

Trump Administration Moves to Dissolve Immigration Judges' Union

[Josh Eidelson](#) August 12, 2019, 10:45 AM PDT

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The Trump administration is pushing to dissolve a federal immigration judges' union that's been a fierce critic of its policies.

In a petition filed Friday with the [Federal Labor Relations Authority](#), the Department of Justice wrote that immigration judges, who are now represented by the [National Association of Immigration Judges](#), are in fact management officials and therefore ineligible for collective bargaining.

As a result of structural and legal changes, immigration judges have more power and less oversight than they did when the agency last considered the question in 2000, the petition asserts. A Department of Justice spokesperson described the request as an appropriate update under the circumstances.

Los Angeles immigration judge and NAIJ president Ashley Tabaddor said it was "absurd" to describe judges like her as managers. "This is nothing more than a desperate attempt by the DOJ to evade transparency and accountability, and undermine the decisional independence of the nation's 440 Immigration Judges," she said in an emailed statement. "We don't even have the authority to order pencils."

NAIJ has harshly criticized the Trump administration for using case processing quotas and deadlines to evaluate judges, saying it undermines judicial independence as well as due process. The union said Monday that it would "redouble our efforts" to get Congress to shift immigration judges to

an independent agency outside of DOJ.

The petition, which was previously [reported](#) by the Washington Post, is the latest in a slew of conflicts between the Trump administration and federal employee unions. President Donald Trump [issued](#) executive orders last year that a district judge ruled would effectively “eviscerate” the right to bargain collectively; a federal appeals court panel last month [overturned](#) that ruling, concluding the lower court lacked jurisdiction.

The Department of Education last year unilaterally imposed a collective bargaining agreement on its nearly 4,000 employees, saying the union had waived its right to bargain, and the chair of the FLRA, the agency tasked with enforcing federal employee rights, [told](#) its own workers’ union in December that it would no longer negotiate with them.

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