



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

The Director

MEMORANDUM

TO: Heads and Acting Heads of Departments and Agencies
FROM: Charles Ezell, Acting Director, U.S. Office of Personnel Management
DATE: February 7, 2025
RE: Guidance on Revocation of Executive Order 14003

On January 20, 2025, President Trump signed Executive Order 14171 entitled, “*Restoring Accountability to Policy-Influencing Positions Within the Federal Workforce*” (“*Restoring Accountability*”). *Restoring Accountability* revoked Executive Order 14003 of January 22, 2021 (*Protecting the Federal Workforce*).¹ Executive Order 14003 rescinded several executive orders President Trump signed that regulated the federal workforce. The revocation of Executive Order 14003 order does not immediately reinstate those orders.² However, in light of *Restoring Accountability*, agencies should return to the policies of the first Trump Administration on discipline and unacceptable performance, as discussed below, as soon as practicable.

I. Reversing Policies on Discipline and Unacceptable Performance

Section 6 of *Restoring Accountability* notes that “any rules, regulations, guidance or other agency policies effectuated under Executive Order 14003 shall not be enforced.” It further notes that “[t]he heads of each executive department and agency shall review existing agency actions relating to or arising under section 3(e)(v) and 3(f) of Executive Order 14003 (relating to suspending, revising, or rescinding revisions to discipline and unacceptable performance policies) and, as soon as practicable, suspend, revise, or rescind such actions identified in the review.” Since Executive Order 14003 required agencies to rescind changes made to discipline and unacceptable performance policies (including those contained in collective bargaining agreements) during the first Trump Administration, *Restoring Accountability* now requires agencies to reverse these changes and return to the policies of the first Trump Administration.

Agencies should report to OPM no later than March 7, 2025: 1) all policies (including those contained in collective bargaining agreements) enacted, modified, or repealed pursuant to

¹ President Trump also signed an Executive Order entitled, “*Initial Rescissions of Harmful Executive Order and Actions*,” which identified Executive Order 14003 as being rescinded.

² Executive Order 13836 of May 25, 2018 (*Developing Efficient, Effective, and Cost-Reducing Approaches to Federal Sector Collective Bargaining*); Executive Order 13837 of May 25, 2018 (*Ensuring Transparency, Accountability, and Efficiency in Taxpayer-Funded Union Time Use*); and Executive Order 13839 of May 25, 2018 (*Promoting Accountability and Streamlining Removal Procedures Consistent With Merit System Principles*).

Executive Order 14003 and 2) which such policies have been repealed, modified, or enacted pursuant to *Restoring Accountability*.

II. Reversing Policies on Collective Bargaining on Matters Covered by 5 U.S.C. § 7106(b)(1)

Section 4 of Executive Order 14003 provided that “[t]he head of each agency subject to the provisions of chapter 71 of title 5, United States Code, shall elect to negotiate over the subjects in 5 U.S.C. § 7106(b)(1) and shall instruct subordinate officials to do the same.” Pursuant to *Restoring Accountability*, agency actions to negotiate over the subjects in 5 U.S.C. § 7106(b)(1) should cease immediately.

To the extent agency heads instructed subordinate officials to negotiate over such matters, agency heads should immediately instruct subordinate officials to refrain from negotiating over such matters. If any collective bargaining agreement (CBA) incorporated provisions requiring agency officials to negotiate over such matters, agencies should identify those provisions and, as appropriate and consistent with applicable law, engage impacted unions, as soon as practicable, to suspend, revise, or rescind such requirement in these CBA provisions. Agencies should report to OPM no later than March 7, 2025 on whether they have taken these steps.

Please send the reports requested in this guidance memorandum to employeeaccountability@opm.gov.

cc: Chief Human Capital Officers (CHCOs), Deputy CHCOs, Human Resources Directors, and Chiefs of Staff.