Feds, advocates celebrate cancellation of Schedule F

By FEND staff

THE BIDEN ADMINISTRATION has announced the cancellation of “Schedule F,” a program pushed by the previous administration that in the name of efficiency proposed to remove appeals rights of potentially hundreds of thousands of federal employees.

Feds, and many advocates and analysts in the federal workforce community, are breathing a collective sigh of relief at news of the reversal.

“President Joe Biden is to be commended for rescinding a Trump administration executive order that would have undermined the merit-based, nonpartisan civil service system, eviscerated employee due process rights and replaced professionals with partisans,” Max Stier, CEO of the nonpartisan good government group, the Partnership for Public Service, said in a statement.

Had it been implemented, Schedule F “would have taken us back to the corrupt and failed system of the 1880s,” Stier said. “It represented an assault on our civil service, the core to our system of government and democratic institutions.”

Numerous other federal employee organizations have offered, like PPS’s chief, unusually sharp criticism of the now-scuttled plan.

Indeed, the nonprofit Project on Government Oversight recently stated that Schedule F would bring not greater efficiency, but “would have taken us back to the corrupt and failed system of the 1880s,” Stier said. “It represented an assault on our civil service, the core to our system of government and democratic institutions.”

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HAS ANYBODY EVER told you could make a lot more money on the outside? That somebody in the private sector—maybe a government contractor—really knows how to treat a person like you? Not like a cheap, faceless bureaucrat but as a human being with skills, talent and feelings.

Maybe the retirement package wouldn’t be as good as CSRS or FERS. More likely there may not be a retirement package. But with the bigger bucks you would be earning you could do it yourself with SEP-IRA and more (hopefully) money to invest or save. And at a place which wasn’t so uptight about rules and restrictions. And with a sometimes whacky 535-member board of directors as erratic as the U.S. Congress. And a CEO who, in theory, could be booted almost anytime with or without a multi-million dollar golden parachute.

So what if you get your wish? Would that make you happy? Or is there a dark side to leaving the government?

Years ago, under President Clinton, many of the government’s
Criticism of Schedule F had spread to other major stakeholders, representing not just the rank-and-file but also management groups. They too expressed strong disapproval of the Schedule F plan—and pushed the new administration to get rid of it.

President Trump had issued the Schedule F EO last October—stating that, when implemented, the move would increase “accountability” in part by removing job protections and allowing government leaders to remove many employees “without going through a lengthy appeals process.”

President Biden reversed Schedule F on Jan. 22. For details, see the archived order at: https://trumpwhitehouse.archives.gov/presidential-actions/executive-order-creating-schedule-f-excepted-service/.

The incoming White House also rescinded three other key executive orders issued by the previous administration that were widely viewed as harmful to federal employees.

The erased orders include E0 number 13957, which had created Schedule F—as well as other EOs that diminished federal employee employee input, including EOs 13836, 13837, and 13839. These earlier orders, issued in 2018, were on track to limit feds’ ability to collectively bargain—including revoking government financial support for union functions paid for under “official time.”

The American Federation of Government Employees (AFGE) called the new administration’s reversals “decisive action to undo these illegal union-busting executive orders.”

“President Biden’s action to restore workplace rights and protections for federal employees, along with his commitment to partner with labor unions as a good governance ally, means we can hit the ground running to help his administration deliver on vital priorities for the American people,” Everett Kelley, president of the AFGE, said. “Federal workers can once again have confidence in their president’s commitment to the apolitical civil service, to standing up for workers’ rights, and to upholding merit system principles that safeguard against political interference in employment decisions.”

The National Treasury Employees Union (NTEU) also expressed relief that Schedule F and other anti-union EOs had been scuttled.

“During the campaign, then-candidate Biden promised he would tear up those three anti-worker orders from 2018 because he recognized how harmful they were and today he kept that promise, much to the relief of frontline federal employees around the country,” said NTEU President Tony Reardon.

