



**Statement of Crystal S. Carey, General Counsel National Labor Relations Board  
Before the  
Subcommittee on Health, Employment, Labor and Pensions  
Committee on Education and Workforce  
“Examining the Policies and Priorities of the NLRB”  
June 4, 2026**

Chairman Allen, Ranking Member DeSaulnier, and members of this committee:

Good morning. I am Crystal Carey. I am honored to be here today, and I am grateful to President Trump for appointing me to serve as the fortieth General Counsel of the National Labor Relations Board.

For the sake of time, and to focus on what we are here to discuss, I will not go into the full history of the Act. I will only remind you that the Act was enacted by Congress in 1935 to protect the rights of employees to engage in protected, concerted activity, including, when they so choose, to engage in collective bargaining with a representative of their own choosing, to promote labor stability, and to foster positive labor management relations. As I said during my confirmation hearing – there cannot be stability in labor relations when there is not stability in the law.

The historic case backlog which we’ll discuss today is of particularly grave concern because it hinders our ability to enforce the NLRA as Congress intended. As the old saying goes, “justice delayed is justice denied.” Sadly, when charges cannot be resolved promptly, and when questions concerning representation are unresolved, labor instability reigns and the rights of workers fall to the wayside.

It is my duty, and that of anyone serving as General Counsel, to protect workers’ rights by investigating unfair labor practice charges and making determinations on them promptly. Today’s unprecedented backlog is almost dispositive of doing so. Therefore, my chief priority as General Counsel is to address the backlog and implement sustainable operational and case handling measures to ensure cases are addressed in a timely fashion going forward. I am grateful to be here today to share where we stand, how we got here, what we’re doing to reduce the average length of time that a case is open before a final decision is made on its merits, and how we will ultimately reduce the backlog.

What I have realized in my first 5 months on the job is that the previous administration placed greater emphasis on reversing established precedent than on improving operational efficiency and providing timely responses to parties before the NLRB. The focus on overturning long-standing precedent without a similar focus on how to process cases in the conditions that

deteriorated for our board agents every day, combined with decreasing staffing, led to the historic backlog that I walked into on day one of my term.

On day 1, we initiated a comprehensive review, beginning with efforts to enhance case handling, conduct investigations more efficiently, and minimize delays in acquiring initial evidence from involved parties. Our dedicated employees have been working full throttle to get our house in order. I'm proud to share that since I took office, despite understaffing, our incredible employees have completed the investigation of 7,066 cases that were pending as of January 7, 2026, a nearly 40 percent reduction in the cases that were awaiting determination in a regional office when I was sworn in. As part of this backlog attack plan, I recently implemented an initiative to redistribute 3,500 cases among the regional offices with the capacity to handle them. I simultaneously directed regions to conduct an exhaustive review of pending complaints, and I encouraged regions to seek reasonable settlements, where possible, of pending cases. Parties have overwhelmingly welcomed this changed approach in case processing, and our board agents have voiced a renewed sense that reasonable settlements can occur again. This is what we are supposed to do – foster positive labor management relations, not stand in the way of it.

While I am optimistic about our progress, and the future, it is important to note that this situation was not created overnight. The backlog accumulated over a period of several years, escalating to unprecedented levels between 2021 and 2025, and it will take our Agency some time to fully reign in the backlog. Additionally, we continue to receive new charges every day, at record pace, all while we are 31% understaffed compared to 10 years ago when we experienced similar case intake. We are excited to have hiring authority to onboard nearly 100 new employees to the field this fiscal year. However, that number does not approach the number of employees we need to build an efficient and sustainable case processing system and fully staff our regional offices.

Currently, Regional offices are focusing their attention on charges filed before I took office on January 7, with the exception of cases where injunctive relief may be appropriate, statutory priority cases, and blocking charges. Unfortunately, this means that charges filed after January 7, that do not fall into one of the categories I just described, may not be assigned right away at current staffing levels even with newly implemented statutory efficiencies.

Regardless, our goal twelve months from now is that we'll have processed a majority of the pre-January 7 cases and most of the remaining investigations will have been pending for less than one year. I appreciate Congress' support as we continue our important work. I look forward to answering your questions.