



## **Arbitrator Again Sides With Judges in Conflict With Social Security Administration— Blames Agency for ‘Entire Mess’**

WASHINGTON — May 19, 2020 — A federal arbitrator has once again [found](#) in favor of the [Association of Administrative Law Judges](#), IFPTE, AFL-CIO in an issue with the Social Security Administration (SSA). This time, the arbitrator ruled the SSA failed to properly bargain on the issues involving Centralized Scheduling Units (CSUs), which is a relatively new way of setting dates and times for Social Security disability hearings.

Arbitrator Diana Mulligan stated: “I am by no means condoning the Agency’s actions in excluding the ALJs from discussions on changing local scheduling to CSUs, especially since the Agency saw fit to consult with a non-employee representative before rolling out the National Guidelines. Scheduling affects the representative’s daily work just as it affects the daily work of the ALJs. In fact, I think this entire mess might not have happened if the Agency extended the same courtesy to its own employees as it did to a non-employee.”

“I think the Agency did a great disservice to its ALJs when it cavalierly dismissed them when the Union raised legitimate concerns about the CSUs. The ALJs at least deserve this respect.”

Judge Melissa McIntosh, president of the AALJ, says, “Commissioner Andrew Saul and Deputy Commissioner David Black both stated under oath during their confirmation hearings that they would work with unions and comply with labor law but they have not. The American people, who are depending on the social safety net to be strong right now during the COVID-19 pandemic, are the ones who have the potential to suffer the most from this short sightedness. Commissioner Saul and Deputy Commissioner Black’s union-busting efforts should take a second chair to serving the American public.”

Last week the union learned that another federal arbitrator found SSA [violated federal law](#) in five instances during contract negotiations.

The AALJ represents 1,200 administrative law judges who preside in disability hearings in 163 offices across the country. The current contract remains in place as negotiations continue.

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