



March 27, 2025

**VIA ELECTRONIC MAIL**

Michelle Sandoval  
Chief, Talent Management Branch  
Human Resources Division  
Food and Nutrition Service  
Braddock Metro Center II  
1320 Braddock Place  
Alexandria VA 22314

**RE: Requirements of Article 15, Reduction in Force; 2025 National Agreement**

Dear Ms. Sandoval:

It is well known that the Food and Nutrition Service (FNS or agency) is facing the very real possibility of a reduction in force (RIF) in the near future. It won't surprise you to learn that the National Treasury Employees Union (NTEU) vehemently opposes this course of action. It would be incredibly destructive not only for the many civil servants we proudly represent at FNS, but also for the American public who depend on the agency to, among other things, administer the domestic nutrition assistance programs that are integral to the health and well-being of so many who are suffering from food insecurity in the United States.

Today, I'm writing to remind you, in the event of a potential RIF, of FNS's obligations under the law, regulation and the parties' 2025 National Agreement (2025 NA), I would appreciate you confirming, expeditiously, that FNS intends to follow its Article 15, Reduction in Force obligations.

As you know, on February 26, 2025, the Office of Management and Budget (OMB) and the Office of Personnel Management (OPM) issued guidance to the heads of executive branch departments and agencies directing them to "promptly undertake preparations to initiate large-scale RIFs, consistent with law." The guidance instructs them to develop "agency RIF and reorganization plans" (ARRPs) and to work with the Department of Government Efficiency as they develop the competitive areas for the ARRPs. It emphasized the agency "should focus on the maximum elimination of functions that are not statutorily mandated."

The OMB/OPM memo further advises agencies to begin conducting RIFs in two phases: In Phase 1 ARRPs, agencies must submit their ARRPs to OMB and OPM for review and approval by March 13, 2025. This phase is supposed to include specific plans by the agency for the elimination of positions through RIF, as well as the existing hiring freeze, and the attrition of positions through retirement or resignation.<sup>1</sup> The agencies are also required to submit a timetable for any RIFs. Agencies must submit Phase 2 ARRPs to OMB and OPM for review and approval by April 14, 2025. In Phase 2, among other things, agencies are directed to submit proposed future state organizational charts; any proposed relocations of employees from Washington, DC or the National Capital Region "to less costly areas of the country;" and "any provisions

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<sup>1</sup> On March 18, 2025, NTEU submitted a request for information to FNS to obtain the ARRPs it submitted to OPM pursuant to 5 U.S.C. Section 7114(b)(4).

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of collective bargaining agreements that would inhibit government efficiency and cost-savings.” Phase 2 plans must be completed by each agency by no later than September 30, 2025.

In Article 15, Section 15.01, of the 2025 NA, the parties expressly agreed that the agency would provide NTEU with “its intent with respect to a staff reduction or transfer of function of the work force as far in advance of notification to affected employees as possible, and prior to any final action taken on the matter,” and “...to negotiate any changes to the conditions of employment of bargaining unit employees to the extent required by law.”

The advance notification to NTEU must be provided “[a]t least thirty (30) calendar days before the Employer provides Certificates of Expected Separation...or formal RIF separation notices to all affected bargaining unit employees...” and “...the Employer will schedule and host a briefing” within five (5) days of the notice. *See* Article 15, Section 15.02(1)-(2). The formal notice must be in writing and include at a minimum: “(a) the action to be taken and the reasons for the action taken; (b) the approximate number of employees who may be affected; (c) the type(s) of positions anticipated to be affected; and (d) the anticipated effective date that action will be taken.” *See* Article 15, Section 15.04(2).

In addition to the written notice to NTEU, Article 15, Section 15.04(3)-(4) requires FNS provide the impacted employees with written notice “...at least sixty (60) calendar day’s...prior to the effective date of a reduction in force,” and “...the employee notice will contain all information required by 5 CFR Part 351, CFR Part 330, and to the extent it is consistent with law and regulations, the Office of Personnel Management’s Workforce Reshaping Operations Handbook, in addition to a listing of potential job series and position(s) for which they are qualified.”

Be advised that we plan to fully negotiate all impact and implementation issues, including mitigation strategies, for any RIF undertaken by the agency.

Based on the requirements of Article 15, any action by FNS seeking to comply with the OMB and OPM guidance and instructions discussed above, including failing to provide notice to NTEU or affording it the opportunity to negotiate over any RIF, violates Article 15 of the parties’ 2025 NA. The failure to adhere to the contractual requirements of Article 15 would also constitute a repudiation of the Article and an unfair labor practice under the Federal Service Labor-Management Relations Statute.

Again, I ask that you please confirm at your earliest convenience FNS’s commitment to follow its lawful obligations under Article 15 and the statute.

Sincerely,



Doreen P. Greenwald  
National President

cc: Terry Scott, NTEU  
Dan Kaspar, NTEU  
Ken Moffett, NTEU  
Rani Rolston, NTEU