

Will Lehman sues Biden administration demanding rerun of fraudulent UAW election

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3 July 2023

On Monday, July 3, rank-and-file socialist autoworker Will Lehman sued the Biden administration's Department of Labor, demanding that the UAW national officers' election be rerun with the names of all candidates on the ballot due to massive voter disenfranchisement by the bureaucracy.

Lehman's lawsuit, filed in federal court in the Eastern District of Michigan, comes days after the Department of Labor denied his challenge to the conduct of the UAW election in a three-sentence ruling that did not even attempt to respond to the arguments he raised or the evidence he presented. "A statement of reasons setting forth the basis for this decision will be mailed to you at a future date," the decision concludes.

This is the second time in less than a year that Lehman has gone to federal court in defense of the rights of the rank and file. In November 2022, before voting in the first round concluded, Lehman filed a lawsuit in the same district demanding that Judge David Lawson extend the deadline to vote and require the UAW to take actions to notify the membership.

During the 2022 lawsuit, Lehman warned, "If ballots continue to be sent at this rate each day through the November 28 deadline, total turnout will be roughly 104,000—almost 40,000 ballots fewer than last year's referendum."

Lehman quoted this prediction in the most recent lawsuit and said:

There is no longer anything speculative about the issues Lehman raised in November. Through a combination of deceit, incompetence and foot-dragging, this election was effectively held behind the backs of masses of rank-and-file members and retirees. Even outgoing UAW President Ray Curry acknowledged on March 16, 2023 that the election was characterized by "rampant disenfranchisement of UAW voters." This is an extraordinary admission by the head of the bureaucracy itself that vindicates the numerous objections that Will Lehman made throughout the election.

Lehman's new lawsuit begins by explaining that "the entrenched bureaucracy systematically disenfranchised hundreds of thousands of rank-and-file members and retirees by deliberately failing to provide adequate notice that an election was taking place. To this day, many members are unaware that there was an election in which they had the right to vote. Out of 1.1 million eligible voters, only 104,776 cast ballots while roughly 1,000,000 did not. This turnout—9 percent—is the lowest turnout of any national union election in U.S. history."

Lehman's complaint carefully explains how and why the UAW bureaucracy systematically suppressed the vote.

The bureaucracy campaigned against direct elections and had a motive for suppressing the vote. The bureaucracy was afraid that the elections could give rank-and-file workers like Will Lehman an opportunity to contest its previously unchecked control over the union's assets, built up with generations of workers' dues money, as well as to disrupt the bureaucracy's privileges and cozy relations with corporate management.

The complaint elaborates how the UAW provided notice to the bureaucracy but sought to exclude the rank and file as much as possible.

The bureaucracy treated the election as a private, internal affair. In the first round of voting, it took steps to inform its patronage network of local and national officials that an election was taking place, while simultaneously ensuring the smallest possible turnout among the rank and file. This strategy was reflected by the heavy reliance on the Local Union Information System ("LUIS") system to provide notice of the election, which was historically used only for communication between national and local officials. This strategy ensured that the second round of voting excluded Lehman and was limited to a contest between

the representatives of two main factions of the bureaucracy itself: the “Administration Caucus” led by Ray Curry and the “Members United” caucus led by Shawn Fain.

The lawsuit summarizes the massive amount of evidence rank-and-file workers submitted to Lehman’s campaign explaining that the national UAW and locals failed to update mailing lists and systematically refused to remind workers to update their addresses so they could obtain a ballot. This evidence, as well as responses from a survey completed by over 100 members from over 20 percent of all locals, has never been rebutted by the monitor, UAW or Department of Labor.

Among the points stressed in the lawsuit is the contrast between how the UAW bureaucracy’s refusal to inform rank-and-file members “is underscored by the far more advanced and professional efforts it took to inform members and retirees of their right to vote for the Democratic Party in the November 8 midterm elections, held at the same time as the first round of the union election.” The suit provides details showing that the UAW sent numerous notices urging workers to vote in the midterm elections, which “prove that the UAW had the means of providing adequate notice to its members but that it deliberately chose not to use them.”

The complaint also exposes the role played by the two law firms recommended by the UAW bureaucracy to oversee the election: Jenner & Block and Crowell & Moring. “The monitor law firms, Crowell & Moring and Jenner & Block, are longstanding attorneys and lobbyists for the auto corporations,” it notes. “These law firms *currently represent* companies employing tens or hundreds of thousands of rank-and-file UAW members, including at GM, Dana, CAT, Bosch, Bridgestone and others. These law firms’ corporate clients had a direct interest in ensuring that the vote of the rank and file was suppressed in the elections, so as to ensure the election of a pliable leadership that would continue the UAW bureaucracy’s decades-long collaboration with the corporations in suppressing the interests of the rank and file and increasing corporate profits.”

The Department of Labor’s decision to reject Lehman’s complaint, without even bothering to explain why it was doing so, exposes the Biden administration’s claims to be defending “democracy” in the US, Ukraine or anywhere else. When it comes to the democratic rights of workers, the entire political establishment has nothing but contempt.

Organizations like the Democratic Socialists of America and *Labor Notes*, for their part, falsely claim to be fighting for “democracy in the unions.” However, they have played a critical role in covering up for the disenfranchisement of rank-and-file workers and have maintained a guilty silence on Lehman’s efforts to ensure a fair vote throughout the campaign. These upper middle class forces speak for the

bureaucracy, increasingly provide its leading personnel and operate as part of the Democratic Party.

As the complaint powerfully states, “This election has been characterized by a total disdain for the rights of rank-and-file workers like Will Lehman on the part of all the institutions who have had a hand in overseeing it. The most basic right of over one million workers and retirees—the right to vote—has been treated as totally unimportant...”

In response to the filing of the lawsuit, Lehman told the *World Socialist Web Site*: “This lawsuit is for all 1.1 million members, regardless of who they voted for or whether they knew there was an election at all. In light of the overwhelming evidence of voter suppression and interference in the election by the UAW, the Biden administration’s refusal to act on my complaint is a slap in the face to workers everywhere. This election was a fraud and the leadership that came to power as a result of it will be viewed as illegitimate unless the election is rerun with actual notice to all.”

Given the fact that Lehman’s lawsuit was thrown out of court last November when there was still time to increase turnout, workers should not have illusions that the court will intervene to protect their rights. The primary concern of the entire political establishment is to shore up the rotting UAW bureaucracy, now led by longtime bureaucrat Shawn Fain.

The aim of this corporate-government conspiracy is to inflict a devastating blow against autoworkers and the whole working class in the Big Three contracts for 178,000 US and Canadian autoworkers this September. Fain has already revealed himself as just as much a tool of the corporations as Curry by isolating the strike at Clarios and ramming through a sellout contract and by refusing to do anything to protect workers forced to stay on the line and be poisoned by smoke from the Canadian wildfires.

Lehman’s campaign was based on the fight to establish rank-and-file power, by abolishing the union apparatus and developing a network of committees controlled by the workers themselves. This is the fundamental precondition for carrying out a real fight against the corporations and the ruling elite. The necessity for such a movement was shown in the way the election was carried out, through the systematic disenfranchisement of workers by the bureaucracy, Biden administration and corporate law firms who stripped workers of their rights.



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