

The Supreme Court's Slaughter Decision: Impact on Labor and Employment Law

Posted in Alert on June 30, 2026

The June 29, 2026 [Supreme Court decision in *Trump v. Slaughter*](#) significantly expands presidential authority over federal regulatory agencies by allowing the president to effectively "fire" heads of agencies or commissions. While this decision doesn't change substantive labor and employment statutes, it is likely to alter how those laws are administered and enforced by increasing presidential control over the agencies that historically have enjoyed substantial independence. These agencies have, in the past, insulated labor and employment policy from politics by slowing the pace of change associated with shifts in presidential administrations.

For nearly 90 years, the *Humphrey v. Executor* decision has limited the president's ability to remove board members or commissioners of certain regulatory agencies. *Slaughter* overrules that prior precedent and now allows presidents to reshape agency leadership and, consequently, enforcement priorities, much more quickly.

Potential Impact on Regulatory Boards and Commissions

- NLRB — The outcome of each presidential election could lead to complete changes in the members of the National Labor Relations Board. Employers should anticipate more frequent changes in Board precedent concerning union organizing, union election procedures, bargaining obligations, remedies, joint-employer doctrine, and independent-contractor standards.
- EEOC — Similarly, changes in presidential administrations may lead to more rapid shifts in EEOC priorities. Enforcement initiatives involving AI or algorithmic bias, systemic discrimination, religious accommodations, LGBTQ+ issues, and pregnancy accommodations may change more quickly than with previous administrations.
- OSHA — Enforcement priorities at OSHA are likely to change more frequently as presidential administrations change.

Employer Takeaways

Employers should expect more frequent, significant shifts in agency control, stability, and enforcement priorities for the NLRB, EEOC, and even OSHA. These changes, coupled with the Supreme Court's recent administrative-law decisions, including the elimination of *Chevron* deference, likely will lead to even more litigation over agency authority moving forward. In light of these developments, employers should continue to closely monitor agency and case law developments, especially during presidential transitions.

We Can Help

Contact [Chuck Lee](#), [Jessica Malloy-Thorpe](#) or a member of our [Labor & Employment practice group](#) to discuss your situation.