

January 15, 2021

MEMORANDUM

TO: Chapter Presidents and Legislative Coordinators

RE: Legislation Introduced to Stop Schedule F and Repeal the Anti-Union Executive Orders

SUMMARY: Legislation was reintroduced this week to stop the implementation of President Trump's Schedule F policy and to protect federal employee collective bargaining rights.

This week, Representative Gerry Connolly (D-VA), Chairman of the House Oversight and Reform Subcommittee on Government Operations, reintroduced two bills, the Saving the Civil Service Act and the Preventing a Patronage System Act, aimed at addressing President Trump's Schedule F Executive Order (EO). As you know, this EO establishes a new category of excepted service employees, known as Schedule F, and could affect tens of thousands of federal employees, stripping them of their civil service protections and allowing them to be hired and fired at will.

The Saving the Civil Service Act would rescind the president's EO creating Schedule F, prevent the use of funding to implement the EO or any successor EO, return positions and employees that are moved to Schedule F back to their previous designation, and prevent new employees that were non-competitively hired into a Schedule F position from converting to the competitive service. The Preventing a Patronage System Act would prevent any position in the competitive service from being reclassified to an excepted service schedule created after September 30, 2020. The bill would also limit federal employee reclassifications to the five excepted service schedules in use prior to fiscal year 2021 and would block any reclassifications of federal employees to Schedule F pursuant to the EO signed on October 21, 2020.

In addition, Representative Derek Kilmer (D-WA) reintroduced the Protecting Collective Bargaining and Official Time for Federal Workers Act, which would rescind President Trump's three May 2018 anti-union EOs as well as his January 2020 memorandum to the Secretary of Defense delegating his authority to remove the collective bargaining rights of DOD employees.

While President-elect Biden is expected to repeal these EOs and address these issues upon taking office, NTEU applauds the continuing efforts of Congress to protect federal employee union rights.

Anthony M. Reardon
National President