

Immigration Judges' Union Lodges Labor Complaints Against Trump Administration

By [Zolan Kanno-Youngs](#) Sept. 27, 2019



Migrants applying for asylum this month in Laredo, Tex. Eric Gay/Associated Press

WASHINGTON — The union representing the nation's immigration judges filed two labor complaints against the Justice Department on Friday, escalating a fight between the Trump administration and those who play a central role in the White House's attempt to limit immigration to the United States.

The National Association of Immigration Judges, representing the 420 judges overseeing immigration cases in the United States, filed one of the complaints a month after the Justice Department [moved to decertify the union](#).

Another is based off a separate episode in August, when the Justice Department's executive office for immigration review [sent court employees a link to a blog post from a white nationalist website](#) that included anti-Semitic attacks on judges.

The filing is the latest jab in a long-running fight between the outspoken union and the Justice Department, which has pressured the immigration judges to more quickly address a backlog of immigration cases that reached one million this year. Unlike other judges, immigration judges are under the Justice Department as opposed to the judicial branch. The union has long lobbied for its independence.

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"The current state of affairs is that the judges have been completely deprived in their practice to exercise independent decision-making authorities," said Judge Ashley Tabaddor, the union's president. "They are in constant fear and a constant state of duress."

As union president, Judge Tabaddor is permitted to speak publicly about polarizing issues, effectively allowing her to criticize her bosses at the Justice Department. Other judges are prohibited from speaking about topics that could be considered political.

Representatives for the judges have said the department's recent request to the Federal Labor Relations Authority to decertify the judges' union amounted to "a direct attack on federal employees."

The request came after the union sought clarification in April from the Justice Department in contract negotiations over whether the judges' positions made them regular employees or managers. The Federal Labor Relations Authority previously rejected the Clinton administration's attempt to decertify the judges.

A spokesman for the Justice Department did not respond to a request for comment.

"There are efforts to turn the immigration judge position into an at-will position and erode the independence that the judges have," Judge Tabaddor said.

In August, she and other union officials were infuriated to find a link to a white nationalist website in an email sent out by an office at the Justice Department. Judge Tabaddor said the post included direct attacks against judges.

While the administration has hired more judges, the union has long criticized the Trump administration for putting burdensome expectations on its work force, including a requirement to complete 700 cases a year.

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