Pursuant to Article 33 of the collective bargaining agreement (CBA) between the General Services Administration (“GSA” or “Agency”) and the American Federation of Government Employees, AFL-CIO (“AFGE” or “Union”), AFGE is filing this institutional grievance against you and all other associated officials and/or individuals acting as agents on behalf of GSA for conducting an unlawful reduction in force (RIF). This unlawful RIF impacted bargaining unit employees beginning on, upon information and belief, February 28, 2025[[1]](#footnote-2) and continuing on March 3, March 5, March 6, and March 7, 2025 through mass termination notices. GSA has failed to remedy these violations of the CBA, regulations and law.

Specifically, GSA violated Articles 2, 4, and 30 of the parties’ CBA; 5 U.S.C §7116(a); 5 U.S.C. §3502; 5 C.F.R. Part 351; 5 U.S.C. §2302(B); 5 U.S.C. §§551-559, 701-706; 5 U.S.C. §552(a); 5 U.S.C. §5596; 5 C.F.R. Part 550; and any and all other relevant articles, laws, regulations and past practices not herein specified. The Union specifically reserves the right to supplement this grievance based upon the discovery of new evidence or information of which it is not presently aware, or otherwise, as necessary.

On January 20, 2025, President Donald J. Trump issued Executive Order 14158, “Establishing and Implementing the President’s ‘Department of Government Efficiency.’” Exhibit 1. Also on January 20, 2025, then-Acting Director of the U.S. Office of Personnel Management (“OPM”), Charles Ezell, directed Agencies to identify all employees on probationary periods, no later than January 24, 2025. Exhibit 2.

The OPM memorandum identified Agency use of administrative leave as an “appropriate action where the **agency component in which the employee works is being eliminated or restructured**, or where the agency weighs **changes to the individual’s role at the agency as part of a workforce realignment**. It also may be appropriate when a new agency manager determines that **the absence of the employee from the office “is in the interest of the agency or of the Government as a whole.**” [*See* 5 C.F.R. § 630.1403(a)(1)]” *Id*. (emphasis added).

OPM and the U.S. Office of Management and Budget (“OMB”) also jointly issued a memorandum on January 20, 2025, providing Agencies guidance on the government-wide hiring freeze effecting President Trump’s January 20, 2025 Presidential Memorandum entitled “Hiring Freeze.” Exhibit 3. Together, these memoranda signaled the start of a government-wide effort long espoused by then-candidate Trump as part of his presidential campaign to significantly reduce the size of the federal workforce.

On January 28, 2025, after unlawfully bypassing the exclusive representative and directly emailing federal employees a “Fork in the Road” offer of deferred resignation, OPM issued guidance to federal agencies relating to the government’s Deferred Resignation Program (“DRP”), noting in Appendix 1 that the DRP was being offered because the “**federal workforce is expected to undergo significant near-term changes**.” Exhibit 4 (emphasis added).

On February 11, 2025, President Trump issued Executive Order 14210, entitled “Implementing the President’s ‘Department of Government Efficiency’ Workforce Optimization Initiative.” Exhibit 5. Executive Order 14210 instructed that “Agency Heads shall promptly undertake preparations to initiate **large-scale reductions in force (RIFs)**” and to develop “**[r]eorganization [p]lans.**” *Id*. (emphasis added). Despite this, the Agency is expected to “quadruple” in size based on a recent GovExec article despite conducting reductions in force across numerous organizations in the Agency. *See* Exhibit 6 (describing GSA’s increase in staffing while continuing to “dramatically downsize” its workforce).[[2]](#footnote-3)

On February 24, 2025, Acting Administrator Stephen Ehikian sent an email to Agency employees with the subject line: Notice of Intent of Reduction in Force. Exhibit 7. In this email, Acting Administrator Ehikian stated in relevant part:

This serves as notice that the agency will be conducting a Reduction in Force (RIF) and is seeking approval from the Office of Personnel Management (OPM) to also obtain a Voluntary Early Retirement Authority (VERA). More information to impacted business units and employees will be forthcoming.

*Id*.

This notice came prior to the Agency’s notification to the Union that it would be conducting a RIF and thus bypassed the Union in violation of the CBA.

