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The moment tensions erupted between UAW's Fain, federal monitor

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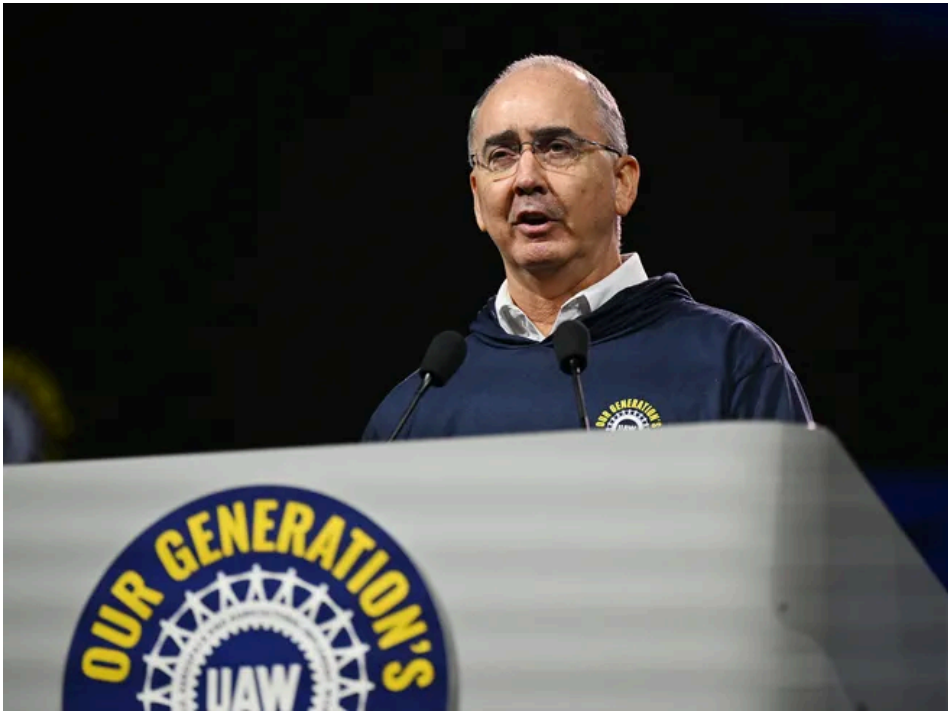
UAW watchdog cites retaliation pattern

Watchdog report finds recurring retaliation by Shawn Fain and his staff; no basis for Rich Boyer's removal as head of Stellantis Department

United Auto Workers President Shawn Fain and the [federal watchdog overseeing](#) the union got into an extraordinary exchange two years ago in the wake of the Israel-Hamas war — a meeting that Fain now claims led to the monitor launching an investigation into him.

The expletive-laden discussion from February 2024 — details of which have never before been reported — is newly relevant after the court-appointed monitor, Neil Barofsky, released his latest blistering report about the union last month. It described how Fain, who is up for reelection this fall, had retaliated against union Vice President Rich Boyer, improperly used his authority to benefit his fiancée and her sister, and destroyed evidence including text messages.

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UAW President Shawn Fain delivers his keynote speech to members at the union's Constitutional Convention on Tuesday, June 16, 2026, in Detroit, Michigan. *Clarence Tabb Jr., The Detroit News*

Fain responded to that latest report by saying the monitor's investigation had been politically motivated. And he pointed back to the heated Feb. 21, 2024, International Executive Board meeting with Barofsky, where the discussion centered on how the monitor had responded to the union's statements on the war in Gaza, a conflict that had broken out just months earlier.

"For anybody to ever f----- say I'm antisemitic, brother, I'll fight your ass in front of this building in a heartbeat," Fain said at one point during the Detroit meeting, which Barofsky, an attorney with the firm Jenner & Block LLP, had dialed into. "I do not f----- like that, and I don't appreciate it."

Barofsky strongly denied that he had used the word antisemitic or suggested as much about Fain during a phone call weeks earlier between the two, according to a detailed account of the episode provided to The Detroit News and confirmed by two people who have seen the transcripts.

"I don't think that you're antisemitic," said Barofsky, who was appointed to oversee the union after its corruption scandal, at one point to Fain. "I have no reason to think that you're antisemitic. It was a conversation about me wanting to provide perspective and information ... And if you heard that or perceived that, I'm really sorry that that happened. But I'm very careful in my wording, and I would never have said something like that, even if I did believe it, and I did not."

'Playing political games'

Fain's response to Barofsky's latest report alleged that the monitor was "playing political games and abusing his power." He specifically pointed back to the February 2024 meeting, which he described as a "heated and highly personal disagreement" that had included "inappropriate statements by Mr. Barofsky."

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"Soon after, he opened his first investigation into me," Fain added in the statement, which was issued through his Chicago-based attorneys. "Mr. Barofsky has proceeded to issue report after report attacking our union, the rights of the President under the UAW Constitution, and the sincerity of my belief that Vice President Boyer and Secretary-Treasurer (Margaret) Mock were failing our members."

More: [Watchdog accuses UAW's Fain of 'preferential treatment,' retaliation](#)

The meeting between Barofsky, Fain and other senior UAW officials came after tensions had already flared around the union's public response to the war.

In December 2023, the UAW's board voted to sign onto a petition calling for a ceasefire. Soon after, as The News [previously reported](#), Barofsky called Fain for a personal conversation related to the ceasefire statement and other issues around the war — a call Fain would later indicate made him uncomfortable, and that a union lawyer told Barofsky was out of line.



