

REPEAL OF UNION-BUSTING EXECUTIVE ORDERS TALKING POINTS

Main points

1. President Biden's Jan. 22 action to repeal three union-busting executive orders issued by the previous president marks a new day of hope for federal employees. This early action by the Biden administration demonstrates a strong commitment to safeguarding the legal rights and protections that Congress has specifically guaranteed to the 2 million public-sector employees across the country who work for the federal government.
2. The three illegal executive orders issued by the previous administration in May 2018 attempted to eliminate collective bargaining, due process, and workplace representation rights for federal employees. Several federal agencies, including the Veterans Affairs and Education departments and the Environmental Protection Agency, used the executive orders as cover for illegally revoking existing union contracts and imposing unilateral management edicts on workers.
3. President Biden's order instructs agencies to suspend, revise, or rescind any actions that were taken in response to the now-revoked orders – including actions to limit or eliminate official time, evict unions from their office space, or gut employees' grievance and arbitration rights.
4. We have been encouraged by the immediate steps taken by some agencies to roll back the assault on workers' rights. As we awaited formal guidance from the administration, we advised our local and council leaders to submit formal requests to their agencies to revert to contracts that were issued before the rescinded EOs took effect and to work together to ensure the removal of any language or actions pertaining to the rescinded orders.
5. Now that the Office of Personnel Management has issued guidance on implementing President Biden's order, we look forward to working with every agency to quickly return to the bargaining table to negotiate contracts that fully restore all of the legal rights and protections that Congress has specifically guaranteed to federal workers.

AFGE's guidance to locals and councils

- Submit a demand to bargain over removing any language from existing collective bargaining agreements that effectuate the anti-worker executive orders
- Propose returning to contract language approved prior to implementation of the anti-worker executive orders until new language can be bargained.
- File an information request for all employees disciplined, suspended, or removed under the auspices of the previous EOs as part of the Biden administration's call to review actions taken under the previous orders.
- Prepare to bargain back all the rights taken away under the previous orders and bargain over permissive subjects, which are allowed under President Biden's order, including but not limited to staffing, technology, and methods and means of performing work.