The Agency’s March 3, 5, 6, 7, 2025 Reduction in Force notices violated Articles 4 and 30 of the parties’ collective bargaining agreement when the Agency failed to bargain with the Union over implementation of the RIF procedures and failed to provide the Union with retention registers.

On March 3, 5, 6, and 7, 2025, the Agency informed the Union of its intention to implement RIFs in the identified organizations in each notice. On March 6, 7[[3]](#footnote-4), 10, 2025, the Union sent demands to bargain to the Agency over the above-mentioned RIF notices. To date, the Agency has yet to respond to the Union’s demands to bargain and has not met with the Union to negotiate over implementation of the RIF procedures as outlined in Article 30, Section 2 of the CBA.[[4]](#footnote-5) In violating Article 30, Section 2 of the CBA, the Agency has committed an unfair labor practice. Because the Agency has violated 5 U.S.C. § 7116, as set forth above, the Agency also failed to comply with Article 2.

Further, the Agency also violated Article 30, Section 3 of the parties’ CBA when it did not provide the Union with retention registers. Article 30, Section 3 states that “*before* implementing any of the actions specified in Section 1 of this Article which requires the application of RIF procedures, Management will make current its retention registers. Upon request from the Union, Management will provide the Union with a copy of the updated retention register.” (emphasis added). To date, the Agency has not provided the Union with updated retention registers in accordance with the CBA.

The Agency’s February 28, 2025 Reduction in Force Notice violated Articles 4 and 30 of the parties’ collective bargaining agreement when the Agency failed to provide the correct Union notice of the RIF.

With respect to the February 28, 2025 RIF notice, the Agency never notified the Union that it would be conducting a RIF in the 18F, Office of Technology Transformation organization. The Union became aware of the RIF in the aforementioned organization on or about March 1, 2025 when an affected employee contacted the Union and sent the Union a copy of their RIF notice. The RIF notice listed the National Federation of Federal Employees (“NFFE”) as the union to contact to file a grievance, however, the employee had recently received an SF-50 changing their BUS code to AFGE’s nonprofessional bargaining unit (1260) effective February 23, 2025. To date, the Agency has never provided the Union notice that it is conducting a RIF in the 18F, Office of Technology Transformation organization, thus violating Article 30, Sections 2 and 7 of the CBA.

The Agency violated its own policies when it issued the February 28, March 3, 5, 6, and 7, 2025 RIF Notices.

Additionally, the Agency has violated its own policies with the aforementioned RIF notices. Specifically, the Agency has violated HRM 9351.2 CHGE 1, May 19, 2021 – GSA Order, Establishment of Competitive Areas. This policy *requires* that competitive areas are to be established based on the assigned organization of the position and the geographic area (emphasis added). The Agency has not established competitive areas by the assigned organization of the position nor the geographic area. The Agency has also violated HRM 9330.3, May 7, 2020 GSA Order, Career Transition Plans by not providing career transition assistance to affected bargaining unit employees

Remedies Requested

The Union requests the following remedies:

* To fully comply with the parties’ CBA and the Statute, as well as any other laws, rules, regulations, agency policies, and past practices
* Make Union and employees whole for violations and return to *status quo ante*
* Rescind the unlawful RIF notices and return employees to duty/make them whole unless/until a proper lawful RIF is conducted
* Bargain with union per its (date) demand
* Issue an electronic notice to bargaining unit employees that the Agency committed an unfair labor practice
* Any other relief deemed appropriate by an arbitrator or other third-party neutral

1. As discussed later in this grievance, the Union was never properly notified of the February 28, 2025 RIF notice issued to employees in the 18F, Office of Technology Transformation organization. [↑](#footnote-ref-2)
2. “GSA to ‘quadruple’ in size to centralize procurement across the government”, March 21, 2025, <https://www.govexec.com/management/2025/03/gsa-quadruple-size-centralize-procurement-across-government/403953/> [↑](#footnote-ref-3)
3. The Union filed demands to bargain for the March 5 and 6, 2025 RIF notices on March 7, 2025. [↑](#footnote-ref-4)
4. The Agency agreed to provide the Union with a briefing over the RIF notices and scheduled it for Friday March 28, 2025. The Agency postponed the scheduled meeting on the morning of March 28. [↑](#footnote-ref-5)