

Government Contract Lawyers Succeed in First Court Decision Rejecting Union Constitutional Arguments

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Washington, DC—Wiley Rein & Fielding Government Contracts and Litigation attorneys representing Del-Jen, Inc. secured an unprecedented decision in the U.S. District Court for the District of Massachusetts rejecting arguments by a government labor union to prevent the U.S. government from contracting out certain jobs. The decision will expedite the privatization of some categories of government jobs and allow private contractors to make the transition without fear of further intervention by the courts.

WRF Partners William A. Roberts, III and Andrew G. McBride, who defended Del-Jen in *Lawrence Jones and National Association of Government Employees v. United States of America and Del-Jen, Inc.*, argued that there is no property interest in continued government employment in the face of a decision by the government to contract out positions to the private sector. The court adopted this argument and expressly rejected the reasoning of the one district court decision to the contrary in the District Court for the District of Columbia. The court also found that government employees do not have standing under either the Due Process Clause, the statutory scheme or Circular A-76 to bring an action in federal court challenging a government decision to contract out functions on a military base.

Del-Jen, Inc. is a company created to manage service and support contracts for the government, military, and business - such as vehicle fleet operations, municipal services, airfield operations, utility operations, education and training programs, and many other tasks.

Related Professionals

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