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A coalition of unions filed an amended complaint to U.S. District Judge Judge Paula Xinis Wednesday arguing that the Trump administration's Schedule Policy/Career regulation violates federal law. MARK WILSON / GETTY IMAGES

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# Employee groups revive lawsuit to block Schedule F

A coalition of labor unions and other employee advocacy groups say President Trump's plan to convert around 50,000 federal workers to at-will employees violates federal law, the Constitution and threatens to upend the merit-based civil service.

ERICH WAGNER | MARCH 6, 2026

SCHEDULE F   UNIONS   CIVIL SERVICE



**A** coalition of federal employee unions and other employee advocacy groups this week renewed their effort to block the implementation of President Trump's plan to convert tens of thousands of federal workers into at-will employees who can be fired for virtually any reason, arguing that Trump exceeded his authority and violated federal law in advancing the policy.

On Trump's first day back in office last year, he signed an executive order [reviving Schedule F](#), the abortive 2020 proposal to move feds in "policy-related" positions out of the competitive service and stripping them of most civil service protections, and renaming it "Schedule Policy/Career." [Final regulations](#) implementing the policy are set to take effect next week, after which Trump is expected to sign an additional executive order formally converting the first tranche of positions into the new job category. Officials have estimated around 50,000 employees will be targeted for conversion.

On Wednesday, the American Federation of Government Employees, the American Federation of State, County and Municipal Employees, the AFL-CIO, Public Employees for Environmental Responsibility and Democracy Forward filed an [amended complaint](#) in their lawsuit challenging Schedule Policy/Career, which began in January 2025 in the U.S. District Court for Maryland, incorporating new details that arose in the 14 months that the administration has spent preparing to launch the new excepted service job category.

The groups argue that the imposition of Schedule Policy/Career would amount to a violation of federal statutes, the Constitution and the Administrative Procedure Act's ban on arbitrary and capricious decision making.

"This profoundly troubling rule advances efforts to politicize policymaking by removing scientists and experts and inserting, instead, those who will follow the political lead of their superiors," said Tim Whitehouse, PEER's executive director. "It would allow political leaders to reach deep into federal agencies to remove and replace unknown and unheralded civil servants whose work is critical to keeping our country safe but whose viewpoints may run afoul of the prevailing political narrative of the day."



The amended complaint takes particular aim at the Office of Personnel Management's broad definition of "confidential, policy-determining, policy-making or policy-advocating" jobs, which the unions and employee groups said conflicts with Congress' usage of the term across four different sections of the U.S. Code to refer exclusively to political appointees.

"Congress has also used this phrase in ways that only make sense if it applies to political appointees and not career employees," the lawsuit states. "Those occupying 'confidential, policy-determining, policy-making or policy-advocating' positions are statutorily excluded from student loan repayment programs, bonus awards, recruitment, retention or relocation incentives, payments for academic degree training, and local government exchange programs. Commenters [on the proposed rule] also pointed to these statutes. And, again, OPM failed to meaningfully consider them."

AFGE National President Everett Kelley said in a statement Wednesday that if allowed to stand, Schedule Policy/Career could help usher in a new era of cronyism in Washington.

"If the Schedule Policy/Career rule is allowed to move forward, it will amount to one of the largest acts of political corruption in American history," he said. "Tens of thousands of experienced, nonpartisan civil servants will be ushered out of government and replaced by political loyalists whose main qualification is their willingness to serve a political agenda rather than the law or the American people. Such a move will supercharge waste, abuse of authority and retaliation inside our federal agencies, where decisions about who gets help and who gets hurt will be driven by politics, rewarding friends and punishing enemies of the administration in power."

The plaintiffs in this case have until March 13 to respond to a motion filed last April by the Trump administration to dismiss the case.



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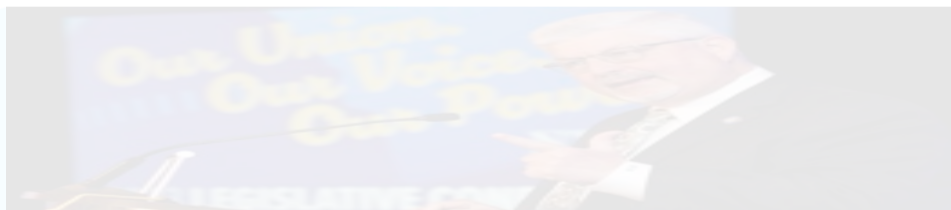
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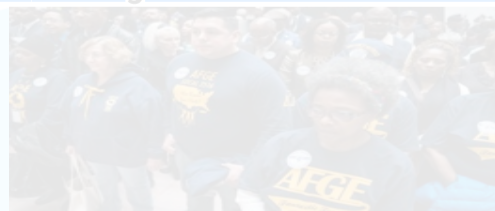


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