



March 25, 2025

**VIA ELECTRONIC MAIL**

Reesha Trznadel  
Acting Chief Human Capital Officer  
Office of the Chief Human Capital Officer  
Department of Energy  
1000 Independence Avenue, SW  
Washington, DC 20585

**RE: Requirements of Article 22, Reduction in Force; 2021 Collective Bargaining Agreement**

Dear Ms. Trznadel:

It is no secret that the Department of Energy (DOE or agency) is facing the very real possibility of a 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 the DOE, but also for the American public who depends on this agency to advance the nation's energy, environmental, and nuclear security.

Today, I'm writing to remind you, in the event of a potential RIF, of the DOE's obligations under the law, regulation and the parties' Collective Bargaining Agreement (CBA). I would appreciate you confirming, expeditiously, the DOE's intent to follow its Article 22 obligations.

First, some background. 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 reductions in force (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 ARRP, 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. 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 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 **22, Reduction in Force, Section 22.01** the parties agreed “that a RIF is highly disruptive to managers and Employees alike and they are committed to working in good faith collaboration to aggressively mitigate the need or the severity of a RIF.” **Section 22.02** requires DOE to notify NTEU of a RIF as far in advance as possible, and prior to the notification is sent to affected Employees. The Notice must include the reason for the RIF, the proposed effective date, the particular competitive area initially affected, initial competitive level definition, the final retention register, the list of abolished positions, and the OPM authorization. Once the RIF has been approved by the Secretary, Article **22, Section 22.03** requires DOE to provide a briefing to NTEU. If DOE determines the RIF is necessary, NTEU will be given advance notice and the opportunity to bargain over all negotiable issues relating to the RIF in accordance with Article 13.

**Section 22.06** of Article **22** requires DOE to use “all practicable options and measures to minimize the adverse impact of RIF.” Mitigations measures may include, but are not limited to: the use of attrition or Voluntary Early Retirement Authority and/or Voluntary Separation Incentive Pay, aggressive placement assistance throughout Headquarters and in other agencies (reassignments and in-service placement options), freezes on outside hiring and promotion actions, elimination of surplus positions, retaining, phased retirement, and significant cost cutting, reduced discretionary spending (e.g., travel, performance awards and furloughs) and voluntary reduction in work hours. DOE must also provide NTEU and employees who are included in the RIF, with information concerning the full array of entitlements and benefits that accrue to employees under law, regulation, and the CBA.

DOE must also give employees impacted by a RIF sixty (60) calendar days’ notice before the effective date of the RIF action. If DOE believes they need to shorten the notice period, DOE must advise NTEU. A RIF notice cannot be issued fewer than thirty (30) full calendar days prior to the proposed effective date.

Based on the requirements of Article 22, any action by the DOE 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; failing to offer the mitigation strategies to impacted employees; and conducting any RIF by May 21 of this year or sooner, would violate Article 22 of the parties’ 2021 Collective Bargaining Agreement. The failure to adhere to the contractual requirements of Article 22 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 DOE’s commitment to follow its lawful obligations under Article 22.

Sincerely,



Doreen P. Greenwald  
National President

cc: Terry Scott, NTEU  
Dan Kaspar, NTEU  
Ken Moffett, NTEU  
Aliza Chesler, NTEU  
Ryan Soon, NTEU