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## **Here We Go Again... Federal Immigration Judges File Petition Seeking Union Recognition**

**Earlier this year, a Trump-appointed majority on the FLRA board, bucking precedent, stripped immigration judges of their collective bargaining rights and union protections. Now, the judges are back filing a petition seeking the restoration of their rights with an FLRA board that includes a new member.**

*The Department of Justice also has the authority to voluntarily recognize the judges' union which has represented immigration judges for 51 years.*

**WASHINGTON** – Today, the National Association of Immigration Judges (NAIJ) filed a petition with the Federal Labor Relations Authority (FLRA) seeking to restore its union status and to once again give voice and union protections to the nation's roughly 500 immigration judges. Earlier this year, acting on a 2019 move by the Trump administration designed to silence the immigration judges' union, the FLRA in an unusual and lawless decision, [ordered](#) that the NAIJ be decertified and judges stripped of their well-established union rights. The NAIJ has represented immigration judges since 1971 and in recent years repeatedly and publicly sounded the alarm about an overloaded immigration adjudication system with a backlog of 1.8 million cases.

Over the past two months, a majority of the nation's immigration judges have signed a petition seeking the restoration of their rights and the ability to have a union representative address the many issues facing the nation's immigration courts.

In May, the composition of the FLRA changed when the Senate confirmed a Biden nominee, Susan Tsui Grundmann to the three-member FLRA board, joining Chairman [Ernest DuBester](#) to form a Democratic majority. The Chairman had issued a blistering dissent when the two

Trump-appointed board members, [James T. Abbott](#), a holdover, and [Colleen Duffy Kiko](#) voted to eliminate the right of immigration judges to be represented by a union. Kiko remains on the FLRA board.

“Under the Trump administration and Attorney General William Barr, the DOJ went to extraordinary lengths to unjustly silence immigration judges,” said NAIJ President Judge Mimi Tsankov. “We fully expect the FLRA to accept our petition, schedule an election and recertify our union when a majority of judges cast their votes in support. Immediately, we ask that the DOJ follow the Biden Administration’s labor policies and voluntarily recognize NAIJ.”

NAIJ, working through its national affiliations with both the International Federation of Professional and Technical Engineers (IFPTE) and the AFL-CIO, has asked the White House to support voluntary recognition.

“The Biden administration and the DOJ made it clear last year that they didn’t support the Trump administration’s effort to bust the judges’ union and they correctly withdrew the petition filed by Attorney General Barr’s DOJ,” said IFPTE President Matt Biggs. “The fight to treat immigration judges fairly isn’t over.”

*The National Association of Immigration Judges (NAIJ), founded in 1971, is a voluntary organization formed with the objectives of promoting independence and enhancing the professionalism, dignity, and efficiency of the Immigration Court. The union is an affiliate of the International Federation of Professional and Technical Engineers and the AFL-CIO.*

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