“Taken together, those four orders [including Schedule F] were an existential threat to our civil service because they put us on the path backward to the spoils system and diminished the ability of federal employees to have a meaningful voice in the workplace,” Reardon said.

“By revoking the orders, the Biden administration upholds the 138-year-old standard that rejects patronage and makes sure the people who carry out the day-to-day business of government are nonpartisan, nonpolitical and highly qualified for the task,” Reardon concluded.

“This is a win for American democracy,” announced Randy Erwin, president of the National Federation of Federal Employees (NFFE). “The importance of the executive actions taken today by President Biden cannot be overstated regarding the return of government accountability and transparency back to the American public.”

Criticism of Schedule F had spread to other major stakeholders, representing not just the rank-and-file but also management groups. They too expressed strong disapproval of the Schedule F plan—and pushed the new administration to get rid of it.

The Senior Executives Association (SEA), which speaks for high-level federal government managers—those who putatively were to benefit from Schedule F and an easier-to-fire workforce—also had attacked the planned new classification, focusing dire warnings on one small agency, the Office of Management and Budget (OMB), where Schedule F was to be first applied.

“Career staff at OMB have served Presidents of both parties by providing them with the best advice and help to achieve their priorities,” SEA stated earlier this month. “Every President deserves the most objective and informed analysis from experts in how government works. This requires a cadre of experienced people willing to ‘speak truth to power’ while remaining loyal to their responsibility to advance the goals of the current Administration.”

“The [Schedule F plan] would in our view … fundamentally damage one of the central institutions of our government, and would harm the ability of the Biden Administration and any future Administration of either party to govern effectively,” SEA concluded in an analysis. “We recommend that this request not be implemented.”

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WITH NEW ADMINISTRATION FEDS GET MASK MANDATE, DIVERSITY TRAINING REVERSAL

PRESIDENT JOE BIDEN’S Day 1 to-do list includes several federal workforce policies, although it notably does not include the reversal of Trump’s controversial Schedule F executive order.

Feds can expect an executive order requiring masks and physical distancing for federal employees and contractors, and in all federal buildings and on all federal land, according to a release from the Biden-Harris transition team.

The first day is also expected to include an order that prohibits workplace discrimination based on sexual orientation and gender identity in the federal government.

Biden is planning on reversing various Trump-era policies. The White House Chief of Staff is set to issue a regulatory freeze memo pausing new, “midnight regulations” to give the new administration can review them. The new president is also set to reverse some Trump-era regulatory process executive orders.

Biden is also going to reverse an executive order created by his predecessor that severely constrained diversity and inclusion training for federal employees, grant recipients and contractors.

Not on the first day agenda: the reversal of Trump’s controversial executive order that created a new category of federal employee not covered by traditional civil service protections called Schedule F.

The Office of Personnel Management recently approved the reclassification of 400 positions in the Office of Management and Budget, according to a letter from Reps Carolyn Maloney (D-N.Y.), chair of the House Oversight and Reform Committee, and Gerry Connolly (D-Va.), chair of the Subcommittee on Government Operations. The Government Accountability Office informed them about the development last week.

Although it doesn’t appear like the reclassification of those positions will be fully put into place today, the exact administrative process for moving the positions back to the schedules they were previously classified under is unclear.

Employees at OMB will likely be able to continue reporting to work as usual, said Jason Briefel, the director of policy and outreach at the Senior Executives Association.

As far as the omission of the order’s reversal from Biden’s day-one priorities goes, the “primary reason to keep it open for any amount of time” would be to “try to reverse any of the impact and “deal quickly with any employees who may have been reclassified,” Briefel said.

The new schedule takes away many of the hiring and firing protections typically afforded to civil servants. Good governance groups, public sector unions and lawmakers have lobbied for the new administration to reverse the order. Democratic lawmakers have pursued various means to block the implementation of the order, most recently via a new bipartisan bill introduced last week.

The recension of a series of 2018 executive orders centered on public sector unions and discipline procedures for feds also didn’t make the schedule for the first day.

