



## Trump fires EEOC and labor board officials, setting up legal fight

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Jennifer Abruzzo, general counsel for the National Labor Relations Board under former President Joe Biden, was one of the federal leaders fired on Monday by President Trump.

*Arranda Andrade-Rhoades/Associated Press*

It wasn't a surprise when President Trump fired National Labor Relations Board General Counsel Jennifer Abruzzo late Monday. She was a Biden appointee who had used the agency to expand workers' rights.

But Trump went further, also firing Democratic board member Gwynne Wilcox in an unprecedented move that she has vowed to fight in court.

Due to existing vacancies, Wilcox's ouster leaves the board with just two members, short of the quorum it needs to adjudicate even routine cases. (The board, when fully staffed, has five members.)

With this move, Trump has effectively shut down the NLRB's operations, leaving the workers it defends on their own, AFL-CIO president Liz Shuler said in a statement.

"These moves will make it easier for bosses to violate the law and trample on workers' legal rights on the job and fundamental freedom to organize," she wrote.

### **Trump ousts EEOC commissioners**

President Trump also abruptly fired two Democratic commissioners at the U.S. Equal Employment Opportunity Commission late Monday.

During his first term, Trump had appointed one of them, Jocelyn Samuels, to fill a Democratic seat. She was serving a second term ending July 2026.

The other commissioner, Charlotte Burrows, was first appointed to the EEOC by former President Barack Obama. She served under Trump in his first term and continued under former President Joe Biden. Although she stepped down as chair of the EEOC earlier this month, her third term on the commission wasn't set to expire until July 2028.



Former chair of the U.S. Equal Employment Opportunity Commission Charlotte Burrows was removed from office on Jan. 27, 2025.

*EEOC*

"Removing me, along with Commissioner Samuels, well before the expiration of our terms is unprecedented and will undermine the efforts of this independent agency to do the important work of protecting employees from discrimination, supporting employers' compliance efforts, and expanding public awareness and understanding of federal employment laws," Burrows wrote in a statement.

Both Burrow and Samuels said they would explore legal options to challenge their removal.

"Protecting workers from unlawful discrimination is an American value; it is not — and should not be — a partisan issue," wrote Samuels, who called her firing a violation of the law.

## Legal limits to removing NLRB board members

While courts have upheld the president's authority to remove the NLRB's general counsel, [the National Labor Relations Act states](#) that board members can be removed "for neglect of duty or malfeasance in office, but for no other cause."



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A 1935 Supreme Court case known as [Humphrey's Executor](#) established limits on the president's power to remove officials who perform quasi-legislative or quasi-judicial functions, as NLRB board members do.

In a statement, Wilcox called her firing illegal.

"I will be pursuing all legal avenues to challenge my removal, which violates long-standing Supreme Court precedent," she wrote.

## Signaling an end to an era at worker-focused agencies

Since their appointments in 2021, Wilcox and Abruzzo had taken broad views of the protections labor law offers workers.

Wilcox, a former union lawyer, wrote that as the first Black woman to serve on the labor board, "I brought a unique perspective that I believe will be lost."

As the agency's prosecutor, Abruzzo worked to remove barriers to organizing, most recently winning a board ruling [outlawing "captive audience" meetings](#), or mandatory meetings at which employers try to dissuade workers from unionizing.

Her approach toward protecting workers' rights and holding employers accountable has raised the ire of many in the corporate world. [The NLRB faces more than two dozen lawsuits](#) brought by companies, including SpaceX and Amazon, who say the agency's structure gives it unchecked power to shape and enforce labor law. Space X was founded by Trump adviser and billionaire Elon Musk.



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In his first term, Trump's general counsel at the labor agency was Peter Robb, a management-side labor attorney who served as lead counsel for President Ronald Reagan during the air traffic controllers' strike in 1981.

Last week, Trump named Marvin Kaplan, the sole Republican board member on the NLRB, as chair. It's unclear when – or even if – Trump will fill the three vacant seats.

The ouster of Wilcox and Abruzzo came just hours after workers at a Whole Foods Market in Philadelphia voted 130 to 100 to join the United Food & Commercial Workers union. The grocery chain is owned by Amazon, which is already mired in legal fights over efforts to unionize workers at its warehouses.

In a statement, Abruzzo highlighted work the NLRB accomplished under Biden, empowering workers to seek better wages, benefits and working conditions.

"There's no putting that genie back in the bottle," [Abruzzo wrote](#). "So, if the Agency does not fully effectuate its Congressional mandate in the future as we did during my tenure, I expect that workers with assistance from their advocates will take matters into their own hands in order to get well-deserved dignity and respect in the workplace."



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