

UAW Monitor's report details "pattern of retaliation" by Shawn Fain, warns of sanctions

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The Federal Monitor overseeing the United Auto Workers issued a new report June 25 substantiating allegations that UAW President Shawn Fain abused the powers of his office to pursue personal financial and family interests, then retaliated against another top official through false and pretextual charges.

The report by UAW Monitor Neil Barofsky found that Fain "acted improperly in seeking financial benefits for his fiancée" through a bonus for non-UAW employees at the Stellantis National Training Center, where she worked. Vice President Rich Boyer, then head of the UAW-Stellantis Department, had declined to approve the bonus. The Monitor stated that Boyer's failure to approve the payment "may have contributed" to Fain's retaliatory action against him, while withholding further details pending consultation with the parties to the federal consent decree.

In a separate matter, the Monitor found that Fain abused presidential authority after his fiancée's sister was injured while working at a Stellantis plant. Rather than allow the workers' compensation issue to proceed through the normal plant and local union channels, Fain pressed the matter through Stellantis senior management and multiple senior UAW officials who reported to him.

The report says Fain pursued the case through four separate channels: directly with Stellantis Senior Vice President Chris Fields, with Boyer, with a UAW benefits representative and assistant director and with one of Fain's top administrative assistants.

The Monitor concluded:

President Fain inappropriately used the powers of his office to pursue a personal matter on behalf of a family member, an abuse of his authority. Fain took a matter in which he had a personal interest—the treatment of his fiancée's sister's injury—and pursued it through the powers of the UAW presidency, pressing it on Stellantis's senior management and on senior Union officials who ultimately reported to him. In doing so, he expended Union resources—his own time and that of a Vice President, an

Assistant Director, and his Top Administrative Assistant—to seek relief from requirements that apparently applied to other Stellantis UAW members injured on the job.

Barofsky filed his report with U.S. District Judge David Lawson on June 25, one week after the conclusion of UAW 39th Constitutional Convention in Detroit, where Fain was nominated for re-election as international president. The timing raises serious questions about Fain's eligibility under the Monitor's own election procedures. Candidates are required to attest that they have not been found guilty of fraudulent or corrupt activity in court or in a UAW disciplinary proceeding. At the same time, election rules say, "The Monitor may excuse fraudulent or corrupt activity determined to be de minimis."

The Monitor's report says Barofsky "has deferred a decision about remedies for the conduct described in this and prior reports pending further consultation with the parties to the Consent Decree."

The findings underscore the significance of the campaign of Mack Trucks worker and socialist Will Lehman, who was nominated for UAW president at the convention for a second time in a row. Lehman is running on a platform of abolishing the bureaucracy and transferring power to the rank and file. He first ran in the 2022 UAW election, the first direct election of top officers in the union's history.

That election was conducted under the supervision of the Monitor and produced a first-round turnout of only 9 percent. Lehman's protests over the effective disenfranchisement of the membership were dismissed by the Monitor, helping install Fain as the supposed candidate of "reform."

The new report confirms, in another form, that state-supervised "reform" has not been aimed at defending the democratic rights of workers, let alone abolishing the UAW bureaucracy's dictatorial control over the union. Instead it has helped refurbish the apparatus under new management, while the same methods of suppression, factional warfare and betrayal continued.

The findings involving Fain's fiancée and her sister are only the latest in a growing record of misconduct at the top of the UAW. Earlier Monitor reports exposed investigations into misuse of union resources, obstruction of document production, deletion of text messages, threats, retaliation against Secretary-Treasurer Margaret Mock and what the Monitor called a "culture of fear or retaliation" inside the UAW apparatus.

The Monitor found that none of the seven allegations Fain used to remove Boyer from oversight of the Stellantis Department justified the action. In several cases, the report found Fain knew his claims were false or exaggerated when he made them.

