



AFGE National Security Exclusions – All Unit FAQ

Q: Do we still have a union?

A: Yes. Your union still exists and is fighting hard. These attacks are happening because AFGE members are effective at defending jobs and public services. We have faced similar attacks before and won back rights through litigation, organizing, and public pressure. If we stand together, we will come out stronger again.

Q: The agency says we do not have a contract. Is that true?

A: Our position is that existing collective bargaining agreements remain in force unless a final, lawful determination says otherwise. Courts are still deciding key issues. Management can claim there is no contract, but that does not make it so. Keep enforcing your rights, meet all deadlines, and document refusals. AFGE is fighting in court, in Congress, and in the public square.

Q: Are we still being represented while these attacks are pending?

A: Yes. AFGE still represents members. Representation includes disciplinary and adverse action cases in any agency grievance forums, MSPB, EEO cases, workers' compensation claims, and more. We are 100% still representing each other!

Q: How do we encourage members to maintain membership right now?

A: The attack on your union is an attack on your mission and on the services you provide. Dues directly fund the legal and organizing fight to overturn unlawful actions and to protect jobs. Ask every member to move to AFGE E Dues so the union cannot be defunded by payroll changes. Share a clear join link such as joinafge.org and include simple step by step instructions.

Q: Are we challenging Executive Order 14251 and follow on exclusions?

A: Yes. AFGE is in active litigation challenging EO 14251 and subsequent exclusions. See AFGE's updates at afge.org/lawsuitupdate and operational guidance at afge.org/AFGEstrong. We are in this to win!

Q: Should Locals or Councils concede that our contract has been terminated?

A: No. Do not concede termination. Continue to grieve violations, demand information, and meet timelines under your agreement. Use standard language noting that the union does not agree that the agreement is terminated and that all actions are taken under protest and with a reservation of rights.

Q: Where should we send agency directives and exclusion notices?

A: Forward all written instructions, memoranda, HR screens, and notices related to exclusions or contract status to EOnotices@afge.org. Include your Local number, agency, facility, contact information, and a short description of the issue.



Q: What immediate steps should my Local take?

- A:**
1. Secure all union files, equipment, and records.
 2. If ordered to vacate office space or end official time, comply under protest and document the directive. Seek alternative space or virtual operations.
 3. Switch union communications to private email and phones. Maintain clean records.
 4. Move members to AFGE E Dues and continue new member sign ups.
 5. Centralize evidence. Save all memoranda, emails, HR system notices, and directives.

Q: What is the impact on our bargaining unit status?

A: Agencies are asserting that employees in units covered by the exclusions are no longer in bargaining units or that agreements no longer apply. AFGE does not concede this. Some employees may remain covered if an agency head certifies that Chapter 71 can apply to specific categories or subdivisions. Check your unit lists and any agency certifications. Keep filing ULPs and grievances, and bargain changes where coverage remains.

Q: Why did some employees' BUS codes change to a non represented code such as 8888?

A: Many agencies have unilaterally changed BUS codes to indicate "ineligible for representation." AFGE disputes these changes and is challenging the underlying actions. Treat BUS code changes as management's position, not an agreed legal conclusion. Preserve rights by continuing to request representation, grieve violations, and document refusals.

Q: Can employees still exercise Weingarten rights and other Chapter 71 rights?

A: Employees should continue to request union representation in investigatory meetings and formal discussions. If the agency refuses based on an exclusion, take detailed notes, follow up in writing immediately after the meeting, and notify the Local, Council, and AFGE for case guidance. Where a portion of the workforce remains covered, continue to enforce all rights for those employees and file ULPs for denials.

Q: What happens to pending grievances, arbitrations, and other cases?

A: Review AFGE guidance for pending and new disciplinary and performance actions, grievances, and arbitrations. For matters that clearly remain covered, proceed under your agreement and applicable articles. Where management claims there is no coverage, consider transferring to available forums such as agency grievance procedures, MSPB, or EEOC, and ask arbitrators to hold cases in abeyance while litigation proceeds. If an arbitrator issues a cancellation fee because management refused to participate, argue that management is responsible for the fee.

Q: What should we say publicly about these exclusions?

A: Use simple, consistent messages. The exclusions are unlawful. They silence frontline experts who keep the country safe and deliver critical services. We will fight in court and in our communities until workers' rights are restored. Invite the public and allies to stand with you and to contact elected officials in support of restoring collective bargaining rights.