Biden previously has spoken about his intentions to reverse these 2018 orders, writing in an answer to a presidential candidate questionnaire from the American Federation of Government Employees that he would “restore federal employees’ rights to organize and bargain collectively, restore their right to official time, and direct agencies to bargain with federal employee unions over non-mandatory subjects of bargaining” on his first day in office.

Biden’s first-day blitz of executive orders, memos and directives does include the provision of an ethics executive order for executive branch appointees.

On Trump’s last day in office, the outgoing president issued an executive order loosening ethics requirements for his former employees. The new order released administration members from an ethics pledge they signed near the beginning of his term. The pledge included a five-year lobbying ban for employees’ former agencies.

The Biden transition team did not respond to a request for comment about what the Biden-Harris team plans to do about Schedule F.

MILEAGE REIMBURSEMENT RATES FALL
FOR THE SECOND year in a row, federal employees will get less money for their mileage reimbursements.

The General Services Administration has reduced the reimbursement rate for feds driving privately owned vehicles for official work travel to $0.56 per mile this year down from $0.575 per mile in 2020 and $0.58 per mile in 2019.

If an employee uses an authorized government vehicle, they will be reimbursed $0.16 per mile in 2021, a decrease from the $0.17 per mile last year and $0.20 per mile in 2019. Feds traveling by motorcycle will be reimbursed at a rate of $0.54 per mile, compared with $0.545 per mile last year and $0.55 in 2019.

While the agency sets the rate for the federal workforce, it cannot exceed the limit established by the Internal Revenue Service.

The National Treasury Employees Union, which monitors reimbursement rates on behalf of the tens of thousands of federal employees, credits the decline, in part, to the pandemic.

View the GSA mileage reimbursement rates here.

STUDY: DHS NEEDS TO IMPROVE EMPLOYEE MORALE

SOME AGENCIES GET poor reviews in employee engagement surveys—and the sprawling Department of Homeland Security, sadly, is a perennial member the low morale club.

Recent events in a presidential transition marred by violence in Washington,
D.C.— along with concomitant added burdens placed on DHS—likely have not helped improve matters. But a new Government Accountability Office study reports on the issue of low DHS morale, identifies problems and offers a handful of recommendations to improve matters.

“The Department of Homeland Security has had low employee morale and low employee engagement—an employee’s sense of purpose and commitment—since it began operations in 2003,” the report’s summary states, noting the long-term trend. “Greater employee engagement results in better performance, studies show.”

The GAO report discusses DHS’s department-wide engagement initiatives—various efforts on the part of key units of the behemoth, including the Transportation Security Administration and U.S. Customs and Border Protection. Yet, to date, many of these efforts are lacking outcome-based performance measures. The GAO document, entitled simply DHS Employee Morale, offers a number of ways these could be improved.

“DHS has made some progress in this area, but data from the 2019 OPM FEVS show that DHS continues to rank lowest among similarly-sized federal agencies,” the report states.

PLUM BOOK GIVES LOOK INTO FED POLITICAL APPOINTMENTS
THE QUADRENNIAL BOOK containing lists of jobs filled by appointment in the executive and legislative branches known as the Plum Book came out last week, offering some details, but not a full picture, of senior level positions in the last year of the Trump administration.

Officially known as the “United States Government Policy and Supporting Positions,” the Plum Book lists both filled and vacant positions that may be subject to non-competitive appointments. For job seekers, it offers insight into what jobs might be up for grabs in an incoming administration. It contains details about positions like what agency they’re in, the previous person in the position and their salary level.

The most recent edition contains information from June 2020, as reported to the Office of Personnel Management by agencies and offices. This edition has arrived later after the election than previous editions had in past years.

The book’s listings include appointments that do and don’t require Senate confirmation, non-career members of the Senior Executive Service and Schedule C employees, as well as other confidential or policy-determining positions at GS-14 and above that are excepted from the competitive service by law.

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Thrift Savings Plan Share Prices

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investigations functions were privatized. Some of the feds who switched became millionaires. And now we have a backlog, but…. When it comes to being privatized it is, like investing in an unknown but potentially hot stock, best to get in early. And then maybe out before things settle down.