Neil Barofsky, center, is the court-appointed attorney overseeing reforms inside the UAW. He has released a series of critical reports of the union and its leader, Shawn Fain. *Katy Kildee, The Detroit News*

Then, about two months later, the union's board received an emailed letter, forwarded by Barofsky, that the monitor had received from the Anti-Defamation League, an organization that combats antisemitism.

More: [UAW's court filing highlights tension with federal monitor](#)

The letter expressed concerns about a statement issued by UAW Local 7902, in New York, which had backed a ceasefire. The local's statement was problematic, according to the ADL, because it lacked context and accused Israel of ethnic cleansing and more. Barofsky noted that while the issue was outside his jurisdiction, it was important to send along "given the serious concerns raised here."

Benjamin Dictor, an attorney working with the union, sent Barofsky an email several days later raising concerns about the phone call with Fain and the way he had shared the ADL letter, suggesting it was improper for the union's monitor to wade into such policy stances on the war.

What happened inside the meeting

About a week after Dictor's letter, the monitor, who is based in New York, was dialing into the union's executive board meeting to discuss the whole episode.

He began by explaining how his staff often receive various complaints or concerns that don't apply directly to his oversight of the union — but that he's obligated to share with the right people inside the UAW who may be able to address them.

As for the ADL letter raising concerns with the union local, he said his office took it "very seriously, in part because who it was that was making the allegation, the Anti-Defamation League," which the monitor said he understood was like "the Jewish NAACP." He thought the ADL concerns were something the UAW's board would like to know about, but that he didn't include any recommendation about what the board should do.



International Executive Board members including President Shawn Fain gathered for a meeting in February, 2024, that also included the monitor overseeing the union, Neil Barofsky. *Clarence Tabb Jr., The Detroit News*

Regarding his decision to call Fain directly after the board issued its ceasefire statement, the monitor said it was to offer up an expert who could talk with union officials about antisemitism.

Besides his role as UAW monitor, Barofsky noted that he has overseen an investigation in recent years into the former bank Credit Suisse's historical ties to Nazis. It was through that probe that he had met the expert, Ira Forman, who could speak with union leadership and answer questions, which he understood was something that union leaders had requested, in a "teach-in" format.

"During that call, I did not ask for Shawn or the UAW to take any action," Barofsky said. "Again, I don't even know what the action would be. I certainly wouldn't have said, 'Oh, you need to withdraw that statement,' or something like that."

But Fain said that he perceived the call completely differently, and suggested that Barofsky had been seeking to push a particular perspective. He said that the monitor had labeled some of his prior comments antisemitic: "That's exactly what you said, trust me. I'm the guy on the receiving end."

The phone call had rattled Fain, he indicated in the meeting: "You're the monitor over us. You have a realm of power over us. So yeah, it concerned me greatly."

The union boss later appeared increasingly frustrated with the monitor and with what had transpired over the prior two months.

"Honestly, I don't give a s---, but I am not going to be harassed," Fain said. "I don't give a damn about what opinions people have of me. I will do what I know is right. And what's happening over there was atrocious."

"What happened on October 7th is atrocious, and what's happened since is atrocious," he continued. "And at the end of the day, it's like every other f----- war in this world, the working class and poor are paying the f----- price for the people at the top that are fighting over s--- nobody else cares about."

Barofsky denied he wanted to come after Fain or "throw s---" at him: "I'm not interested in throwing s--- at anyone," he later said in exchange. "Like, what would be my reason or justification of why I would want to throw s---?" He also stated that while certain personal beliefs were being attributed to him, "you don't know my beliefs, you don't know my views," including on how he feels about calls for a ceasefire.

It's unclear what Fain found "inappropriate" about Barofsky's statements during the meeting, as the union president said in the statement last week. A spokesperson for Fain's campaign declined to comment for this story.

More: [Cost of fed oversight of UAW skyrockets as union moves from scandal](#)

But the exchange at the meeting indicated that Barofsky and Fain had viewed the ADL letter, and particularly the phone call, in starkly contrasting ways. Barofsky indicated that he regretted that Fain had seen his outreach as threatening or perceived him as being labeled antisemitic.

"That was not what was in my heart," Barofsky said.

A Jenner & Block spokesperson issued a statement last week responding to Fain's claims. It said Barofsky is "one of the world's most highly-regarded monitors," and has "acted with the highest levels of professionalism, integrity, and respect in his roles in public service, private practice, and as a DOJ-appointed monitor."

Campaign, potential discipline ahead

The monitor's latest critical report comes just as Fain ramps up his reelection campaign. He is expected to face five challengers, including Boyer, when ballots go out to union members in late August, following nominations at the union's recent constitutional convention.

That reelection bid could be complicated by potential discipline Fain faces following the recent monitor reports. The monitor wrote in the most recent report that he had uncovered evidence warranting "potential" discipline, but he planned to first consult with other parties to the 2021 consent decree, the document that lays out the monitor's responsibilities.



8 Photos

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UAW candidates for president, other offices secure nominations

UAW delegates on Wednesday nominated candidates for their leadership elections later this year.

Art Wheaton, director of labor studies at Cornell University, said discipline for Fain could range from legal consequences to forcing him to resign, to preventing him from running for reelection, or to other lesser administrative punishments. Or, the monitor could opt to do nothing at all.

Wheaton said he didn't see anything in the latest report that suggested serious consequences for Fain were imminent: "To me, it didn't ring any alarm bells," he said.

"Clearly, his actions raise ethical questions, and the monitor has decided that those are worth a discussion with the parties" of the consent decree, said Marick Masters, a retired Wayne State University labor professor.

Masters said it's clear that if Barofsky does hand down some form of consequences, Fain intends to fight back. He said the union president seems intent to send a message with his recent comments criticizing the monitor: "Don't think I'm going to be too receptive to any of your suggestions."

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