

NFFE News



NFFE'S Battle to Defend Executive Order Injunction Continues

April 5, 2018

On April 4, 2019 NFFE-IAM attorneys attended oral arguments at the federal appeals court for the District of Columbia where a panel of three judges considered the government's challenge to the union's winning lawsuit against the Trump administration, enjoining three executive orders issued by President Trump seeking to gut federal sector unions and employees of their basic rights.



As you may recall, in spring 2018, President Trump issued executive orders 13836, 13837, and 13839 which, among other things, purported to eliminate federal workers' rights, such as fair promotions and appraisals, union representation, and mutually beneficial collective bargaining agreements.

On June 13, 2018, NFFE filed a joint lawsuit with the IAMAW and 11 other federal workers' unions against President Trump and OPM, in response to the EOs. On August 24th, 2018, the federal unions won a challenge in federal court after petitioning to strike down provisions in the executive orders. The government soon after appealed that decision.

The D.C. District court limits the number of attorneys who may present oral arguments on appeal. Due to the large number of federal unions involved in the original lawsuit, arguments were made by Andres Grajales of the American Federation of Government Employees (AFGE) and Greg O'Duden of the National Treasury Employees Union (NTEU).

Judges Griffin, Randolph, and Srinivasan will consider the briefs and arguments submitted by the union and the government and are expected to take a few months to issue a final decision. If the government is successful, and the injunction against the executive orders is lifted, the NFFE legal team will consider its options to appeal.