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National Treasury Employees Union

Schedule F Threat Broader, More Severe Than Previously Known

WASHINGTON – The Republican plot to fire nonpartisan, frontline civil servants across government would cut much deeper into the workforce than previously estimated and jeopardize federal agencies' ability to serve the public, new documents show.

The original Schedule F executive order signed by President Trump in 2020 purportedly targeted federal employees who work in policy-related positions, but <u>records obtained by NTEU</u> show it went well beyond policy-makers and swept up office managers, human resource specialists, administrative assistants, cybersecurity specialists and many others.

"Resurrecting Schedule F in the next Republican administration is designed to get rid of even more federal employees than anyone realized," said NTEU National President Doreen Greenwald.

President Trump's Schedule F executive order was rescinded by President Biden before any employees were affected. However, one of Trump's appointees—before he left office—detailed exactly which workers he would have moved into the new job classification, thereby hoping to strip them of their statutory due process rights and make it easier to fire and replace them.

More than 200 pages of records from late 2020 and early 2021 show how the director of the Office of Management and Budget absurdly stretched the definition of policy work to cover the vast majority of the OMB workforce, from attorneys to GS-09 assistants and specialists who have nothing to do with setting government policy. The OMB Director under Trump was <u>Russell Vought</u>, <u>one of the architects</u> of <u>the effort to resurrect</u> Schedule F in the next Republican administration.

"It was <u>obvious back then</u> that Trump's OMB tried to push Schedule F to the extreme, but now we know just how weak the rationale was," Greenwald said. "This also shows that if given a second chance, Vought and others could use Schedule F to threaten the job of any federal employee they want with flimsy claims about handling policy documents or confidential memos."

The 2020 OMB list even includes economists, IT specialists, a toxicologist, correspondence specialists, and Freedom of Information Act officers. OMB at the time said the majority of its workforce should have been moved to Schedule F.

"This is alarming for federal employees and their fellow citizens who expect day-to-day government services to be provided by nonpartisan professionals," Greenwald said. "The civil servants we represent were hired into the competitive service because they had the right qualifications, experience and skills, period. Under this OMB model, Schedule F could be weaponized to attempt to remove hundreds of thousands of government workers across the country and replace them – if at all -- with people chosen simply for their political connections."

NTEU members, like all frontline federal employees, swear an oath to uphold the Constitution regardless of which political party is in the White House. They include customer service representatives at the IRS, scientists at the EPA, CBP officers at the ports of entry, safety inspectors at the FDA, bank examiners at the FDIC, financial analysts at the CFPB, park rangers at the NPS, and thousands of other skilled positions located in every state and territory.

To mitigate the impact of another Schedule F executive order, the Biden administration is considering a regulation, <u>recommended by NTEU</u>, to require additional justifications and approvals before any employee is reclassified, and clarify that employees' due process rights remain intact. Under current law, frontline federal employees in the competitive service have a basic right to notice of an adverse action and an opportunity to respond, a process that protects them from unlawful or politically motivated firings. The Office of Personnel Management published the <u>draft rule</u> in 2023 and we are awaiting the final rule.

"Schedule F abandons our country's 140-year commitment to the merit-based civil service by dramatically expanding the role of politics in staffing federal agencies," Greenwald said. "The big lie is that Schedule F will rid the federal workforce of partisanship when in fact Schedule F will insert politics into a frontline workforce that is currently nonpolitical. The American people deserve a federal government that is staffed with people who are committed to national security, public health and economic prosperity for all, not one party's political agenda."

Learn more about NTEU's efforts to protect the merit-based civil service by visiting our <u>Schedule F</u> <u>website</u>.

NTEU represents employees in 35 federal agencies and offices.

Contact Sheila McCormick at Sheila.McCormick@nteu.org or 202-572-5500 ext. 7034

NTEU 800 K St., NW Suite #1000 Washington, DC 20001-8022 nteu-pr@nteu.org X: @NTEUnews