



U.S. Senators Say Social Security Administration Refuses to Bargain ‘In Good Faith’ With Administrative Law Judges

WASHINGTON — July 25, 2019 — Maryland U.S. Senators Ben Cardin, Chris Van Hollen and their colleagues have sent an official letter to Andrew Saul, commissioner of the Social Security Administration (SSA), stating their “dismay that the Social Security Administration (SSA) refuses to bargain in good faith with union representatives.” All the Democratic members of the U.S. Senate signed the letter as did independent Sens. Angus King and Bernie Sanders.

The letter includes the following direct statement to Commissioner Saul: “When your nomination was before the Senate, you committed to working transparently and in good faith with the unions representing workers at SSA. Now, you have an opportunity and responsibility to honor that commitment.”

The [Association of Administrative Law Judges](#), the professional association representing Administrative Law Judges, is very appreciative of the intervention by the senators.

AALJ President Judge Melissa McIntosh said, “We remain hopeful that the agency will put mission first, engage in good faith bargaining, and that we reach agreement on a fair and reasonable contract. We simply want the tools and work environment to do our jobs to the best of our abilities. We seek to reach agreements that put mission and service first.”

The letter from the Senators includes the following:

“SSA already filed for impasse on its contracts with the American Federation of Government Employees (AFGE) and the National Treasury Employees Union (NTEU) as it insists on imposing anti-union and anti-worker policies. In light of SSA's request that the Federal Service Impasses Panel (FSIP) resolve its contract dispute with a branch of the International Federation of Professional and Technical Engineers (IFPTE), we urge your agency to end its unilateralism and return to the bargaining table.

The Association of Administrative Law Judges (AALJ), IFPTE Judicial Council 1, represents approximately 1 500 administrative law judges throughout the United States. These dedicated public servants bear the critical responsibility of determining disability claims for countless beneficiaries. In its negotiations with this union's representatives, we are concerned that SSA has insisted on extreme terms similar in substance to President Trump's Executive Orders 13836, 13837, and 13839, which the unions are challenging. It is apparent that SSA's conduct on this matter constitutes a deliberate attempt to reach an impasse.

SSA has sought to eliminate references to the Administrative Procedures Act, which ensures the judicial independence of administrative law judges, while also attempting to eliminate references to their judicial function. Given the nature and importance of

disability claims, it is essential that the American public can rely on decisions that are fair and rational, free from any interference. IFPTE's collective bargaining agreement enables these judges to protect and preserve their judicial independence, in this way helping to ensure the due process rights of disability claimants...

...We urge SSA to return to the bargaining table with IFPTE immediately and negotiate in good faith. It must abandon its insistence on retrograde anti-union and anti-worker policies. We request immediate updates on the agency's next steps.”

###

Editor's note: Copies of the letter are available for review.

MEDIA CONTACT:

Adam Shapiro

Adam.Shapiro@ASPR.bz

202-427-3603