The rift between Fain and Boyer emerged from the bureaucracy's effort to contain anger over the 2023 Stellantis contract betrayal. The apparatus had promoted the limited "Stand Up Strike" and the national agreements as a victory, while concealing unresolved issues and concessions from the membership. This campaign had the explicit support of the Biden White House, who appeared at a rally alongside Fain promoting the deal.

The consequences were devastating: Thousands of Stellantis workers lost their jobs, Belvidere remained in limbo, temporary and supplemental workers were discarded or denied promised gains, and concessions on absenteeism were imposed. Only after anger among Stellantis workers mounted did Fain attempt to make Boyer a scapegoat for a contract betrayal carried out by the entire UAW apparatus, from the President's Office to the Stellantis Department and the International Executive Board.

The Monitor's report, however, says nothing about the day-to-day abuse carried out by the UAW apparatus against workers at the local level, including interventions to block strikes, override votes and ram through sellout contracts.

At Nexteer in Saginaw, Michigan, for example, the UAW extended the contract without membership authorization, ignored an 86 percent strike vote and forced workers to vote four times on virtually identical sellout agreements. Similar opposition has emerged at other auto parts makers, including Dana and Bridgewater Interiors, while the bureaucracy shut down the 10-strike by American Axle workers with a deal that will leave them way behind what they were making in 2008.

The reports have also exposed the role of the Democratic Socialists of America and Labor Notes personnel brought into the UAW apparatus under Fain. Two DSA members, Chris Brooks and Jonah Furman, have been central in the Monitor's revelations over the course of previous reports. Brooks served as Fain's chief of staff until he was removed late last year following an earlier report of his role in preparing the charges against Mock through "false and misleading statements."

Another DSA member, Brandon Mancilla, serves as Fain's Region 9A director. Earlier this year, that region refused to authorize a strike by UAW members among graduate students at Columbia University, demanding students abandon demands against political repression.

The DSA treated the recent UAW convention as a coronation of Fain, presenting him as the leader of an insurgent movement for

rank-and-file democracy. In reality, the convention was marked by heavy-handed procedural maneuvers to block opposition resolutions, curtail debate and strengthen the income and control of the apparatus.

At the convention, the apparatus also pushed through measures to increase the privileges and resources under its control, including pay raises for top officials. It secured passage of a constitutional amendment raising the strike fund cap from \$850 million to \$1.3 billion, blocking an automatic dues reduction that would have been triggered once the fund reached the existing cap.

At the same time, the apparatus blocked an amendment that would have required a membership referendum before any repeal of direct elections for UAW officers. Without such a protection, a future convention could seek to abolish direct elections once federal oversight ends.

All of this has been simply ignored in the DSA-aligned press. *Labor Notes* has likewise avoided the substance of the Monitor's findings. Its article on the report largely reproduced Fain's claim that Barofsky was carrying out a political vendetta triggered by the International Executive Board's November 2023 Gaza ceasefire resolution.

Labor Notes is writing as a guilty party, given Brooks and Furman were both former staffers for the publication before being brought into Fain's administration following the 2022 election, in which they had strongly supported Fain.

What terrifies all of the parties involved is the emergence of sharp and open conflict between the rank and file and the apparatus, which could escape their control. This has been foreshadowed by the revolt of auto parts workers at Nexteer, Dana and other suppliers.

The growing opposition was also expressed last Wednesday when members and family of UAW Local 2213, Toledo Mercy St. Vincent Health nurses, picketed UAW Solidarity House in Detroit to protest the Fain administration's undemocratic conduct at the convention.

The most direct expression of this rebellion is given by Will Lehman's campaign. It is not a factional challenge within the bureaucracy. At the center of his campaign is the fight to abolish the bureaucracy, transfer power to workers on the shop floor and build rank-and-file committees in every workplace.

The decisive question is the development of this movement: breaking workers free from the control of the trade union bureaucracy, building rank-and-file committees in every workplace and unifying workers across industries and national borders through the International Workers Alliance of Rank-and-File Committees (IWA-RFC).



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