

FEDERAL WORKERS ALLIANCE

COLLECTIVELY REPRESENTING OVER 550,000 FEDERAL AND POSTAL WORKERS

May 23, 2023

Director Kiran Ahuja
U.S. Office of Personnel Management
1900 E St. NW
Washington, D.C. 20415

RE: Petition for Rulemaking to Mitigate the Effects of a Future Schedule F

Dear Director Ahuja,

On behalf of the Federal Workers Alliance, a coalition of labor unions representing over 550,000 federal and postal workers, we write today regarding the mitigation of a future Schedule F Executive Order.

As you know, Schedule F stems from an Executive Order issued by former President Trump in which tens of thousands of civil servants who serve in roles deemed to have some influence over policy would be reassigned as "Schedule F" employees. These employees would lose their employment and union protections upon re-assignment, making them functionally at-will employees and therefore far easier to fire without just cause. Schedule F defies merit principles and instead would require political loyalty to a U.S. President.

Multiple candidates for the 2024 U.S. Presidential Election have assured that they will issue another Schedule F Executive Order upon assuming office. Should this happen, it is possible, if not likely, that a substantial portion of the federal government could be moved to at-will employment and quickly dismissed.

In order to protect the rights of federal employees in the advent of a future Schedule F Executive Order, the National Treasury Employees Union filed a petition for rulemaking with the Office of Personnel Management (OPM) in December of 2022. The proposed regulations would protect the rights of tenured competitive service employees who are shifted to a Schedule F status. The petition would also direct OPM and federal agencies to ensure that any shifts of employees to an excepted service schedule would be consistent with civil service laws and merit systems principles.

On behalf of the hundreds of thousands of federal employees represented by the unions within the Federal Workers Alliance, we write in support of the rulemaking changes proposed by NTEU and urge OPM to promulgate those changes. We thank you for your attention to this very urgent matter. Should you require any further information, please contact the Federal Workers Alliance Legislative Co-Chairs, Steve Lenkart at slenkart@nffe.org and Faraz Khan fkhan@ifpte.org.

Sincerely,

American Federation of State, County and Municipal Employees (AFSCME)
American Federation of Teachers, AFL-CIO (AFT)

Antilles Consolidated Education Association (ACEA)
International Association of Machinists and Aerospace Workers (IAMAW)
International Association of Fire Fighters (IAFF)
International Brotherhood of Electrical Workers (IBEW)
International Federation of Professional and Technical Engineers (IFPTE)
National Association of Government Employees, SEIU (NAGE)
National Federation of Federal Employees (NFFE)
National Weather Service Employees Organization (NWSEO)
Professional Aviation Safety Specialists, AFL-CIO (PASS)
Patent Office Professional Association (POPA)
United Power Trades Organization (UPTO)

CC: Robert Shriver, Deputy Director, OPM