

White House NLRB Nominations Signal Continuity in Board Direction and Enforcement Priorities

April 14, 2026

On April 14, 2026, the **White House transmitted** two nominations to the United States Senate that, if confirmed, would bring the National Labor Relations Board (“Board”) to four sitting Members and cement a Republican majority through the balance of the decade.

The nominations. President Trump nominated James Macy of Wisconsin to fill the seat previously held by former Chairman Marvin Kaplan, whose term expired August 27, 2025. Macy’s nomination is for the remainder of that five-year term, expiring August 27, 2030. The President also renominated David Prouty of Maryland, the Board’s sole Democratic Member, to a second five-year term expiring August 27, 2031. Prouty’s current term, to which he was nominated by President Biden and confirmed in July 2021, runs out on August 27, 2026. The renomination is therefore timed to allow continuity of service without a gap.

Who is James Macy? Macy has served as the Wage and Hour Division’s (WHD) Principal Deputy Administrator, and Acting Administrator of the WHD, since September 5, 2025. Before joining the Department of Labor, he spent more than forty years in private practice. His background is management-side.

Keeping Prouty. The renomination of a Biden-appointed Democrat by a Republican president is not unheard of, but it is notable. Prouty’s anticipated dissenting voice on various labor relations issues will be important to watch.

Key Takeaways

1. *Quorum is secure, and then some.* The Board regained a quorum on January 7, 2026, when James Murphy (designated Chairman) and Scott Mayer were sworn in. Confirming Macy would push the Board to four Members, with Republican appointees holding a 3-1 working majority. The fifth seat remains unsettled as the Supreme Court considers the President’s removal of prior Board Member Gwenn Wilcox.
2. *Expect movement on pending precedent.* A stable Republican majority gives the Board the votes to revisit Biden-era decisions on union representation procedures, handbook rules, captive-audience meetings, joint employer, recognition, and independent-contractor status. Employers with pending ULP charges or representation proceedings should assess whether and how to preserve arguments tied to anticipated reversals.
3. *Regional offices continue to matter.* General Counsel Crystal Carey’s prosecutorial priorities, not just Board composition, will likely continue to shape day-to-day enforcement through 2026.
4. *Timing consideration.* Senate HELP Committee and floor calendars are crowded, and the Macy-Prouty pairing could advance together or separately. The prior Murphy-Mayer nominations took nearly six months from nomination (July 2025) to confirmation (Jan 2026).

If you would like to discuss this development and how it may impact your organization, please reach out to your Miller Canfield attorney or one of the authors of this alert.