Pennsylvania Conference of Teamsters
Strength in Numbers 95,000

LEGISLATIVE ACTION ALERT

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ANOTHER REASON WHY ELECTIONS ARE IMPORTANT LABOR UNIONS ARE AGAIN UNDER ATTACK

Trump Judge Sides with Employer Arguing Labor Board Is Unconstitutional

HuffPost

In an article posted online from *HuffPost, a* federal judge in Texas on September 16, 2024 handed a court victory to an employer who's arguing that a key labor rights agency is unconstitutional.

U.S. District Judge Mark Pittman of the Northern District of Texas granted a temporary injunction preventing the agency, the (NLRB) National Labor Relations Board, from moving forward with union-busting charges against the employer, Texas-based Findhelp.

"Granting an injunction would encourage any employer or labor union unhappy with scrutiny of their labor practices to seek preliminary injunctions against NLRB proceedings," the NLRB argued in the SpaceX case.

The NLRB has administrative law judges who hear cases and rule on whether employers or unions violated the law.

Those rulings can then be appealed to a five-member board in Washington.

As part of its argument, Findhelp claims that the board's administrative law judge system violates the president's "removal powers" under Article II of the Constitution. Pittman granted the injunction on that argument alone, and didn't address Findhelp's claim that the labor board's structure is also at odds with the Constitution's separation of powers doctrine.

Last year, tech workers at Findhelp voted 95-52 in favor of joining the Office and Professional Employees International Union. The union has accused the company of illegally firing and coercing workers in an effort to undermine the organizing campaign, prompting the NLRB to pursue its case.