

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case Number 20-13293

Honorable David M. Lawson

INTERNATIONAL UNION, UNITED
AUTOMOBILE, AEROSPACE, AND
AGRICULTURAL IMPLEMENT
WORKERS OF AMERICA,

Defendant.

**ORDER GRANTING JOINT MOTION TO AMEND CONSENT DECREE
TO EXTEND DEADLINE FOR COMPLETING REFERENDUM**

This matter is before the Court on the parties' joint motion to amend the consent decree previously entered for the sole purpose of extending the deadline for conducting a referendum vote to determine whether the UAW membership desires to change the mode of electing union officials. The consent decree entered by the Court on January 29, 2021 requires the referendum to be completed within six months after the Court's appointment of a monitor to oversee the union's compliance with the decree. The Court issued an order granting the parties' joint motion to appoint a monitor on May 12, 2021. The terms of the decree therefore presently require the referendum to be completed by November 12, 2021. The parties represent in their motion that the referendum has been scheduled to occur before that date, but the vendor that will process the results needs approximately two weeks after the scheduled polling day to receive and count any mailed-in ballots. The parties ask the Court to extend the deadline for completing the referendum to November 29, 2021, to allow adequate time for all ballots to be received and processed. They represent that the extension of the referendum deadline will not impact the subsequent convention to elect union officers, which already has been rescheduled for other reasons from June 2022 to

July 2022. The consent decree provides that any party may apply for appropriate modifications to its terms when necessary to assure that those terms are enforced justly. Consent Decree ¶ 69, ECF No. 10, PageID.135 (“Either party may hereafter apply to the Court to modify or enforce this consent decree by filing an appropriate motion, and the Court may grant such relief as may be equitable and just having due regard for the remedial purposes of this decree and the circumstances at the time of the motion.”). The Court has considered the joint motion and finds that the parties have shown good grounds for the modest adjustment of the referendum deadline that they seek.

Accordingly, it is **ORDERED** that the parties’ joint motion to modify the consent decree (ECF No. 43) is **GRANTED**. Paragraph 8 of the consent decree, ECF No. 10, PageID.111, is **AMENDED** as follows: The referendum vote by union members concerning the method and procedures for the election of the members of the UAW International Executive Board (“IEB”) must be completed **on or before November 29, 2021**. All other provisions of the consent decree remain in full force and effect.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: September 9, 2021