



AALJ Files Motion to Block ‘Unconstitutional’ Action by Labor Impasses Panel as Contract Talks are Frozen with Social Security Administration

WASHINGTON — Jan. 31, 2020 — The [Association of Administrative Law Judges](#) (AALJ) has filed a motion for stay and petition for review of the Federal Service Impasses Panel (FSIP) and the Federal Labor Relations Authority. The judges filed in the United States Court of Appeals in the Fourth Circuit.

AALJ, which represents over 1,300 judges who hear Social Security disability hearings across the U.S, has been trying to reach a collective bargaining agreement with the Social Security Administration (SSA) for over a year.

In June, the federal mediator notified AALJ that the talks were at an impasse. That caused the FSIP to intervene at the request of the SSA.

However, today’s legal move by AALJ possibly puts FSIP’s involvement on hold. Administrative Law Judges Danette Mincey and Matt Martin stated on behalf of AALJ that FSIP panel members are not constitutionally appointed because they have not been confirmed by the Senate. Therefore, they can’t have jurisdiction over this labor dispute.

AALJ President Judge Melissa McIntosh says, “We believe the Social Security Administration has been refusing to negotiate in good faith and its extreme positions have failed to put the interests of the American public first. To reach a compromise, we need to have trust in the impasses panel—we can’t depend on an unconstitutional structure to try to resolve these serious issues.”

Previously, 47 members of the U.S. Senate [signed](#) a letter expressing their dismay that the Administration had refused to bargain in good faith with union representatives. Administrative Law Judges continue to serve under their existing contract.

###

MEDIA CONTACT:

Adam Shapiro

Adam.Shapiro@ASPR.bz

202-427-3603