up once a new Republican majority takes over.*

*'If I was a member of the board who was more pro-employer and I was looking for rationales or areas where one could dial back pro-employee decisions, I would go to a list of Member Kaplan's dissents and start reading,' Shoenfelt said.'*

#### It also states:

*"Trump's current nominees are unlikely to sit on the board until late in the fall at the earliest as they still need to go through the Senate confirmation process, which hasn't even started with lawmakers on August recess. Shoenfelt said even once those nominees are confirmed, Kaplan's departure means the majority will have to go about its work without his institutional knowledge, which will likely further delay decisions as the new members get*

*acclimated.*

*'I think that there's certainly a leadership gap there, and I think it will be interesting to see who is the next consistent pro-employer voice,' Shoenfelt said.'*

To read the entire story on the Law360 website, [click here](#). Subscription may be required.