



The Trump Administration's Impact on Workers' Collective Bargaining Rights

Donald Trump campaigned for the presidency promising to fight for American workers and their jobs, but in practice, his administration's actions and policies have consistently and dramatically undermined workers and their rights. The Trump Administration has attacked the federal workforce and their unions through massive reductions in personnel, mass terminations of probationary employees, attempts to shut down entire agencies, cancellation of a million workers' collective bargaining rights, and the removal of federal workers' [civil service job protections](#). In the private sector, Trump disabled the primary agency responsible for enforcing workers' collective bargaining rights for almost a year by taking the unprecedented action of firing one of the agency's Senate-confirmed appointees, and his Administration has continued to undermine the independence and impartiality of the National Labor Relations Board and other independent adjudicatory agencies that hear and decide cases involving alleged employer violations of worker and consumer protection laws.

Quite unexpectedly, given these attacks, U.S. union membership actually increased in 2025, including in the federal sector, according to the [most recent statistics](#) from the federal Bureau of Labor Statistics (BLS). It is not possible to tell from the BLS statistics how much of the increase is due to new organizing as opposed to increased employment at firms or government entities whose workers al-

ready had union representation. The statistics for calendar year 2025 also do not reflect the full extent and impact of the Trump attacks on workers' collective bargaining rights, and the membership increases likely are in large measure due to the positive impact of former President Joe Biden's pro-union policies and workers' continued [interest](#) in winning union representation.

The U.S. labor movement is fighting back. Dozens of lawsuits against the Trump Administration have been filed by unions and their allies, and a number of these lawsuits have been successful in at least temporarily stopping Trump's actions. However, the Trump Administration has succeeded in creating chaos and demoralizing the federal workforce, resulting in mass resignations of more than [300,000 federal workers](#) in less than a year. Litigation is slow, and the Administration's record of compliance with federal court orders reining in its actions is uneven.

In addition to lawsuits, the labor movement has mobilized to win passage in the U.S. House of Representatives of the Protect America's Workforce Act – bipartisan legislation restoring and protecting federal workers' collective bargaining rights. The legislation is now pending in the U.S. Senate.

The labor movement has been a major organizer and participant in rallies, press conferences, demonstrations, and other

actions protesting the Trump Administration's agenda. The labor movement endorsed and participated in the "No Work, No School, No Shopping" actions in Minneapolis following the ICE murders of Renee Good and Alex Pretti, and local labor movements are organizing a range of actions across the country for May Day 2026¹. The labor movement is also very focused on supporting pro-worker candidates in the 2026 elections, hoping to restore a pro-worker majority to at least one, and ideally both, houses of Congress.

Attacks on public sector collective bargaining rights

Shortly after coming into office, President Trump issued an [executive order](#) stripping collective bargaining rights from a [million federal workers](#), ostensibly on grounds that unionization and collective bargaining in these agencies posed a threat to national security. This was the [largest single act of union-busting](#) in U.S. history. The text of the executive order and a [factsheet](#) describing it made plain that its motivation was not actually national security – it was [retaliation](#) for federal unions making statements and filing lawsuits against the Trump Administration's agenda.

After the executive order was issued, numerous agencies cancelled existing collective bargaining agreements, disallowed the practice of union representatives doing union representation work on official time, ceased providing of office space and other facilities to unions, and stopped [payroll deduction](#) of dues for union members – the standard practice for unions to efficiently collect dues. This immediately cut off revenue to federal sector unions and forced them to devote resources to signing members up individually to do direct bank withdrawals of union dues – a resource-intensive, member-by-member exercise.

Unions and their allies filed [numerous lawsuits](#) to block implementation of the executive order. They initially were successful in winning an injunction, but the injunction was vacated by a court of appeals, meaning the rollback of collective bargaining rights was allowed to happen while litigation continued. Several major agencies, including the Veterans Administration, the Transportation Security Administration, and the Environmental Protection Agency, terminated their collective bargaining agreements with their workers' unions. Recently, however, the Veterans Administration was ordered to restore workers' collective bargaining rights, and the agency reportedly has [complied](#). Because litigation is slow and uncertain, the labor movement has devoted considerable resources to winning support for the [Protect America's Workforce Act](#) – federal legislation that would restore and protect federal workers'

collective bargaining rights. This bipartisan legislation passed the U.S. House of Representatives in December 2025 and is currently pending in the U.S. Senate, where the Republican majority has, to date, refused to move the legislation because it would essentially overturn President Trump's executive order.

Private sector

The federal agency responsible for enforcing the primary labor relations law in the private sector is the National Labor Relations Board (NLRB), an independent agency that implements and enforces the National Labor Relations Act, which covers most non-supervisory private sector workers outside the railroad and airline industries, who are covered by a separate law. The NLRB holds union representation elections and certifies successful unions, resulting in an obligation on the part of employers and unions to engage in collective bargaining. The NLRB investigates, prosecutes, and adjudicates unfair labor practice allegations – like illegal retaliation against union supporters – by employers and unions. The NLRB is run by a five-member Board of presidentially-nominated and Senate-confirmed appointees, as well as a presidentially-nominated and Senate-approved General Counsel, who acts as the agency's prosecutor.

During the first Trump Administration, President Trump nominated corporate lawyers and a Republican Hill staffer to the NLRB, and these appointees quickly issued decisions and rules that weakened workers' rights and gave employers more power in the labor relations arena. An [analysis](#) by the Economic Policy Institute found that the U.S. Chamber of Commerce won action on all 10 of its top 10 priority issues at the Trump NLRB.

