

Will Lehman sues Labor Department over refusal to follow court order on UAW election complaint

Our reporter
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On Thursday, June 19, Will Lehman, a Mack Trucks worker and socialist candidate in the 2022 United Auto Workers (UAW) presidential election, filed a lawsuit in federal court against the US Department of Labor (DOL). Lehman's suit asserts that the DOL refused to comply with a June 2024 court order, which held that the DOL had acted in an "arbitrary and capricious" manner when it rejected Lehman's earlier complaint over voter suppression in the 2022-2023 UAW elections.

In his 2024 order, Federal Judge David Lawson had stated that the DOL's rejection of the bulk of Lehman's claims as "untimely" was "pedantry," saying their justification was "irrational and grounded in an arbitrary and capricious construction of the Election Rules that is not supported by their plain text or the prevailing case law." Lawson had granted in part Lehman's motion for judgment on the pleadings and remanded the complaint to the Secretary of Labor "for further proceedings, which, at a minimum, must consist of the production of a supplemental statement of reasons."

Nearly a year after the court order, the DOL—under both the Biden and Trump administrations—has taken no action. Lehman's new suit, filed Thursday in the Eastern District of Michigan, states that this constitutes a "de facto refusal to act on [his] complaint."

The delay, the suit adds, "effectively leaves a rank-and-file autoworker like Lehman with no meaningful remedy for alleged election violations," despite well-established legal principles that time is "axiomatically of the essence" in election-related matters.

Lehman's lawsuit comes amid an escalating crisis of the UAW apparatus and the administration of UAW President Shawn Fain. It was filed the same week as a scathing 93-page report issued by the court-appointed UAW Monitor, attorney Neil Barofsky, which concludes Fain violated the union's own ethics guidelines by orchestrating a "cloaked" and improper campaign to strip duties from Secretary-

Treasurer Margaret Mock. According to the report, Mock was targeted for opposing questionable spending and contracts involving Fain's close aides.

The picture of Fain which emerges in the Monitor's report is of a bureaucratic thug, with allegations that he threatened to "slit the f***ing throats" of anyone who challenged his inner circle. Despite this, the monitor stated that it was deferring bringing charges against Fain at this time, noting that there were other open investigations into Fain's alleged retaliations against former top lieutenants.

The latest revelations further vindicate the warnings in 2022 by Lehman, who warned that Fain was a product of the UAW bureaucracy, who would work just as much as his corrupt predecessors to enforce the will of the corporations through anti-democratic methods.

Fain was installed following the 2022-23 UAW elections, the first-ever direct election of top UAW officers. The elections were characterized by widespread voter suppression, which is the subject of Lehman's suit. Lehman ran a campaign on a socialist platform, calling for the abolition of the union bureaucracy and the transfer of power to rank-and-file workers. He received nearly 5,000 votes despite a record-low turnout of just 9 percent, the lowest participation in any national union election in US history.

Lehman's 2023 complaint detailed the systematic voter suppression carried out by UAW officials during the election, aimed at preventing any real democratic choice by rank-and-file voters. It highlighted the union's reliance on the Local Union Information System (LUIS), a database that provides accurate contact information for local officials and their associates but is riddled with outdated or missing entries for rank-and-file members and retirees.

As a result, most UAW members received no effective notice of the election or access to a ballot. More ballots were returned as "undelivered" than were cast, and the turnout in some locals, especially among university employees, was under 1 percent.

Since the June 2024 court order, the DOL allegedly failed to take any further action, prompting Lehman to file Thursday's lawsuit seeking to compel compliance. "The ongoing failure of the Department to act only confirms the belief shared by Lehman and the thousands of workers who voted for him that there is no satisfactory answer to the concerns he raised," the filing states.

Lehman's lawsuit emphasizes that the UAW bureaucracy had the capacity to communicate effectively with the membership but chose not to. "Union officials have sophisticated and accurate means to give notice of an election," the suit argues, "given that they routinely use those means to campaign for support for favored candidates in state and federal elections." Their failure to do so in the union's own elections, it adds, "lacks any innocent explanation."

The Department of Labor's failure to act has taken place under both the Biden and Trump administrations, and despite Lehman's multiple requests for updates. His attorney first wrote to the department in January 2025 seeking information on when the new statement of reasons would be issued. In February, a follow-up email warned that the delay had become "objectively unreasonable" and cited concerns over political interference from Elon Musk's DOGE organization, which has been working to dismantle the Labor Department from within. The DOL did not respond to either inquiry.

Lehman's complaint now seeks a court order to compel the Department to reopen the 30 pre-election grievances and issue a legally adequate explanation for its handling of the case.

"The Department's refusal to take any action ... amounts to a de facto refusal to act" which remains "arbitrary, capricious, an abuse of discretion, and otherwise not in accordance with the law."

The report from the Monitor this week confirms everything Lehman said during the 2022 election campaign about the fraudulent character of the vote and the corporatist nature of the apparatus it was designed to preserve. The elevation of Fain changed nothing except his own pay grade. Behind the posturing, Fain has operated as a loyal servant of the state and the corporations, selling out the 2023 Big Three autoworkers struggle, overseeing thousands of layoffs, and doing nothing as a growing number of autoworkers succumb to workplace deaths, including Stellantis worker Ronald Adams Sr.

Fain backed Biden and Harris in 2024, called the union the "arsenal of democracy" amid the US-backed genocide in Gaza and has supported Trump's economic nationalism and trade war policies, while doing nothing to mobilize workers against Trump's dictatorship. Meanwhile, the union's

financial disclosures show that the top 15 officials in the UAW alone received \$3.2 million in compensation in 2024, including \$274,407 for Fain, as well as six-figure salaries for top aides from the pseudo-left Democratic Socialists of America.

Commenting on the significance of the lawsuit, Lehman told the WWS, "This lawsuit is about defending the most basic democratic rights of over a million autoworkers."

Lehman added:

The Department of Labor has ignored a federal court order for nearly a year because it knows that a genuine investigation would expose how the 2022 UAW election was rigged to preserve the power of a corrupt and illegitimate bureaucracy. Shawn Fain was installed in an election in which fewer than 10 percent of workers voted, and the vast majority of rank-and-file members were systematically disenfranchised.

The DOL's refusal to act demonstrates its complete contempt for workers and for basic democratic principles. This is a government of illegality that refuses to follow its own rules, regulations or even judicial rulings when it comes to the rights of rank-and-file workers.

Fain's administration has proven that the idea of reforming the apparatus from within is a dead end, Lehman said. Instead, "the bureaucracy must be abolished."

Lehman concluded by "calling on workers to build rank-and-file committees to take power out of the hands of Solidarity House and its corrupt bureaucrats and transfer it to workers on the shop floor. This is the only way we can fight for our interests and carry out a real struggle against corporate exploitation."



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