

#UnionsMATTER



National Federation of Federal Employees
Forest Service Council
International Association of Machinists and Aerospace Workers



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Forest Service Bargaining Unit Employees,

Stand strong. Stay the course.

We are not even ten days into a new presidential administration and the avalanche of Executive Orders, OPM Directives, and assorted paraphernalia has not stopped. So much to read, so much to digest, and the information is not nice.

America is being attacked from within and federal employees are just one of many targets. We are witnessing the wholesale dismantling of not just the federal government, but American society.

This cannot stand.

As federal employees we must be resolute and honor the oath to the US Constitution we all took when we came aboard as federal employees to serve the American People, and everyone subject to the Constitution:

An individual, except the President, elected or appointed to an office of honor or profit in the civil service or uniformed services, shall take the following oath: "I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God." This section does not affect other oaths required by law.

- ([Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 424.](#))

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National Federation of Federal Employees – Forest Service Council (NFFE-IAMAW, AFL-CIO)

Most Forest Service Bargaining Unit Employees are protected by the National Federation of Federal Employees (NFFE-IAMAW, AFL-CIO) Forest Service Council [Master Agreement](#). By law, the Master Agreement supersedes any Executive Order issued by the current administration. [Here is the relevant language from the Labor Statute § 7116](#):

For the purpose of this chapter, it shall be an unfair labor practice for an agency-
(7) to enforce any rule or regulation (other than a rule or regulation implementing section 2302 of this title) which is in conflict with any applicable collective bargaining agreement if the agreement was in effect before the date the rule or regulation was prescribed;

Only new legislation, passed by Congress and signed by the president, can require a change in the Master Agreement. If this were to happen, management is required to come to the table and renegotiate with the Union before they implement any changes.

However, all of this assumes the president, the Department, and agency management all are aware of, and will honor, their own Constitutional sacred oaths, follow the law, and legal precedent. If management enforces any rule or regulation in violation of our Union contract, this is unfair labor practice and the Union can file charges against the agency.

Do Not Poke The Bear!

It is critical to understand if you are instructed to do something that isn't illegal or unsafe, you should comply with instruction first and contact the Union to file a formal complaint against the agency. This will help protect you from claims of insubordination.

Be aware the administration is walking on thin ice. It is issuing directions and orders that may not just be illegal under law, but unconstitutional. It will take the courts to ultimately decide many issues.

Know Your Rights!

It is more important than ever to know and understand your rights in the contract! What follows are a few hot topics affecting Bargaining Unit Employees:

Are You Protected? Check Your BU Status

Are you covered by the NFFE-FSC Master Agreement? Verify your bargaining unit (BU) status:

1. Go to **eOPF** and download your current **SF-50**.
2. Look at Box 37, which is the bargaining unit status code. **If Box 37 says 2009, you are covered by the NFFE-FSC Master Agreement.**
 - If your bargaining unit status code says **7777**, you are not in an organized area and not protected by any federal union contract.
 - If your bargaining unit status code says **8888**, you are excluded by law from representation by any federal union.
 - If your bargaining unit status code is not one of the numbers above, you may be covered by other federal unions.

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Return to Office - Telework and Remote Work

[The Presidential Action – Return to In-Person Work](#) (20 January 2025) – requires agencies to “ ... *take all necessary steps to terminate remote work arrangements and require employees to return to work in-person at their respective duty stations on a full-time basis, ...*”

This is further discussed in the OPM Memo dated 22 January 2025 - [Guidance on Presidential Memorandum Return to In-Person Work](#).

NFFE-FSC BUEs are protected under the [Master Agreement](#), Article 31: *Telework and Remote Work*. **Your documented Telework or Remote Work authorization remains in force, regardless of the Presidential Action and OPM Guidance.**

Union Recommendation – Telework and Remote Employees: Make sure you have documentation proving you are a telework or remote employee. If the documentation only exists on a website, download the document and/or take a screenshot of the authorization as soon as possible. Do not assume the online documentation will always be there.

Union Recommendation - Telework Employees: As a telework BUE, your formal duty station is located in a government facility. Your supervisor is responsible for ensuring you have a workspace. If you are directed to return to the office by your supervisor make sure the request is in writing. For those who may share a government workspace, it is your supervisor’s responsibility to address and fix any issues when more than one BUE is required to be in the office at the same time in the same workspace.

Union Recommendation – Remote Work Employees: As a remote work BUE your formal duty station is your remote location. You do not have workspace at a government facility. Your supervisor is responsible for ensuring you have a workspace in a government facility.

Ask your supervisor (in writing!) where do you return to the office? What office? This is especially critical if you physically live in one place that is not the same geographic area as your supervisor and their government office.

Do not complain or argue with management about this. When you return, document your return, especially concerning the office location, physical workspace, and your ability (or lack thereof) of completing your work. Save your documentation to your private email and send a copy to your Local Union representative. Your Union wants to hear from as many BUEs as possible, with as much details as possible.

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OPM Resignation Email

On 28 January 2025, [OPM issued an email notice government-wide offering every federal employee who received it](#), a very limited time to decide to resign from federal service. **The email does not offer any buyout monies nor severance pay, despite what you may hear from the media and other places.**

- Typical buyouts under the [Voluntary Separation Incentive Payment Authority](#) offer employees lump-sum payments up to \$25,000 as an incentive to voluntarily separate. **The email does not offer any buyout monies.**
- Severance pay under [5 U.S. Code § 5595 - Severance pay](#), allows up to a full year of basic pay. **The email does not offer any severance pay.**

This administration is not paying you to leave federal service. You remain a federal employee on administrative leave until the end of the fiscal year. Being on admin leave means you could be directed back to work, even train your replacement, until you are officially no longer a federal employee after September 30, 2025.

Union Recommendation: The Union strenuously recommends you do not take the bait. Do not submit your resignation to OPM. There are no buyouts. There is no severance. There is no guarantee you will receive your retirement benefits (pension and TSP) when you really do retire.

You choose to resign, or retire, on your own terms and your own timeline. Do not allow yourself to be bullied into doing something that will have life-changing effects upon you and your family.

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Protect Yourself

Acquire a Personal Email Account Now!

You may already have a personal email account, or more than one. Acquire a new email account and use it strictly for saving information about your job. For example, always forward any management orders to your personal account.

Access Your eOPF

Access your eOPF as soon as possible. Download and save all your documents to a personal storage place. You may have cloud storage already, or are considering it. Be aware it is not a wise choice to store eOPF documents in the cloud. A personal hard drive under your total control is always the best choice.

Document Everything!!

Document every communication you have with your supervisor. Ensure all directions and orders presented to you by your supervisors and managers, etc., are always in writing. If your supervisor cannot or will not do that, summarize the oral directions with as much detail as possible in an email back to your supervisor. End your email with language similar to this:

*This email summarizes the oral direction you gave to me. If any of the above is not accurate, please respond in writing via email with any clarification. If I do not hear from you by close of business **[insert date]**, I will infer my summarization in this email is an accurate and true direction you orally provided to me on **[insert date AND time]**.*

Stay Informed

Social media is filled with rumors, half-truths, and outright lies. There is considerable disinformation posted as well. Please do not get all the information about the world from social media.

Yes, traditional media has its problems as well. However, there are many traditional media outlets that still strive for accuracy, honesty and the truth.

Do not be afraid to read/watch traditional media with views you do not support. The more media outlets you obtain your information (good and bad) the greater chance you will find out what is really going on.

Contact the Union!

We are here for you! <https://www.nffe-fsc.org/>

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