

Neighbor News

AALJ Concerned about Poor Decision Making at Social Security

Association of Administrative Law Judges Highlights Examples of Missteps by Current Social Security Leadership

By Community News, Neighbor

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Administrative Law Judges (ALJs), who preside over cases where Americans believe they were disabled and are seeking Social Security disability income, say they are witnessing a disturbing trend of poor decision making by the Social Security Administration (SSA).



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The [Association of Administrative Law Judges](#), a union representing ALJs at SSA, points to these examples of a lack of judgment and disregard of workplace laws by agency officials against judges:

- The Federal Labor Relations Authority (FLRA) made a preliminary merit determination that Regional Chief Administrative Law Judge Sherianne Laba illegally discriminated against retired Judge Joseph Heimann after he cross examined her at an arbitration hearing. SSA Chief Judge Patrick Nagle and the head of the SSA's labor relations' office, Associate Commissioner James Julian, were notified of her actions and failed to even respond to the union. The agency refused to settle this case.
- FLRA made a preliminary [merit determination](#) that Chief Judge Nagle, Deputy Chief Judge Christopher Dillon, and head of the agency's hearing operations Deputy Commissioner Theresa Gruber as well as leaders in the agency's Division of Quality Services illegally intimidated union officials.
- FLRA made a preliminary merit determination that an SSA official violated a judge's right to representation and the union and SSA entered into a [settlement](#).
- A labor arbitrator [cited](#) the agency for "not responding by giving the correct information which it obviously possessed and maintained" to the AALJ.
- A labor arbitrator held in favor of the union in an . "I think the Agency did a great disservice to its ALJs when it cavalierly dismissed them when the Union raised legitimate concerns....The ALJs at least deserve this respect."
- SSA leaders dragged their feet on implementing telephone hearings in lieu of in-person hearings as the [COVID-19 pandemic](#) was taking hold in the U.S. Telephone hearings protect the public from unnecessary exposure to the virus.

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AALJ President Judge Melissa McIntosh says, "The current Social Security leadership team repeatedly shows a lack of respect and understanding of the roles of the administrative law judges, unions, and, frankly, the entire workforce. Their behavior calls into question their ability to exercise good judgment on issues big and small, including choices they make involving tax dollars."

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