Early in his second term, Trump disabled the NLRB by taking the unprecedented action of [firing Gwynne Wilcox](#), a Senate-confirmed member of the NLRB and the first Black woman to ever serve on the NLRB. NLRB members have statutory protection against termination except for cause and after notice and hearing. No cause was cited and no notice or hearing was provided to Wilcox. Trump also fired numerous Senate-confirmed members of other [independent agencies](#) in order to advance his legal argument that the president has authority to remove members of these boards and commissions at will. (The Trump Administration has also issued an [executive order](#) that tries to bring independent agencies under White House control). This issue is under active litigation, with the U.S. Supreme Court poised to rule on a [key case](#) in the coming weeks. The court's decision will determine whether or not

¹ In Minneapolis, unions endorsed the day of action on January 23 and encouraged members to participate in marches and demonstrations. Unions did not, and cannot, call for a general strike, because collective bargaining agreements typically contain a no-strike clause for the duration of the agreement, and U.S. labor law sharply limits the ability of workers to engage in secondary or sympathy strikes. However, unions were able to persuade many employers to close for the day so that workers could participate in actions, and other workers were able to participate by taking approved leave. For more background on the January 23 actions, see <https://www.motherjones.com/politics/2026/02/minneapolis-minnesotas-general-strike-ice-border-patrol-trump/>. A list of actions for May Day 2026 can be found here: https://www.mobilize.us/aficio/?tag_ids=4426&tag_ids=30634&tag_ids=30633

independent adjudicatory agencies like the NLRB will remain free from political influence and pressure as they have for 90 years.

By firing Wilcox, Trump deprived the NLRB of the three-member quorum it needs to decide cases. Employers exploited this situation to avoid bargaining with their workers' unions. A quorum was restored in January 2026 after two Republican appointees were confirmed by the U.S. Senate and sworn into office. However, union representation elections [fell](#) by 30 percent in 2025, and the agency's case [backlog](#) swelled to hundreds of cases during the year that the Board was unable to issue decisions.

There is great concern in the labor movement that the Trump majority on the NLRB will, as in Trump's first term, issue decisions that favor employers and undermine workers' rights, including overturning decisions issued during the Biden presidency that strengthened workers' rights. By tradition, the NLRB does not reverse precedent without the affirmative vote of three members to do so, and recent NLRB decisions offer some [hope](#) that the current two-member Republican majority will adhere to this tradition at least for the time being. Because of this tradition, employer groups have been [pushing the White House](#) to nominate and win Senate confirmation of a third Republican member. The White House [nominated](#) a third Republican on April 13, 2026, along with nominating the current Democrat for reappointment.

There is also concern that Trump's [appointee](#) to run the Office of Labor Management Standards at the U.S. Department of Labor – the former leader of an anti-union organization -- will increase financial audits of labor organizations, as happened during the George W. Bush presidency under Secretary of Labor Elaine Chao. To date, no major initiatives have been launched, but the labor movement remains on high alert because of the onerous and intrusive nature of these audits. (Unions in the U.S. already are required to file detailed financial reports that are publicly available).

Workers in the building trades have also experienced setbacks during the Trump Administration. The Administration has not rescinded an executive order requiring pro-union project labor agreements (PLAs) on large federal construction projects, and projects with PLA requirements have continued to be awarded during the Trump Administration, despite numerous legal challenges. On the other hand, because of his opposition to renewable energy sources, Trump [cancelled funding](#) for at least two offshore wind projects that employed thousands of unionized construction workers and was [strongly criticized](#) by building trades unions for this action, and Trump has cancelled funding and incentives for other renewable energy projects. The Trump Administration's detention and

attempted deportation of Kilmar Abrego Garcia, a union construction worker, drew condemnation from across the labor movement, including [building trades unions](#), as have Trump's aggressive and disruptive immigration enforcement actions.

The Trump Administration has attempted to [shut down](#) the Federal Mediation and Conciliation Service (FMCS), a small independent agency that provides free mediation and support to employers and unions engaged in collective bargaining. Under U.S. labor law, employers and unions are required to bargain but there currently is no legal mechanism for ensuring that they reach agreement. This is a particularly acute problem when workers first organize and are unable to reach an initial collective bargaining agreement with their employer (as has been the case for Starbucks baristas and Amazon warehouse workers, among others). FMCS uses its expertise and powers of persuasion to help parties reach agreements, which is particularly important given the lack of a legal mechanism for ensuring an agreement. Unfortunately, because of the attacks on this agency, dozens of mediators have left the agency and the agency's activities have been curtailed. Two lawsuits by unions and state attorneys general are pending over the attempted shutdown, with courts so far ruling in favor of the plaintiffs and issuing injunctions barring the closing of FMCS.

Conclusion

In stark contrast to its pro-worker rhetoric, the Trump Administration has attacked workers and their collective bargaining rights through a series of executive orders and actions. While workers continue to organize in the face of these attacks, the Trump Administration's actions have erected new hurdles for workers seeking to exercise their rights, and in the federal sector, have thwarted many workers' rights altogether. Legal challenges to Trump's actions continue, as do legislative efforts to restore workers' rights, but progress is slow and uncertain.

The labor movement has gotten increasingly vocal about the damage these attacks are causing for working people and about the Trump administration's failure to prioritize the needs of working families.

If the labor movement is successful in winning a pro-worker majority in either or both the U.S. House of Representatives or U.S. Senate in the November 2026 midterm elections, there will be an important check on President Trump's power because of the ability to block harmful legislation, conduct investigations into Trump's activities and, in the case of the U.S. Senate, stop anti-worker presidential nominees. However, if these efforts fail, the Trump administration can be expected to continue its anti-worker agenda, further curtailing workers' rights.

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