

Immediate Reinstatement of All Wrongfully Terminated Federal Employees

WHEREAS, civil servants play a critical role in ensuring government functions, safeguarding public health, protecting the environment, administering benefits, and more; and the current administration's mass firings not only violated merit-based employment principles but also disrupted lives, destabilized agencies, and threatened the foundational norms of a professional, nonpartisan federal workforce, risking the transformation of civil service into a political loyalty test; and

WHEREAS, the current administration, in conjunction with the Department of Government Efficiency (DOGE), has faced multiple lawsuits and legal challenges regarding the mass termination of federal workers, including probationary employees and those in diversity, equity, and inclusion roles; and federal judges have ruled many of these firings unlawful, ordering the reinstatement of thousands of workers; and

WHEREAS, a federal court ruled that the Office of Personnel Management (OPM), under the current administration, acted illegally by ordering mass firings based on pretextual claims of poor performance; and judges have ordered the reinstatement of thousands of probationary federal workers, with one ruling characterizing the actions as a "dismantling" of government agencies; and roughly 25,000 terminated employees were impacted by rulings requiring the correction of personnel records, according to independent investigative reports; and

WHEREAS, firings aimed at specific positions, including those conducting diversity, equity, and inclusion work, were challenged as retaliatory, according to reports produced by the Brookings Institution; and, for example, a U.S. District Judge intervened to allow 19 former DEI employees, dismissed under DOGE guidance, to be reassigned rather than fired, calling the original terminations "arbitrary and capricious"; and

WHEREAS, the Office of Special Counsel (OSC) found that the terminations failed to follow legally required procedures; and fired Department of Justice officials and independent inspectors general have filed lawsuits alleging violations of federal statute and asserting that they were removed without cause, in violation of civil service protections; and

WHEREAS, wrongfully terminated federal employees may seek reinstatement through the Merit Systems Protection Board (MSPB) and reinstatement eligibility rules; and the MSPB has issued multiple decisions halting terminations and reinstating thousands of federal workers; and these rulings represent major victories in protecting America's nonpartisan civil service from political interference and mass firings orchestrated under the so-called DOGE; and

WHEREAS, a March 2025 federal court order required the reinstatement of thousands of probationary federal employees who were , red due to unauthorized OPM guidance, although the Supreme Court later paused that order, leaving the matter in flux.

THEREFORE, BE IT RESOLVED, that the National Association for the Advancement of Colored People (NAACP) calls for the immediate reinstatement of all wrongfully terminated federal employees in order to restore fairness, protect workers'rights, and defend the core principle that federal employees should be judged on the quality of their work, not on perceived political loyalty.

BE IT FURTHER RESOLVED, that the NAACP supports multiple pathways to achieve reinstatement for those wrongfully terminated, including but not limited to the following legislative and administrative remedies:

- Legislation ì The MERIT Act, introduced in Congress, would reinstate employees affected by these terminations and provide back pay. The Protect Promoted Workers Act would require the current administration to reinstate federal employees who were placed on probation due to promotion and were subsequently , red in the purge of probationary employees, and it would provide retroactive pay for those wrongfully terminated.
- Administrative Remedies ì Reinstatement processes for federal employees who believe they were wrongfully terminated include (A) MSPB appeals, through which employees may , le an appeal with the Merit Systems Protection Board to compel agencies to reverse improper actions and award back pay; (B) reinstatement eligibility through OPM, which allows former federal employees with career or career-conditional status to apply for jobs open to status candidates upon providing a separation SF-50; and (C) EEOC complaints, where an employee who believes the termination was discriminatory may , le a complaint with the Equal Employment Opportunity Commission.

BE IT FINALLY RESOLVED, that the time limits for all terminated federal employees should be expanded to three years (36 months), including the , ling deadlines for appeals with both the MSPB and EEOC; and that employees who worked for the government for more than three years should have no time limit on when they can appeal and be rehired, while those with less than three years of service should have a three-year window as described above.