



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



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NFFE-FSC Support Circular 04: Update for Terminated Probationary Employees

20 March 2025

In addition to the NFFE grievance and the MSPB stay **discussed in our last update**, two federal judges determined the mass terminations to be illegal and **ordered the reinstatement** of all terminated probationary employees. Additionally, one of the judges declared that placing reinstated employees on administrative leave would not meet the intent of the order, and that agencies should return terminated employees to full duty status. The government has filed appeals contesting the orders.

On March 17, 2025, the Agency began reaching out to terminated probationary employees regarding their reinstatement. The email stated that all terminated employees who were in pay status at the time of their termination would be reinstated effective March 12, 2025, and placed on administrative leave, and would receive back pay from the date of their termination. The Agency stated that terminated PSEs who were not in pay status at the time of their termination should be reinstated on the date their supervisor had originally planned to bring them back into pay status.

On March 19, 2025, the **USDA issued a status update** on the reinstatement of terminated probationary employees, stating that “the probationary employees have been restored to the respective employment status they each held prior to their termination,” and that “USDA is paying each employee any commensurate back pay, from the respective date of termination.”

Even though the Agency is taking steps to follow court orders and reinstate probationary employees, NFFE does not plan to withdraw our grievance on behalf of the terminated employees. Our grievance asks for additional remedies for terminated employees beyond the reinstatement and back pay ordered by the courts, and continuing with the grievance offers us a backup to enforce employee reinstatement if the court-ordered reinstatements are successfully appealed by the administration.

The Agency's attempts to reinstate terminated employees have been inconsistent and poorly communicated, and the Union recognizes the negative impacts of this poor communication on our BUEs, and we are doing our best to keep up with constantly changing Agency direction and mitigate negative impacts to BUEs.

If you are a terminated probationary employee and have not received communication about your reinstatement from the Agency, you should reach out to your supervisor and local union representative immediately. You should also reach out to your local union rep if you have additional questions or hardships related to your reinstatement.

You may also reach out to [**hannah.coolidge.nffe@gmail.com**](mailto:hannah.coolidge.nffe@gmail.com) for local union contact information and questions about the NFFE grievance. (Note that the deadline for responding to our grievance survey has passed, and we are no longer able to add additional names to the list of grievants.)

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