



Europe Newsletter

August 17, 2025
Volume 3, Issue 2

A Win for TEAM FEA!

The following is a case summary put out by [Civil Rights Litigation Clearinghouse](#) regarding the current state of litigation between FEA and DoDEA. ([Permission](#))

Case Summary

Executive Order 14251, issued by President Trump on March 27, 2025, revoked collective bargaining rights for the majority of federal workers, including civilian educators employed by the Department of Defense Education Activity (DoDEA), under the pretext of “national security.” The same day, the Acting Director of the Office of Personnel Management issued a memorandum to the heads of departments and agencies providing guidance on implementing the Executive Order, including specific determinations of which agencies and subdivisions were to be excluded from the Federal Service Labor-Management Relations Statute (FSLMRS), also known as Title VII of the Civil Service Reform Act of 1978. This case challenges Executive Order 14251.

On May 5, 2025, three labor unions representing DoDEA teachers, the Federal Education Association (FEA), the FEA Stateside Region (FEA-SR), and the Antilles Consolidated Education Association (ACEA), filed this lawsuit in the U.S. District Court for the District of Columbia. Represented by in-house counsel at the National Education Association (NEA), the plaintiffs sued President Trump, the U.S. Department of Defense (DOD) and its Secretary, and the Office of Personnel Management (OPM) and its Director. The case was assigned to District Judge Paul L. Friedman.

The plaintiffs alleged that, in pursuant to the Executive Order, the DOD ended union recognition, cancelled collective bargaining agreements, revoked dues deductions, denied official time and grievance procedures, and barred union representation in disciplinary meetings. They argued these actions unlawfully stripped employees of rights protected under FSLMRS.

On June 6, 2025, the plaintiffs filed an amended complaint raising additional causes of action. First, they claimed the President acted ultra vires and violated the Separation of Powers by overriding statutory protections enacted by Congress. Second, they alleged retaliation and viewpoint discrimination in violation of the First Amendment. Third, they claimed the order violated the Fifth Amendment by singling out disfavored unions, retroactively abrogating contracts, and depriving employees of protected property interests without due process. Fourth, they challenged the Secretary of Defense’s refusal to exempt DoDEA from the Executive Order as arbitrary and capricious under the Administrative Procedure Act.

On July 2, 2025, the plaintiffs moved for a preliminary injunction, citing irreparable harm. They detailed DoDEA’s repudiation of collective bargaining agreements; cancellation of union dues deductions, which accounted for over 80% of revenue; refusal to participate in grievance proceedings, including arbitration for hundreds of pay-related claims; and denial of official time, union representation during investigatory interviews, and sick-leave bank operations.

A Win for TEAM FEA! (continued)

They also described a mass workforce reorganization, including forced transfers and job eliminations, carried out without bargaining and allegedly targeting union members. The plaintiffs emphasized that the Executive Order preserved bargaining rights for police, security, and firefighter unions that had supported President Trump while stripping rights from opposing unions, arguing that the national security rationale was pretextual and citing White House statements acknowledging political motives.

On August 14, 2025, the court granted the plaintiffs' motion for a preliminary injunction. The court determined that the plaintiffs were likely to succeed on the merits of their ultra vires claim, reasoning that the President's order was likely an "overly broad interpretation" of his authority under the statute. The court also found that the plaintiffs would suffer irreparable harm without the injunction, specifically noting the effective termination of collective bargaining agreements and the loss of bargaining power.

This case is ongoing.

Summary Authors: Scott Shuchart (5/11/2025), Brian Chen (8/7/2025), and Victoria Tan (8/15/2025)

How Did This Happen?

These suits, declarations, reports, hearings, and more, were a result of HUNDREDS of hours of legal work. Based on a [2022 report](#), the average hourly rate for an attorney in the Washington, DC area was over \$400. The current hourly figure is probably closer to \$500 today.

