

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL LABOR RELATIONS AUTHORITY
WASHINGTON REGION**

U.S. DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
(Petitioner/Agency)

and

NATIONAL ASSOCIATION OF IMMIGRATION JUDGES
IFPTE JUDICIAL COUNCIL 2
(Labor Organization)

Case No. WA-RP-19-0067

REVOCATION OF CERTIFICATION

The Agency, named above, filed a petition in accordance with the provisions of Chapter 71 of the Title 5 of the United States Code and the Regulations of the Federal Labor Relations Authority (Authority). The petition sought to clarify the status of Immigration Judges in the following unit as described in the October 18, 2000, Amendment of Certification in Case No. WA-RP-90056, which reads:

- Included: All Immigration Judges employed by the Executive Office of Immigration Review, U.S. Department of Justice, throughout the United States.
- Excluded: All other professional and nonprofessional employees, management officials, supervisors, and employees described in 5 U.S.C. 7112(b)(2), (3), (4), (6) and (7).

The National Association of Immigration Judges, IFPTE Judicial Council 2 (Labor Organization) has been the exclusive representative of the bargaining unit described above.

On April 12, 2022, in *U.S. Dep't of Justice, Executive Office for Immigration Review*, 72 FLRA No. 144 (2022), the Authority issued an Order Dismissing in Part and Denying in Part the Union's Motion for Reconsideration and Denying Motion for Stay. The Authority upheld its' prior findings that Immigration Judges are management officials and direction that they be excluded from the bargaining unit. *Id.* As the bargaining unit consists only of Immigration Judges, and as no evidence was presented to establish that any Immigration Judges are not covered by the Authority's findings, there is no residual unit, and this Revocation of Certification appropriately issues.

Based on the above, and pursuant to the authority vested in the undersigned, the Certification of Representative issued to the National Association of Immigration Judges, IFPTE Judicial Council 2 is revoked.

Federal Labor Relations Authority



Jessica S. Bartlett
Regional Director
Washington Region
1400 K Street, NW, Second Floor
Washington, DC 20424-0001

Dated: April 15, 2022

CERTIFICATE OF SERVICE

I certify that on April 15, 2022, I served the parties listed below a copy of the **Revocation of Certification of Representative** in Case No. WA-RP-19-0067, in the following manner:

E-MAIL

Patricia Washington
Attorney
DOJ, EOIR
5107 Leesburg Pike, Suite
Falls Church, VA 22041
Patricia.Washington@usdoj.gov


Richard Bialczak
Attorney
National Association of Immigration Judges
48-18 Van Dam Street, 2nd Floor
Long Island City, NY 11101
rickbial@gmail.com

Office of Personnel Management
awr@opm.gov

HAND DELIVERY

Office of the General Counsel
Federal Labor Relations Authority

DATED THIS 15th day of April, 2022, at the Washington Regional Office of the Federal Labor Relations Authority, Office of the General Counsel, Washington, DC.



William Kirsner