

UAW monitor demands court intervention as Fain administration blocks investigation into bureaucracy

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9 July 2024

On Monday, the court-appointed monitor in charge of overseeing the investigation into the ongoing corruption scandal in the United Auto Workers leadership filed a motion in federal court asking Judge David Lawson to order the UAW to produce documents that the bureaucracy has been withholding relating to misuse of funds and other potentially criminal acts.

Though the monitor is careful to protect the facts of the investigation from becoming known to rank-and-file autoworkers, its motion and the 16 attached exhibits make clear that all claims the UAW bureaucracy has been “reformed” are patently false, and that the monitorship itself is breaking down.

The first sentence of the monitor’s motion demanding court intervention begins: “The success of the Consent Decree between the United States [i.e., the federal government] and the UAW stands at a critical juncture. The UAW’s refusal to promptly produce documents requested by the monitor for use in investigating three current members of the Union’s highest governing body, the International Executive Board, risks undermining the purpose of the monitor’s appointment and the objectives of the Decree.”

The UAW bureaucracy “has effectively stalled the Monitor’s work,” the motion reads. The ongoing investigations of misuse of workers’ dues money by UAW President Shawn Fain, Vice President Richard Boyer, Secretary-Treasurer Margaret Mock and a still-unnamed Regional Director “would likely have been resolved by now had the Union cooperated with the monitor’s requests.”

Due to UAW stonewalling, the monitor states it has been “unable to effectively carry out his responsibility to ‘remove fraud, corruption, illegal behavior, dishonesty, and unethical practices from the UAW.’” The motion explains the UAW’s efforts to block the release of internal documents “has deprived the Monitor of the ability to fully uncover the facts” and that “the monitor cannot do his job of investigating and addressing allegations of corruption and criminal misconduct by the union’s senior-most leaders under the Union’s reading of the Consent Decree.”

The UAW bureaucracy’s refusal to provide all the documents

related to the monitor’s search terms urgently raises the need for all such documents to be immediately released to the rank and file. Moreover, it underscores the need for new UAW elections to throw the corrupt leadership out of office and put power back on the shop floor, as the International Workers Alliance of Rank-and-File Committees called for in a statement last week.

The UAW has refused to send the monitor documents that refer to open threats or acts of criminal violence, including “cut throat,” “slit throat,” “punch,” “smack,” “knock out,” and, ominously, “kill.” They are withholding emails and messages that refer to the words “destroy,” “abuse,” “intimidate,” “threat,” “harass,” “yell,” or “scream,” “blacklist,” and “fear,” as well as a string of vile profanities not fit for printing.

The UAW is likewise blocking access to terms that would refer to misuse of workers’ dues money, including “quid pro quo,” “credit card,” “money,” “travel,” “fund,” “car,” “rent,” “gas,” “hotel,” “room,” “account,” “fund,” “pay,” “reimburse,” “breakfast,” “lunch,” “dinner,” “takeout,” “delivery,” and the entire term “request for approval of travel and expense policy exception.” The monitor suggested these search terms because it has information indicating that such terms would be found among the UAW’s documents.

Other documents attached as exhibits hint at individuals and avenues for investigation. An internal appeal filed by Richard Boyer states that Shawn Fain asked for favors for his “domestic partner and her sister that would have violated the UAW Ethical Practices Codes’ Financial Practices.” Fain’s fiancée is a financial analyst at the UAW-Chrysler National Training Center, where Fain previously was a co-director.

Opaque references are also made by the monitor to an “incident in 2018 involving Harvey Hawkins,” a bureaucrat. Referring to various other bureaucrats, another document includes attachments titled “Chris Brooks [Communications Director] online store email,” “Dave Green [Region 2B Director] Call 2-14-24,” “Lauren Farrell [Region 9 Int’l Rep] Expense Policy Exception,” “Mike Miller [Region 6 Director] United Farm Workers,” and “Yard Signs Design and Shipping Info.”

