



## THE NATIONAL ASSOCIATION OF IMMIGRATION JUDGES

November 3, 2020

Dear Colleagues,

Today the Federal Labor Relations Authority reversed two decades of precedent and issued a baseless decision effectively decertifying the National Association of Immigration Judges as the union of immigration judges. See the decision [here](#). We are outraged, though not surprised, by the lack of legal analysis. As dissenting member Ernest DuBester notes, the decision is pure “sophistry.”

This decision is not being rendered in a vacuum. We have suffered an all-out assault on labor and unions from the outset of [three executive orders](#) designed to decimate bargaining rights of unions to the most recent [executive order](#) designed to transform the federal workforce into an “at-will” and deeply politicized body. And in the context of immigration judges, this is in line with our experience of undue interference and influence in our independent decision making authority.

We have lost this battle, but we will win the war. The NAIJ has prepared for just this day. We shall continue to fight. We are pursuing any and all available legal and other options.

Your support of NAIJ is now more important than ever. NAIJ needs you. If you have not previously joined NAIJ, join now by contacting us directly. In turn, NAIJ will continue to support immigration judges both individually with management and also as a group through public outreach, media contacts, and work on the Hill. We will need to work together to make sure that misguided policies like quotas and deadlines and micromanagement of IJs are not utilized to target us for discipline or removal from office. Even absent the protection of a collective bargaining agreement, we continue to have rights as federal government employees, including before the Merit System Protection Board. And if nothing else, this highly politicized decision is another

compelling exhibit in our case for the creation of an independent Article 1 immigration court.

As always, feel free to reach out to myself or any of the NAIJ board members with any questions or concerns. My personal email address is [ashleytabaddor@gmail.com](mailto:ashleytabaddor@gmail.com) and my cell is (310) 709-3580.

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