

Judge rejects government's attempt to delay again in Will Lehman's UAW election case

Our reporter
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In a stinging rebuke to the Trump administration's handling of rank-and-file autoworker, Will Lehman's complaint over the 2022-2023 United Auto Workers elections, Judge David M. Lawson on Thursday denied the Department of Labor's effort to use the government shutdown as an excuse to stall compliance with a court-ordered deadline. The ruling forces the Department to deliver, by October 31, a formal statement of reasons for why it rejected Lehman's election complaint.

The decision exposes the government's repeated efforts, under both Biden and now Trump, to obstruct the case and shield the UAW bureaucracy from accountability.

The lawsuit filed by Lehman seeks judicial review of the Labor Department's refusal to rerun the 2022-2023 UAW national elections, which were marred by widespread disenfranchisement of rank-and-file workers. Lehman's complaint charges that the election violated the Labor-Management Reporting and Disclosure Act (LMRDA) after the Department of Labor dismissed his grievances despite evidence that hundreds of thousands of workers never received ballots.

After Judge Lawson's September 24 scheduling order set the October 31 deadline, the government filed a motion seeking to suspend proceedings, citing the federal shutdown triggered October 1. Government attorneys argued that the Anti-Deficiency Act barred them from working on the case without appropriations and that no staff could prepare the statement of reasons until funding was restored.

Lehman's attorney, Eric Lee, filed a sharp opposition October 1, stressing that the Department had already had "well over a year to provide Mr. Lehman with the statement of reasons to which he has long been entitled." He pointed out that the government's filing

failed to show that all staff at the Office of Labor-Management Standards (OLMS) had been furloughed, making the shutdown argument a transparent excuse for yet more delay.

Citing a Department of Labor contingency document dated September 26, Lee noted that OLMS retained a small number of employees to perform "necessary activities expressly authorized by law." Providing Lehman with the legally required statement of reasons, he argued, was precisely such an activity. Moreover, he added, "the fact that the Department of Justice attorneys are not able to work on this case during the shutdown is immaterial. Counsel's involvement is not required in order for the Department of Labor to provide the statement of reasons by the deadline set by this Court."

Judge Lawson's October 2 order sided with Lehman. He acknowledged the general prohibition on unpaid government work during appropriations lapses but noted that other federal courts have rejected similar requests, holding that legal work becomes "authorized by law" once ordered by a court. He also stressed that lawyers practicing in the Eastern District of Michigan are bound by professional conduct rules requiring continued representation when ordered by a tribunal.

Crucially, Lawson pointed to the Department's long pattern of delay. He recalled that in Lehman's previous lawsuit, the court had already found the Department acted "arbitrarily and capriciously" in dismissing the election grievances without examining their merits. Since Lehman first filed on March 29, 2023, more than two years have elapsed, much of it due to the Department's stonewalling.

"The plaintiff — and the Court — have justifiable concerns about allowing further delay to elapse, when the merits of the grievances ought to have been

addressed in the first instance years ago,” Lawson wrote.

The order concluded bluntly: “The Court finds that the government has not established good grounds for either a stay or an extension of the deadlines previously established. The motion therefore will be denied.”

Lawson’s ruling underscores the extraordinary obstacles rank-and-file workers face in asserting their democratic rights. The Department of Labor first rejected Lehman’s complaint in August 2025—without issuing reasons. Only under direct order from the court did it promise to produce them. Now, after trying to exploit the shutdown as another excuse for inaction, the Department has been ordered once again to comply with the law.

The government’s conduct exposes its fundamental alignment with the UAW apparatus against the rank and file. The reality, Lehman noted earlier, is that the Department rejected his complaint first and has been scrambling ever since to manufacture justifications after the fact.

The context of the case is the UAW’s 2022-23 election, conducted under court supervision after a corruption scandal sent more than a dozen top officials to prison. Out of more than 1 million members, only about 104,000 ballots were cast, a turnout of less than 10 percent.

The low vote paved the way for the installation of Shawn Fain as president, presented as a “reformer” but in fact a long-time apparatus functionary who has since aligned the union with the corporations as well as the Biden and Trump administrations. Lehman’s campaign, which called for abolishing the bureaucracy altogether and transferring power to workers on the shop floor, won nearly 5,000 votes despite systematic voter suppression.

The government’s effort to use the shutdown as a pretext to delay its legal obligations comes as the Trump administration seizes on the shutdown as an opportunity to carry out mass firings of federal employees, dismantle social programs, and restructure the state along authoritarian lines. At the same time, Trump has escalated his conspiracy to establish a military-police dictatorship, branding opposition as “domestic terrorism” and deploying troops into US cities with authorization to use “full force” against civilians.

Responding to the government’s arguments, Lehman said the invocation of the shutdown “only underscores the real character of this administration’s policies. The same government that claims it cannot provide reasons for rejecting my complaint has unlimited resources for war, repression, and attacks on the working class. The shutdown is being used to escalate a dictatorship on behalf of the oligarchy, and workers must recognize that defending their rights depends on opposing both the government and the union apparatus.”

With Lawson’s denial of the stay, the Department of Labor must submit its statement of reasons by October 31. Lehman will then have until November 14 to amend his complaint and continue pursuing judicial review.

For rank-and-file workers, the decision is a vindication of Lehman’s persistence and a warning about the lengths to which the government will go to block democratic rights.



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