The U.S. Postal Service started out as a step toward privatization. And most of the groundwork was laid by a Democratic administration. The stated idea was to take the old Post Office Department out of the cabinet and out of politics. It would be self financing and cost the taxpayers nothing other than whatever they spent on stamps. But a funny thing happened.

In a separate email to Washington Technology, Klein said Garing was “creative and innovative and may have been the first to push for storage on demand, a new model at the time. He was a man you could look up to both professionally and personally.”

First the internet. Then e-mail. To the point where many school children aren’t taught penmanship because they type, not write. Also, can you say Amazon? How do you shop and communicate now vs. then? To make sure the independent USPS wouldn’t be independent for long Congress also required it—but no other agency—to prefund many costs and benefits for current and future employees. So much for turning a profit.

Now some insiders are saying that the long knives are out again, hoping to privatize and or carve up the giant USPS. The idea would be to skim cream from the top, and leave what’s left of the federal postal service to do the dirty work. To send a Florida to Alaska letter for the price of a first-class stamp. Which no private sector (or privatized) firm would consider. In survey after survey the USPS is ranked at or near the top in popularity and performance in poll after poll.
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In an email to Washington Technology, former IBM executive Anne Altman called Garing a “passionate patriot” who took great pride in his time at the Air Force and at DISA. “He worked tirelessly,” she said. “He had immense pride in his team at DISA; he trusted their judgment and cared deeply about their success.”

Altman also noted that Garing had a “quick wit and a kind soul.”

Vion Corp. CEO Tom Frana, Garing’s former boss, said he was “loved and respected by everyone.”

Vion was a supplier to Garing at DISA and introduced the idea of a consumption-based model in 1999 or 2000. At the time, Garing asked all his major suppliers to come in to “tell him something he didn’t know.” Garing ran with the idea now known as “as-a-service” and pushed it to the rest of DISA and the Defense Department.

“IT is one of the primary procurement methods used today in the federal government and it is DISA’s primary acquisition strategy today,” Frana said.

Over a decade later, Garing was working for Frana as a vice president at Vion. “John was a true road warrior,” he said. “He loved being in front of customers and prospects.”

John Garing was born April 29, 1942, in St. Paul, Minn., to the late John and Helen Garing. He is survived by his wife Gerri Perras Garing. They were married for 54 years.

His family remembered him as a teacher. “He taught everyone he met something to remember—respect, loyalty, friendship, and love,” they wrote in his obituary.

In addition to his wife, other survivors include his son Matt Garing and three daughters: Chris Garing and her partner Christopher, Stacy Garing Yentz and husband Kevin, Nicole Garing Kinney and her husband Michael; plus seven grandchildren.

A funeral mass will be conducted 10 a.m. Tuesday, Jan. 12, at St. Bridget of Irele Catholic Church in Berryville, Virginia. Burial will be later at Arlington National Cemetery.

rule. Actually nothing. They just break it, on purpose, then fix it. Like the drug companies and cooperating doctors who gave us the opioid crisis which has killed an estimated 400,000 people mostly in “flyover” land, while financing some nice homes, pools and cars in coastal homes and villas in Connecticut and California.

So who’s next for a possible privatization takeover? How about the IRS. Congress has (again) authorized the use of private debt collectors who, using IRS data and leads, get a share of what they collect—at a cost to taxpayers. Meantime congress continues to underfund the one operation in the government that actually makes (as in collects) money. This program has been tried, and crashed and burned. Twice before. Obviously Congress (maybe the administration too) want to keep revising, crashing burning the program until it works. Again with contractors getting the cream and left-over-revenuers doing the heavy lifting.

Or maybe it’s the FAA. Couldn’t the private sector do better, faster, cheaper? Especially if it got the high end operations (funded by user fees on the airlines which you would wind up paying anyhow) while leaving a skeleton crew of government FAA’ers to do the real work. Or what’s left of it.