

A judicial travesty: Federal judge sides with UAW apparatus, denies Will Lehman's request for extension of ballot deadline

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For more information on Will Lehman's campaign, visit WillforUAWPresident.org.

US District Court judge David M. Lawson issued a ruling Wednesday evening dismissing a lawsuit brought by United Auto Workers presidential candidate Will Lehman to request a one-month extension of UAW election deadlines and other measures to ensure the right to vote for all workers.

The decision came one day after oral arguments on Tuesday, during which Eric Lee, Lehman's attorney, presented a powerful case that the rights of Lehman and all UAW members have been violated by the failure of the UAW and the court-appointed Monitor to properly inform members and ensure that they received ballots. Barely 10 percent of workers have voted by mail so far, and overall turnout is expected to be less than 15 percent by the time of the November 28 deadline.

Lawson's ruling is dishonest, intellectually corrupt and, as in all such cases, exhibits complete contempt for the democratic rights of the workers in the UAW.

Lawson, a senior judge in the US District Court for the Eastern District of Michigan, sided entirely with the UAW apparatus and the court-appointed Monitor, who jointly argued against the lawsuit, as did the Labor Department, which submitted an *amicus curiae* ("friend of the court") brief opposing Lehman.

At one point in the ruling, Lawson acknowledged the significance of Lehman's claim and serious doubts about the legitimacy of the election. Lehman, he wrote, "says that the Union leadership's chosen methods of giving notice and distributing ballots are flawed because the word has not gotten out to the entire membership, resulting in a low response to the direct elections. Those grievances certainly are serious and

should cause concern that a less-than fulsome response from the membership may portend election results that are not genuinely representative of the will of the voters."

However, the fact that 90 percent of the UAW membership, or 900,000 workers, have not voted had no impact on Lawson's decision, which was based on the narrowest technical issues interpreted in a way that makes any challenge to the conduct of the election impossible.

The court ruled the Lehman has no "standing" in the case because "he has not suffered a personal harm that can be redressed under the authority of" Title I of the Labor-Management Reporting and Disclosure Act of 1959, under which the lawsuit was filed.

The proper venue for arguing that the election is unfair and illegitimate, Lawson ruled, is before the US Secretary of Labor, that is, the Biden administration. Such an appeal could happen only after the election had already taken place and would be directed to a government that has fully backed the UAW apparatus involved in suppressing voter turnout.

Lawson ruled that Lehman has no "standing" because he himself received a ballot, bypassing entirely the question of the right of every member of the UAW to participate in a fair and legitimate election. He largely ignored the arguments made by Lehman's attorney, Eric Lee, in a hearing on Tuesday. Lee argued that Lehman, as with all UAW members, has suffered "personal harm" by not being able to participate in a "meaningful election" because so many members do not know about it or have not received ballots.

Lawson also quickly dismissed the many statements submitted as part of the lawsuit, including three signed

affidavits, by workers who asserted that they did not receive a ballot and that most of their coworkers did not know that an election is taking place.

The ruling referred at several points to the “remarkably low turnout” in the election, but it accepted as legitimate what it called the “fulsome description” provided by the UAW apparatus of the measures it supposedly took to ensure that all members were informed about the election and received a ballot.

This section of the ruling was largely copied from the UAW brief. Lawson wrote that the UAW “published articles on its website”; “made ‘numerous’ posts about the election” on Facebook; mailed less than 3,000 posters to UAW locals; “published two regular newsletters distributed to the financial secretaries of all local unions urging them to update member information in the Union’s Local Union Information System (LUIS) database; and “sent a letter to all local union officers” reminding them to update LUIS.

All these actions in fact amounted to nothing, relying entirely on the apparatus of the UAW itself. As Lee pointed out on Tuesday, neither the UAW nor the Monitor provided any proof that the union locals actually took any measures to ensure that their membership lists were updated and that all workers received a ballot.

During the hearings on Tuesday, Lawson commented on the nature of the LUIS system, which the UAW and the Monitor have acknowledged was initially set up as a mechanism to communicate between the locals and the International, not to distribute information to the entire membership.

“Communication between the International and the locals,” Lawson stated Tuesday, “that kind of cuts out the membership.” However, none of this was addressed in the judge’s ruling.

The ruling also ignored the fact that in the course of the hearing Tuesday it emerged that the Monitor, which Lawson himself had appointed, had been totally negligent in its oversight of the election, relying entirely on the verbal claims of the bureaucracy that it was conducting the election properly.

Whatever Lawson’s technical-jurisdictional justifications, the ruling is aimed entirely at upholding the legitimacy of what is obviously a tainted election, guaranteeing that only a small percentage of members, dominated by those in and around the bureaucracy, will

vote on the leadership the UAW.



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