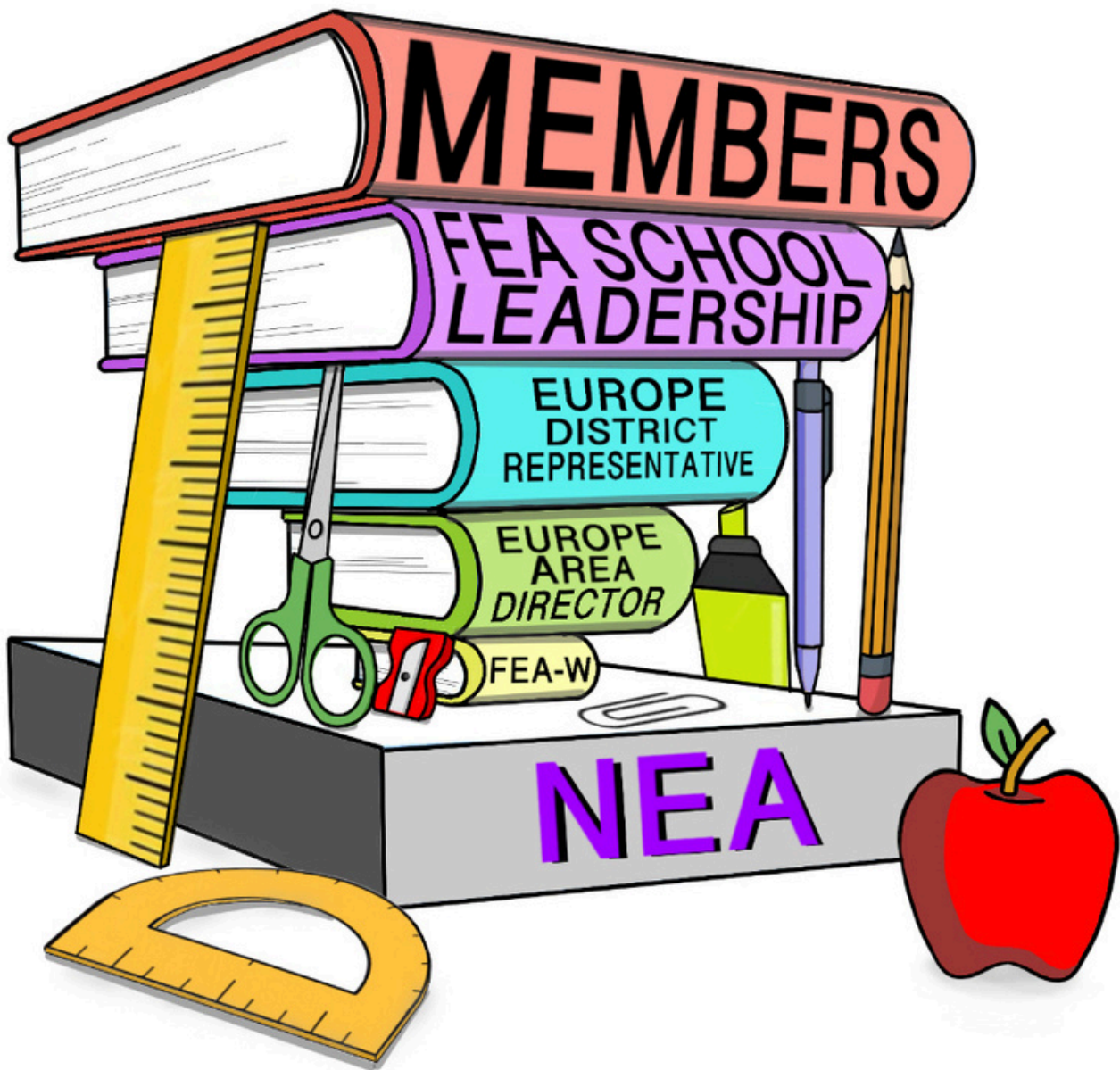
With no fewer than three NEA attorneys actively involved, IF each attorney contributed 75 hours, paid at the \$400 hourly rate, a gross underestimate in our opinion, that translates to over \$90,000. And that is just for the attorneys, if we had to hire outside counsel. That does not include court costs, paralegal and other staffing costs, consistent support from the Government Relations team, active participation by upper levels of NEA leadership, and many more NEA staff than we are aware of. Last year, FEA members paid \$213 per person to NEA. For about 1,500 members in Europe, that translates to just under \$320,000. And, the work is not over. This \$90,000 low-ball estimate is for work done between March and August 2025.

Then, let's look at the hours of work put in by our FEA Attorneys on behalf of the Overseas bargaining unit. Bill Freeman, FEA-Europe Uniserv Attorney dealing with pay, submitted a comprehensive declaration detailing many former arbitration decisions and their importance to members' pay. Richard Tarr, FEA Executive Director and General Counsel, submitted a declaration detailing the impact of the loss of collective bargaining. Robin Smith, Uniserv Attorney for FEA Pacific, wrote of DoDEA's unwillingness to arbitrate cases, in her declaration. This does not even address the hours of research done to support members federally mandated rights, planning, strategy, and weekly meetings ALL Uniserv Attorneys attended throughout the summer, when they too, are on summer break. At the very least, our four Europe attorneys put in, a collective 300 hours of work which would translate to \$120,000 if we had to, and could find, outside counsel with their levels of experience in Federal Labor law. Again, this is ONLY for work from the summer period. Your \$178 local (Europe) dues pays for these four attorneys. \$178 for 1,500 members equates to \$267,000. All this, in addition to the services provided throughout the year.

Still think you're not getting anything for your dues dollars? We cannot continue this indefinitely without membership. Have you signed up for [AutoPay](#) or [JoinNow](#)?

We are stronger together! Help us show Management that we continue to be UNITED and will fight for our protections. We are, by no means, done with this fight! We need you onboard.

Graphic of the YEAR!



There are so many people working to support our members. Each plays a distinct role. None of this could have happened without the never-ending support from our NEA partners. NEA provides the foundation for FEA to be able to do what we do. Want to know more specifics? Reach out to me, Anita Lang, at

FEA.Europe.AD@gmail.com

What part do **YOU** play? Membership MATTERS!

Art work done by member Stephen Neafsey, Lakenheath HS Art Teacher.