If leading UAW bureaucrats in the Fain administration were innocent of the charges against them, they would be rushing to produce documents that exonerate themselves. Instead, the bureaucracy is blocking the facts from coming to light. As the monitor's report explains, "On February 29, 2024 the monitor sent a letter to the Union's General Counsel requesting that the Union produce six categories of documents relating to the President-Secretary-Treasurer Investigation. More than a month later, on April 3, 2024, the Union produced just 18 documents in response to these requests, all from one Union employee..."

The monitor's motion explains that after it filed the Ninth Status Report on June 18, 2024, laying out the widening investigations of leading UAW bureaucrats, it attempted to engage in dialogue with the bureaucracy to avoid asking the federal court to intervene to prevent the collapse of the monitorship. According to the monitor, the UAW and its lawyers refused, even when advised otherwise by the Department of Justice. The result of this breakdown was the filing of Monday's motion.

The monitor goes out of its way to make clear it aims to help the UAW bureaucracy keep the details of the investigation hidden from the rank and file, especially as it pertains to the sellout contracts it reached with the auto companies in 2023. In a footnote buried on page 17 of the motion, the monitor writes: "The union's concern is apparently not about interference with its control of collective bargaining decisions, but the potential disclosure of collective information. That concern is unfounded, as the monitor has had access to highly sensitive union documents from the start of the monitorship and has not inadvertently disclosed such information."

Elsewhere, the monitor refers to the fact that it is not publicly identifying the name of the regional director accused of embezzling workers' dues money, though it does not provide any explanation as to why.

In other words, the monitor has been systematically collaborating with the bureaucracy to prevent the facts relating to sellout contracts from coming to the attention of the UAW's more than 1 million active and retired rank-and-file members. The monitor and the bureaucracy are well aware that anger is growing on shop floors and in university classrooms across the country as a result of pro-corporate deals arranged by the bureaucracy behind workers' backs. Thousands of temporary and full-time workers have lost their jobs as a result of the Big Three contracts reached in 2023. Academic workers who are members of the UAW face police attacks and expulsion on University of California campuses for exercising their free speech right to protest the genocide in Gaza.

Monday's filing exposes that the ostensible purpose of the "monitorship" has broken down. For years, leading politicians, UAW bureaucrats and the monitor law firms themselves have claimed that the 2023 election of Shawn Fain resulted in a fundamental change in the UAW and that the years-long corruption scandal was a thing of the past. This was why the

monitor and the UAW bureaucracy collaborated to suppress voter turnout in the 2022 national officers election: to deny the rank and file a chance to abolish the apparatus and help the bureaucracy "save face" to better suppress the working class.

The goal of the UAW and the monitor (which was drawn from two corporate law firms, Jenner and Block and Crowell and Moring) was to ensure the race was between two bureaucrats, Ray Curry and Shawn Fain, with no representation from the rank and file. Will Lehman, a socialist rank-and-file autoworker from Macungie, Pennsylvania, ran and won nearly 5,000 votes despite massive voter suppression. Two weeks ago, the federal judge overseeing the corruption scandal granted Lehman a victory in his lawsuit against Biden's Department of Labor, which refused to conduct an investigation into voter suppression.

Lehman issued the following statement in response to Monday's filing:

The bureaucracy's time in power is getting close to the end. There are thousands of autoworkers facing job cuts because of the lies the bureaucracy told about the 2023 contracts. Academic workers are being assaulted by police for protesting. Workers like Tywaun Long at Ford and Daulton Simmers at Caterpillar are dying on the job as a result of speed-ups and unsafe conditions. The auto bosses are traveling the world talking openly about how many plants they will close, and what is the bureaucracy doing? Scrambling to hide the evidence of their ongoing corruption and conspiracies with the companies.

The auto companies' lawyers at the monitor law firms have done everything they could to collaborate with the bureaucracy and prop it up. The monitor agreed to limit the search terms and cut the documents requested from 200,000 to 100,000. But the weight of corruption and parasitism in the bureaucracy is proving too heavy for the monitor to process. We, the workers, need to take control to abolish the bureaucracy and return power to the rank and file. That's why I am calling for new elections with full voting rights for all.



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