

# Continuing Biden's policy, Trump Labor Department rejects Will Lehman's UAW election complaint

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Without explanation, the US Department of Labor has again rejected Will Lehman's complaint against the 2022-2023 United Auto Workers national union elections, which provided evidence of widespread disenfranchisement and suppression of workers' votes.

The decision comes amid a major crisis within the UAW bureaucracy, with union president Shawn Fain being drawn up on charges by another section of the apparatus.

Lehman, a rank-and-file worker at Mack Trucks and candidate for UAW president in the elections, was sent a cursory letter, dated August 1, by the DOL's Office of Labor Management Standards (OLMS) informing him of the decision. The letter stated:

Following a review of the investigative findings by this office and the Office of the Solicitor, Division of Civil Rights and Labor-Management, a decision has been made that those findings do not provide a basis for action by the Department to set aside the protested election.

It added that a "statement of reasons" for the decision would be sent at an undetermined "future date."

The DOL's decision comes more than a year after a June 2024 ruling by federal judge David Lawson that the department had illegally rejected Lehman's original complaint and had acted in an "arbitrary and capricious" manner in doing so. Lawson had ordered the DOL to address Lehman's complaint via a further investigation or statement of reasons.

In his ruling, Lawson had described the DOL's rationale for denying Lehman's complaint as "pedantic" and "inherently illogical and textually unsupported," in what Bloomberg Law called a "rare rebuke" of the department.

Lehman has an ongoing lawsuit against the Labor Department, filed June 19 this year, over its refusal to comply with Lawson's 2024 order. The suit explained that the DOL's delay in responding to Lehman's complaint "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.

For months, the DOL repeatedly stonewalled Lehman's efforts to elicit any update on its investigation.

Responding to the letter, Lehman told the WSWS Friday, "The Department of Labor under both Biden and Trump has repeatedly shown total disdain for workers' rights, including the fundamental right to a free and fair election."

The 2022 UAW elections saw voter turnout of just 9 percent out of the UAW's 1.1 million eligible voting members, the lowest of any national union election in US history. Lehman's complaint brought forward evidence of systematic efforts by the UAW bureaucracy to keep rank-and-file workers in the dark about their ability to vote.

Despite the voter suppression, Lehman secured 4,777 votes, or nearly 5 percent of ballots cast, while running on an explicitly socialist and internationalist platform. Lehman called for the abolition of the pro-corporate UAW bureaucracy and the transfer of all power and decision-making authority to rank-and-file workers.

## The political issues behind the decision

The decision by the Trump administration—continuing the policy of Biden—to paint the UAW elections as legitimate comes amid a serious crisis for the union apparatus.

Current UAW President Shawn Fain ran in the election as a self-described "reformer" who would restore credibility to the union after a corruption scandal brought down much of the union's top leadership. Fain enjoyed the support of most of the American pseudo-left, and figures from the *Labor Notes* publication became top figures in his administration.

The role of the federal government in upholding Fain's victory and stonewalling Lehman's complaint, under

conditions where more ballots were marked undeliverable than actually cast, underscores that the American government saw the rehabilitation of the UAW bureaucracy as a key political issue.

The union bureaucracy plays a crucial function for American capitalism by working to frustrate and divert rank-and-file opposition, and help to prevent or limit strikes and impose contracts which sign off on layoffs, stagnant wages and other concessions. The importance of the bureaucracy in preparing the “home front” for war was expressed last year by Biden’s declaration that the AFL-CIO was his “Domestic NATO.”

Fain oversaw fraudulent “stand up” strikes at the Big Three automakers in 2023 which kept the majority of workers on the job, minimizing the impact to production. The contracts which resulted had the full support of the Biden administration, and allowed the companies to lay off thousands of full-time workers and terminate thousands more temporary workers outright.

The sellout of the 2023 Big Three contract struggle was part of an unbroken pattern of betrayal of workers’ struggles, including at Mack Trucks, Clarion, Lear, as well as at University of California and other universities where the UAW has established a presence.

Now, the UAW bureaucracy under Fain has continued to turn a blind eye to the dangerous and even deadly conditions which prevail in the factories, with a growing number of horrific deaths—such as that of Stellantis workers Antonio Gaston and Ronald Adams Sr.—over the past two years.

Meanwhile, Fain has emerged as one of the leading militarists in the pro-imperialist trade union bureaucracy. He has given countless speeches calling for a return to a World War II-style war economy and has called for excess capacity in the auto industry to be re-purposed for military production.

Fain’s militarism was a pillar of the of the union’s alliance with the Biden White House, with Fain serving on the US Export Council and invited to the State of the Union and important receptions for foreign leaders.

But since the election of Trump, the UAW rapidly swung its support behind Trump’s “America First” nationalism, without requiring significant revision to its rhetoric. Fain and the UAW apparatus have refused to lift a finger in defense of immigrant workers—including UAW members—and the democratic and social rights of workers more broadly, which are under relentless and escalating assault by the fascist Trump administration.

*Labor Notes* and other pseudo-left backers of Fain have explicitly defended Fain’s embrace of Trump.

been revealed to be just as thuggish as previous union administrations. Fain has become the subject of an ongoing corruption investigation by a court-appointed union monitor. A court filing by the UAW monitor in June revealed Fain’s bureaucratic thuggery, including allegations that he threatened to “slit the f\*\*\*ing throats” of anyone who challenged his inner circle.

As Fain’s administration has increasingly hemorrhaged credibility among workers, bitter infighting has erupted within the union bureaucracy, with an effort currently underway by sections of the UAW apparatus to bring formal charges to remove Fain.

The charges are being conducted in such a way as to exclude the possibility of rank-and-file intervention as much as possible. Only a few hundred union members voted in favor of their locals endorsing the charges, which will be taken up internally by a “trial committee” appointed by the International Executive Board. The charges have been put forward by those in the bureaucracy loyal to Secretary-Treasurer Margaret Mock and Vice President Rich Boyer, two officials who have run afoul of Fain.

Nevertheless, the petition is a major new stage in the crisis of not only the UAW, but all of those political institutions which staked their credibility on this “reform” union administration.

The Labor Department’s latest refusal to take up Will Lehman’s protest shows that the White House is doing what it can to quarantine this crisis from the working class.

This shows the urgency of workers building rank-and-file committees under their own control, Lehman told the WSWS.

“Whether under Biden or Trump, the Labor Department and the state have no interest in defending the democratic rights of workers. In fact, their main concern is suppressing those rights.”

He continued, “Fain’s administration and policies continue to demonstrate every day that the UAW apparatus cannot be reformed from within. It must be abolished. It is up to workers ourselves to take power out of the hands of the bureaucrats at ‘Solidarity House,’ so that we can wield it in defense of our own class interests. That is the movement which the International Workers Alliance of Rank-and-File Committees is fighting to build.”



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## Crisis of the UAW is a crisis of class rule

Now, the politically highly-placed Fain administration has